

# **MANIPUR INFORMATION COMMISSION IMPHAL**

**Complainant Case No. 167 of 2010**

**Shri. Kh. Manshing Kakwa Khangembam leirak, P.O. Canchipur, M.U. Pin 795003,  
complainant,**

**Vrs**

**The Director Tribal Development IS.P.I.O. Government of Manipur, Imphal**

## **ORDER**

**Imphal, the 20<sup>th</sup> January, 2011**

### **FACTS**

This is an application filed to this Commission by the above complainant namely Shri. Kh. Manshing Kakwa Khangembam leirak, P.O. Canchipur , , on the refusal of the S.P.I.O.to provide the information sought under the provisions of R.T.I.Act, 2005.The above complainant submitted an application on 14.10.2010 to the Director T.D.IS.P.I.O. Government of Manipur, under the R.T.I.Act, 2005, requesting to furnish the following information, given below in connection with an application submitted to the Director, Development for Tribal & Scheduled Castes Department, on 19<sup>th</sup> August,2010.

**“1. Please indicate the daily progress report made on the above mentioned application so far i.e. when did the said application reaches to which officer, for how long did it stay with that officer and what action did he /she take on it during that period .**

**2. Please give the names and designation of the officials, if any, who delayed in taking action on the said application mentioned above.**

**3. By when would the said application be dealt with. If the said application was dealt, please furnish all the copies of the related file noting reports and orders thereof?**

**4. What action would be taken against those officials for delay according to Civil Service Conduct Rules & other appropriate provisions of law. By when would that action be taken of?**

**5. Whether there is public notification for the Housing Scheme” If yes, did it publish in news paper, please give a copy of the notification and its press clippings.**

**6. What are the criteria or basis or guidelines of the selection for getting the said scheme? Please give a copy of the criterialbasis\guidelines.**

**7. Whether there is inspection procedure for selection? If yes, please give copies of the inspection reports of the said housing scheme for the year 2009-2010 and 2010-2011, if not, please furnish the basis for selection of the beneficiaries.**

- 8. How many families can get the facility in a constituency? And what are the materials and how many quantities to be given in a family?**
- 9. How many families, in which year and in what reason, the facilities are given under the scheme in Langthabal Constituency?**
- 10. If the benefits had already been given to some of the families of the Langthabal constituency, who are they? What are the materials? And how many quantities?**
- 11. Is this scheme is Central sponsored scheme or State Government Scheme?**
- 12. What are the reasons for not getting facilities by the landslide affected families which was occurred on 29<sup>th</sup> March 2010 at about 3.30 am Langthabal Khoupum?"**

2. Having not received any response from the S.P.I.O. within the stipulated time, the above applicant filed this complaint to this Commission on 20.11.2010, on the basis of which a show cause notice was served on the S.P.I.O. on 22.11.2010. The case was taken up as a complaint case under section 18 of the R.T.I.Act, 2005 and heard on 21.12.2010, 28.12.2010 and 15.1.2010 after giving due notices to the parties. During the course of the hearing the S.P.I.O, has not made even a single comment and did not present during the last two days, even though he was given due notice.

5. It is a fact that the S .P.I.O has failed to furnish the information even after a lapse of many months (from 14.10.2010 to till date) therefore, he is liable for a maximum fine of Rs. 25,000(Rupee twenty five thousand) only for the said delay. Further, because of the non furnishing of the information during the above period the complainant has to approach the Commission for redressal of his grievances and has to attend Commission ,many times, thus, causing detriment which needs to be compensated under the provisions of the R.T.I.Act,2005

## **DECISION**

In the result stated above, the Commission orders that (a) the S.P.I.O. should furnish the information sought for by the above complainant within a week from the receipt of this order failing which the penalty as prescribed in section 20 of the R.T.I.Act, 2005, including the recommendation for disciplinary action may be imposed on him. (b)The complainant can approach the Commission again in case of any grievance on or before 31.1.2011.

**Announced in open**

**R.K. Angousana Singh**  
**State Chief Information Commissioner, Manipur.**

**Copy to----**

- 1. The Principal Secretary (T.D) Government of Manipur**
- 2 .The Director Tribal Development IS.P.I.O. Government of Manipur, Imphal**
- 3. Shri. Kh. Manshing Kakwa Khangembam leirak, P.O. Canchipur, M.U. Pin 795003,**