



ꯏꯪ꯭꯫ꯛ ꯏꯪ꯭꯫ꯛ ꯏꯪ꯭꯫ꯛ
ꯏꯪ꯭꯫ꯛ—ꯏꯪ꯭꯫ꯛ



15th ANNUAL REPORT
2021-2022



सत्यमेव जयते

15th
ANNUAL REPORT 2021-22
(April 2021 - March 2022)



**RIGHT TO
INFORMATION**

MANIPUR INFORMATION COMMISSION

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CHAPTER - I

INTRODUCTION:

- 1.1. The Indian Parliament, on 12th May in 2005, enacted The Right to Information Act, 2005 (hereinafter, 'the act' or 'RTI act'), with the intent to set out a practical regime of the people's right to information. The act aimed at securing access to information under the control of Public Authorities to promote transparency and accountability which is necessary for containing corruption in the bureaucracy. The RTI act has been one of the most empowering legislations for the citizens of this great country.
- 1.2. The act valiantly empowers the citizens of India to seek transparency in the functioning of public authorities by receiving mandatory disclosure of information from the public authorities. Subsequently after the act was passed, it has been extensively used by the people on a range of issues, from holding the Government authorities accountable for delivery of basic rights and entitlements to questioning the actions of the higher offices of this country.
- 1.3. Under the ambit of Section 25 (1) of the Act, the Commission is submitting this Annual Report to the Government containing an overview of the status of implementation of this Act during the year 2021-22 in the State of Manipur. The Annual Report for the year 2020-21 was placed before the State Legislative Assembly on 28th July, 2022 by the State Government.
- 1.4. The primary objective of The Annual Report 2021-22 is to emphasize on the inputs received from the Public Authorities of different Government Departments on the implementation of the RTI Act, 2005 in the State. The report consists of the analysis of data received from all the State Government Departments in accordance with the responsibility cast upon them under Section 25 (2) and 25 (3) of the Act.

1.5. The report includes: -

- i) Number of requests for information received and disposed by the State Public Information Officers (SPIO),
- ii) Number of First appeals received and disposed by the First Appellate Authority (FAA),
- iii) Number of complaints and second appeals received and disposed by the Commission,
- iv) Amount collected as RTI fee by the Public Information Officers,
- v) Amount of Penalty imposed on Public Information Officers and compensation awarded to the complainants/ appellants,
- vi) Analysis of the information furnished by the Departments,
- vii) Accounts of the Commission,
- viii) Recommendations,
- ix) Abstract of salient/ important decisions taken by the Commission during the year.

1.6. In spite of the significant enactment of the Act for more than sixteen years, the Public Authorities have repeatedly failed to implement its necessary provisions. Particularly Section 4 of the Act, which requires the Public Authorities to maintain all records duly catalogued and indexed, and to provide information on seventeen parameters, Suo-motu, to the public at regular intervals. This also includes timely disposal of the RTI applications by the concerned SPIOs and the first appeals by the FAA. It has become a matter of great concern as it still remains a major bottleneck while effectively and efficiently implementing the RTI act. The failure of the State Government Departments to submit data for annual reports further makes it difficult to carry out comprehensive study/ analysis of the data and eventually delaying the completion of the Annual Report. The submission of the report of 2021-22 is delayed due to the outbreak of COVID-19 pandemic across the globe and the frequent lockdowns to contain the virus.

CHAPTER - II

IMPLEMENTATION OF THE RTI ACT, 2005 BY PUBLIC AUTHORITIES DURING 2021-22

- 2.1. The citizens of the country are empowered by the Right to Information Act, 2005 in seeking information, which is available in any material form, from the Public Authorities. The Section 2 (f) of the Act defines what is “*information*” and the Section 2 (j) defines what is “*Right to Information*.” In the last 15 years, citizens are increasingly using the RTI Act for getting information from the Government and the Government-controlled organisations.
- 2.2. The Right to Information Act, 2005 also requires all the Government Departments to collect the relevant information/ data from all Public Authorities under their control and furnish the same to the State Information Commission for preparing the Annual Report of the year. The tables below contain data, which are compiled from the reports/ data provided by the Public Authorities of the Government Departments. The Commission finds that in spite of the legal provisions, there are many Government Departments, which do not submit their information/ data for preparing the annual report, and are hesitant to comply with the direction of the Commission. As many Departments did not submit the relevant information/ data called for by the Commission with reminders, the data shown in the tables below may not reflect the complete picture on the total number of RTI applications filed by the citizens to all the Public Authorities during the year under report.

