

MANIPUR INFORMATION COMMISSION IMPHAL

Complaint Case No.14 of 2011

Shri Moirangthem Ibohal Singh, aged about 58 years S/O Late M.Thanil Singh, Khagempalli Huidrom Leikai, P.O.Imphal and P.S. Singjamei, Imphal West District-Complainant

Vrs

The State Public Information Officer/ Director, Department of Higher Education, Government of Manipur, Imphal.

-Respondent

ORDER

Imphal, 26th April 2011

FACTS

This is a complaint petition filed by Shri Moirangthem Ibohal Singh, aged about 58 years S/O Late M.Thanil Singh, a resident of Khagempalli Huidrom Leikai, P.O.Imphal and P.S. Singjamei, Imphal West District, Manipur on the refusal of the State Public Information Officer (S.P.I.O.)/ Director, Department of Higher Education, Government of Manipur, Imphal to furnish information sought for under the Right to Information Act, 2005 (RTI Act) vide his application dated 4th December 2010. In his application, the Complainant has sought for the following information:-

“(i) List of the names of the serving lecturers with the names of the Colleges where they are serving as on 30/11/2010 out of the final seniority list of the Principal and lecturers of the converted colleges contained in the Order No.3/18/87-S/SE, dated 2nd August 1994.

(ii) Order No.1/23/76-SE, dated 12-04-1977.

(iii) Order No.1/15/70,SE, dated 15-04-1977.

(iv) Govt. Order No. 1/15/77-SE, dated 16-12-1977..

(v) Govt. Order No. 1/3/78- SE, dated 04-09-1978..

(vi) Govt. Order No. 1/32/79-S/SE, dated 20-12-1979.

(vii) Govt. Order No. 3/10/76-S/SE, dated 30-05-1981”

2. Having not received any response from the Director, Department of Higher Education, Government of Manipur, Imphal/S.P.I.O., the Complainant filed the present petition to this Commission on 31st January 2011, on the basis of which the Commission issued a show cause notice to the SPIO on 31st January 2011, but that also was not

responded by the said SPIO. Thus, the case is taken up as a complaint case under section 18 of RTI Act,2005 and heard on 4.3.2011,18.3.2011,28.3.2011,12.4.2011 and 18.4.2011, after giving due notices to the parties.

3. During the course of hearing, on 4th March 2011,the Complainant has submitted a rejoinder stating that on 1st March 2011, he has received some information from the Under Secretary, Higher Education, Government of Manipur vide letter No. 10/03/2009-E dated 21/02/2011 of which is also incomplete and misleading information. Further, the Complainant has added that the said “Department is not maintaining a living list of lecturers serving in different Colleges as on 30/11/2010 under the Govt.of Manipur out of the Final Seniority List of the Principals and Lecturers of the converted colleges contained in the order No.03/18/87-S/SE dated 2nd August 1994 and also the act of the Department in wrongly furnishing the Seniority List of 2nd August 1994 which was not sought for by the complainant”

4. The information sought for, by the above complainant is not within the exempted category as mentioned under section 8 of the R.T.I.Act, 2005. Further, there is no ambiguity in the information sought for; therefore, there is no reason to deny the same.

5. It is a fact that the S.P.I.O. / Director, Department of Higher Education, Government of Manipur, Imphal has failed to provide the complete information from 4th December 2010 to till date, without any reasonable ground, thus he has violated the provisions of Section 7(1) of the RTI Act, 2005, therefore, he is liable for maximum fine under Section 20 of the Act, for an amount of Rs.25, 000/- (Rupees twenty-five thousand) only.. Further, because of the non-providing of the information by the S.P.I.O, the complainant has to attend the Office of the Commission repeatedly and also has to suffer much detriment and other harassment from the Office of the S.P.I.O. which need to be compensated.

DECISION

In the result, stated above, the Commission orders that,

- (a) The complete information sought for, by the above complainant, fully described at Para 1 above should be furnished by the S.P.I.O/ Director, Department of Higher Education, Government of Manipur, Imphal on or before**

16th May 2011, free of cost, failing which the penalty as prescribed under section 20 of the R.T.I.Act,2005 may be imposed on him without further intimation. The personal attendance of the complainant in the office of the S.P.I.O. is not required.

(b) the complainant can approach the Commission again in case of any grievance on or before 17th May 2011.

Announced in open.

(RK Angousana Singh)

State Chief Information Commissioner, Manipur

Copy to:-

1. The Commissioner (Higher Education) Government of Manipur, Imphal
2. The State Public Information Officer/ Director, Department of Higher Education, Government of Manipur, Imphal.
3. Shri Moirangthem Ibohal Singh, Khagempalli Huidrom Leikai, P.O.Imphal and P.S. Singjamei, Imphal West District