Disposal of information requests by the Public Information Officers.

- 2.3 During the year 2021-22, a total number of 579 requests were received by the Public Information Officers. Out of these, 541 requests were disposed of by the SPIOs during the year including pending cases 25, representing 89.56% disposal. The balance requests were carried over to the next year for disposal. The total number of requests rejected by the SPIOs is 8 (eight). The disposal of RTI application by different Public Authority is given in Table-I.

TABLE - I

DETAILS OF RTI APPLICATION RECEIVED AND PENDING IN THE STATE FOR THE PERIOD OF 1-4-2021- TO 31-03-2022

A. GOVERNOR SECRETARIAT :

Sl. No.	Name of Deputt	Name of Public Authority	Total no. of PIOs	Total no. of applications pending as on 1-4-2021	Total no. of applications received during 1-4-2021 to 31-3-2022	Total of Col. 5+6	Total no. of disposed during the period 1-4-2021 to 31-3-2022	Total no. of applications pending as on 1-4-2022	Out of cases disposed shown in col. 8, no. of cases for which information is furnished	No. of requests deemed to be refused : Sec 7(2)	Out of total disposal in Col. 8, cases rejected under section														Amount of application fee & charges collected for furnishing information	
											8(1) (a)	8(1) (b)	8(1) (c)	8(1) (d)	8(1) (e)	8(1) (f)	8(1) (g)	8(1) (h)	8(1) (i)	8(1) (j)	9	11	24	25		26
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	
1.	Governor's Secretariat Raj Bhawan	-	1	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2.	High Court of Manipur	Registrar	2	-	72	72	43	29	43	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,715/-

B. ADMINISTRATIVE DEPARTMENT :

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
3.	CAF & PD	-	2	-	8	8	8	-	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	80/-
4.	Command Area Development	Adl. Chief Secretary	1	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
5.	Education(S) Department	Joint Secretary	2	-	7	7	7	-	3	-	-	-	-	-	-	-	-	-	1	-	-	-	-	3	70/-
6.	Finance Department (Expenditure)	Expenditure Section	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7.	Finance Department (PIC)	Deputy Secretary	2	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
8.	Fishery Department	Deputy Secretary	1	2	2	4	3	1	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
9.	Health Department	Adl. CS	4	6	8	14	12	2	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	80/-
10.	Horticulture & Soil Conservation	Adl. CS	2	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
11.	Information & Public Relations	Deputy Secretary Joint	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
12.	Power Department	Secretary	2	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-
13.	RD & PR	RD & PR	2	-	8	8	8	-	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	80/-
14.	Sericulture Department	Sericulture	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
15.	Science & Technology	Sr. Scientific Officer	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16.	Tourism Department	Tourism Department	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
17.	Transport Department	Under Secretary	1	-	7	7	7	-	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	70/-
18.	Vety. & A.H.	Vety & A.H	1	-	5	5	5	-	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	50/-
19.	Works Department	Deputy Secretary	1	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40/-

C. DIRECTORATE / HEAD OF DEPARTMENT/AUTONOMOUS DISTRICT COUNCIL/BOARD/COUNCIL/DEPUTY COMMISSIONERS :

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
20.	Agriculture Department	Department of Agriculture	10	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40/-
21.	Art & Culture Department	Commissioner	12	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-
22.	Adult Education Department	Director	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
23.	Board of Secondary Education Manipur	Secretary	3	1	10	11	9	2	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	100/-
24.	Cooperation Department	SPIO	2	-	31	31	31	-	31	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	310/-
25.	CAF & PD	-	38	1	22	23	21	2	21	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	220/-
26.	Council of Hr. Secondary Education Manipur	Secretary	2	2	6	8	7	1	7	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	60/-
27.	CADA	Adtl. CS	2	-	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
28.	Directorate of Minority Affairs	Director	1	-	9	9	9	-	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	90/-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
29.	Directorate of Welfare of OBC	Director	1	-	8	8	8	-	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	80/-
30.	Election Department	Joint CEO	1	-	14	14	14	-	14	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	140/-
31.	Economics & Statistics	Director	10	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-
32.	Excise Department	Superintendent	3	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40/-
33.	Employment Exchange	Addl. Director	8	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
34.	Fire Service Department	Director	1	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
35.	Finance Deptt. (Institutional Finance)	Director	1	-	3	3	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	30/-
36.	Forest Department (Bishnupur Division)	DFO	1	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40/-
37.	Forest Department (Churachandpur Divn)	DFO	1	-	5	5	4	1	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	50/-
38.	Fishery Deptt	Addl. Director	9	2	2	4	3	1	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
39.	Health Department	Director	5	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
40.	Information & Public Relations	Director	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
41.	Information Technology	Director	1	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40/-
42.	Jail Department	Prison & Correctional Deptt	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
43.	Local Audit Fund	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
44.	Labour Deptt	Deputy Labour Commissioner	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
45.	Language Planning & Implementation	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
46.	Minor Irrigation Department	Chief Engineer	6	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
47.	Manipur State Power Distribution Company Limited	Managing Director	18	1	14	15	15	-	15	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	140/-
48.	Manipur State Power Company Limited	Managing Director	9	-	8	8	5	3	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	80/-
49.	Printing & Stationery	Assistant Director	2	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	60/-
50.	PHED	Chief Engineer	31	-	15	15	15	-	15	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	150/-
51.	Public Works Department	SE/HQ	14	7	18	25	13	12	13	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	220/-
52.	Prosecution Department	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
53.	Relief & Disaster Management	Addl. CS	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
54.	Rural Development & Panchayati Raj	Director	1	-	11	11	11	-	11	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	110/-
55.	RD & PR (BDO, Imphal West-II, Wangoi	BDO, Wangoi	1	-	3	3	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	30/-
56.	RD & PR (MGNREGA, Bishnupur)	DPC	1	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40/-
57.	RD & PR (BDO, Bishnupur	BDO	1	-	3	3	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	30/-
58.	RD & PR (BDO, Nambol)	BDO	1	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
59.	RD & PR (Zilla Parishad, Imphal East	CEO	1	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40/-
60.	RD & PR (Zilla Parishad, Thoubal	CEO	1	-	2	2	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
61.	RD & PR (Zilla Parishad, Bishnupur)	CEO	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-
62.	RD & PR (Zilla Parishad, Imphal West)	CEO	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-
63.	Revenue (DC, Kakching)	DC, Kakching	1	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40/-
64.	Revenue (DC, Phorzawl)	DC, Phorzawl	1	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
65.	Revenue (DC, Phorzawl)	DC, Phorzawl	1	-	3	3	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	30/-
66.	Revenue (DC, Ukhrul)	DC, Ukhrul	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-
67.	Revenue (DC, Senapati)	DC, Senapati	1	-	6	6	6	-	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	60/-
68.	Revenue (DC, Thoubal)	DC, Thoubal	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-
69.	Revenue (SDO, Moirang)	SDO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
70.	Revenue (SDO, Nambol)	SDO	1	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
71.	Revenue (SDO, Bishnupur)	SDO	1	-	10	10	10	-	10	-	-	-	-	-	-	-	-	-	1	-	-	-	-	-	100/-
72.	Revenue (SDO, Keirao Bitra)	SDO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
73.	Revenue (SDO, Patsoi)	SDO	5	-	30	30	30	-	30	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	300/-
74.	Settlement & Land Records	S&SO	2	-	19	19	19	-	19	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	190/-
75.	State Health Society	National Health Mission	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-
76.	Small Savings	Director	2	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-
77.	State Academy of Training	SAT	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
78.	Science & Technology	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
79.	Tribal Affairs & Hills	Director	1	-	3	3	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	30/-
80.	Transport Department	Director	5	-	49	49	49	-	49	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	490/-
81.	Trade, Commerce & Industries	Director	1	2	7	9	8	1	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40/-
82.	Textiles, Commerce & Industries	Director, Hand- looms	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10/-
83.	Treasuries & Accounts	Director	2	-	5	5	5	-	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	20/-
84.	Taxation Department	Asstt. Commissioner of Taxes	1	-	5	5	3	2	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	120/-
85.	Vety & A.H. Services	Director	2	-	12	12	12	-	12	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	120/-
86.	Vigilance & Anti Corruption	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
87.	Water Resource Department	SE	1	-	5	5	2	3	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	50/-
88.	Youth Affairs & Sports	Director	1	-	10	10	10	-	10	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	100/-
89.	Autonomous District Council, Ukhrul	CEO	1	-	3	3	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	30/-
90.	Autonomous District Council, Kangpokpi	CEO	1	-	6	6	6	-	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	60/-

D.COMMISSIONS

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
91.	Manipur Information Commission	MIC	1	-	5	5	5	-	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	50/-
92.	Manipur Public Service Commission	Deputy Secy	1	1	27	28	28	-	25	-	-	-	-	-	-	-	-	-	-	1	-	-	-	2	94/-
Total				25	579	604	541	63	533	-	-	-	-	-	-	-	-	-	2	1	-	-	-	5	6,639/-

Note : *The required information from the Department / Public Authority is not available.

2.4 Disposal of First Appeals by the First Appellate Authority (FAA).

The Section 19 (1) provides that – any person who does not receive a decision within the time specified in Sub-Section (1) or clause (a) of Sub-Section (3) of Section 7, or is aggrieved by a decision of the State Public Information Officer, may within 30 days from the expiry of such period or from the receipt of such a decision prefer First Appeal to such officer who is senior in rank to the State Public Information Officer, in each Public Authority.

During 2021-22, 98 numbers of first appeals were preferred before the FAA in the form of First Appeals under Section 19 (1) of the Act while 6 first appeals were carried forward from the previous year. Of this, 94 first appeals were disposed of by the FAA during the year representing 90.38% disposal. The balance 10 first appeals remained pending at the close of 2021-22. The disposal of the appeals by the FAA is given in Table II.

TABLE - II

DETAILS OF FIRST APPEALS RECEIVED, DISPOSED AND PENDING IN THE STATE FOR THE PERIOD 1-4-2021 TO 31-3-2022

A. GOVERNOR'S SECRETARIAT :

Sl. No.	Name of Depett	Name of Public Authority	No. of Appellate Authorities	Total no. of 1st appeals pending as on 1-4-2021	Total no. of 1st appeals received during 1-4-2021 to 31-3-2022	Total of Col. 5+6	Total no. of 1st appeals disposed during the period 1-4-2021 to 31-3-2022	Total no. of 1st appeals pending as on 1-4-2022	Out of total cases disposed shown in Col. 8 cases where information furnished	Out of total disposal in Col. 8, cases rejected under section													
										8(1) (a)	8(1) (b)	8(1) (c)	8(1) (d)	8(1) (e)	8(1) (f)	8(1) (g)	8(1) (h)	8(1) (i)	8(1) (j)	9	11	24	Other
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
1.	Governor's	Secretary Secretariat	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2.	High Court of	Registrar Manipur	1	-	3	3	2	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-

B. ADMINISTRATIVE DEPARTMENTS:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
3.	Consumer Affairs & Public Distribution	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
4.	Command Area Development Department	Addl. Chief Secretary	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
5.	Education(s) Department	Commissioner	1	-	5	5	5	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	1
6.	Finance Department (Expenditure Section)	Expenditure Section	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7.	Finance Department (PIC)	Deputy Secretary	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
8.	Fishery Department	Secretary	1	2	1	3	2	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
9.	Health Department	Addl. CS	1	7	6	6	6	-	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-
10.	Horticulture & Soil Conservation	Addl. CS	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
11.	Information & Public Relations	Commissioner	-	+	+	+	+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
12.	Power Department	Secretary	1	7	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
13.	RD & PR	RD & PR	1	-	8	8	8	-	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-
14.	Sericulture Department	Sericulture	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
15.	Science & Technology	Sr Scientific Officer	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
16.	Tourism Department	Tourism Department	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
17.	Transport Department	Under Secy	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
18.	Vety & AH	Vety & AH	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
19.	Works Department	Commissioner	1	-	2	2	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1

C. DIRECTORATE / HEAD OF DEPARTMENT/AUTONOMOUS DISTRICT COUNCIL/BOARD/COUNCIL/DEPUTY COMMISSIONERS :

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
20.	Agriculture Department	Deptt. of Agri	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
21.	Art & Culture	Commissioner	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
22.	Adult Education Department	Director	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
23.	Board of Secondary Education Manipur	Chairman	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
24.	Cooperation Department	SPIO	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
25.	CAF & PD	-	19	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
26.	Council of Hr. Sec. Edn, Manipur	Chairman	1	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
27.	CADA	Addl. Chief Secretary	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
28.	Directorate of Minority Affairs	Director	2	-	9	9	9	-	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-
29.	Directorate of Welfare of OBC	Director	2	-	8	8	8	-	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-
30.	Election Department	Joint CEO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
31.	Economics & Statistics	Director	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
32.	Excise Department	Superintendent	1	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-
33.	Employment Exchange	Addl. Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
34.	Fire Service Department	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
35.	Finance Department (Institutional Finance)	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
36.	Forest Department (Bishnupur Division)	DFO	1	-	4	4	3	1	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
37.	Forest Department (Churachandpur Division)	DFO	1	-	5	5	4	1	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-
38.	Fishery Dept	Addl. Director	1	2	1	3	2	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
39.	Health Services	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
40.	Information & Public Relations	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
41.	Information Technology	Special Secretary	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
26.	Council of Hr. Sec. Edn, Manipur	Chairman	1	-	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
27.	CADA	Addl. Chief Secretary	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
28.	Directorate of Minority Affairs	Director	2	-	9	9	9	-	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-
29.	Directorate of Welfare of OBC	Director	2	-	8	8	8	-	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-
30.	Election Department	Joint CEO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
31.	Economics & Statistics	Director	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
32.	Excise Department	Superintendent	1	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-
33.	Employment Exchange	Addl. Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
34.	Fire Service Department	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
35.	Finance Department (Institutional Finance)	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
36.	Forest Department (Bishnupur Division)	DFO	1	-	4	4	3	1	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
37.	Forest Department (Churachandpur Division)	DFO	1	-	5	5	4	1	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-
38.	Fishery Deptt	Addl. Director	1	2	1	3	2	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
39.	Health Services	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
40.	Information & Public Relations	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
41.	Information Technology	Special Secretary	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
42.	Jail Department	Prisons & Correctional Department	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
43.	Local Fund Audit	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
44.	Labour Deptt	Deputy Labour Commissioner	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
45.	Language Planning Department	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
46.	Minor Irrigation Department	Chief Engineer	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
47.	Manipur State Power Distribution Company Limited	Administrative Secretary	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
48.	Manipur State Power Company Limited	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
49.	Printing & Stationery	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
50.	PHED	Secretary	1	-	3	3	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
51.	Public Works Department	SE/HQ	1	2	1	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
52.	Prosecution	Dy. Director Department	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
53.	Relief & Disaster	Add. CS Management	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
54.	RD & PR	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
55.	RD & PR	BDO (BDO, Wangol)	1	-	3	3	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
56.	RD & PR	DPC (MGNREGA)	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
57.	RD & PR (BDO, Bishnupur)	BDO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
58.	RD & PR (BDO, Nambol)	BDO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
59.	RD & PR Zilla Parishad, Imphal East	CEO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
60.	RD & PR Zilla Parishad, Thoubal	CEO	1	-	2	2	1	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
61.	RD & PR Zilla Parishad, Bishnupur	CEO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
62.	RD & PR Zilla Parishad, Imphal West	CEO	*	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
63.	Revenue DC, Kakching	DC, Kakching	1	-	2	2	2	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
64.	Revenue DC, Pherzawl	DC, Pherzawl	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
65.	Revenue DC, Ukhrul	DC, Ukhrul	1	-	3	3	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
66.	Revenue DC, Senapati	DC, Senapati	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
67.	Revenue, DC, Thoubal	DC, Thoubal	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
68.	Revenue (SDO, Moirang)	SDO	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
69.	Revenue (SDO, Nambol)	SDO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
70.	Revenue (SDO, Bishnupur)	SDO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
71.	Revenue (SDO, Keirao Bilra)	SDO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
72.	Revenue (SDO, Patsoi)	SDO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
73.	Revenue (SDO, Porompat)	SDO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
74.	Settlement & Land Records	DSO	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
75.	State Health Society	National Health Mission	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
76.	Small Savings	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
77.	State Academy of Training	DG	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
78.	Science & Technology	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
79.	Tribal Affairs & Hills	Director	1	-	3	3	3	-	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-
80.	Transport Department	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
81.	Trade, Commerce & Industries	Director	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
82.	Textiles, Commerce & Industries	Director, Handloom	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
83.	Treasuries & Accounts	Director	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
84.	Taxation Department	Asstt. Commissioner of Taxes	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
85.	Vety & AH Services																						
86.	Vigilance & Anti-Corruption	Director	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
87.	Water Resources Department	SE	1	-	1	1	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
88.	Youth Affairs & Sports	Director	1	-	4	4	4	-	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-
89.	Autonomous District Councils Ukhrul	CEO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
90.	Autonomous District Councils, Kangpokpi	CEO	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

I D COMMISSIONS :

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
91.	Manipur Information Commission	MIC	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
92.	Manipur Public Service Commission	Secretary	1	-	3	3	3	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Total				6	98	104	94	10	90	-	-	-	-	-	-	-	-	-	-	-	-	-	4

Note : *The required information from the Department / Public Authority is not available.

2.5 Amount of fee & other charges collected by each Public Authority.

A total amount of Rs. 6,639/- (Rupees six thousand six hundred and thirty nine only) was collected by the SPIOs in the form of fees and other charges during the year 2021-22. The details of the fees and other charges collected by different Departments are indicated in Table - I.

2.6 Implementation of provisions of Section 4 of the RTI Act, 2005 by different Public Authorities.

A compilation of data submitted by different Public Authorities/ Government Departments reveals that many Departments still failed to implement the provisions of Section 4 of the RTI Act, 2005 which mandates every Public Authority to maintain all its records duly catalogued, computerised, indexed and publish information on seventeen points regarding the functioning of the Department, suo-motu, and update the same at regular intervals. Even though some Departments have published the same on time, it is not updated at regular intervals and many Departments have not yet opened their website. The following Table-III shows the status on the implementation of Section 4 of the RTI Act, 2005 by different Public Authorities, which have submitted the information in this regard.

As highlighted in the Table-III, out of the total 92 Public Authorities, which have furnished the annual report/ data, only 25 Public Authorities have made the Suo-motu disclosure under Section 4(1)(b) of the Act. For 19 Public Authorities, the matter is under process while majority of the Public Authorities have not done it at all.

TABLE - III

Status of Implementation of Section 4 of RTI Act 2005 by different Public Authorities

A. GOVERNOR SECRETARIAT :

Sl. No.	Name of Department	Whether the records of the office are catalogued and indexed to facilitate any extraction or recovery of information when	Whether the records are computerized or not? [Section 4(1)(a)]	Whether the information as required to be published u/s 4(1)(b) of the RTI Act, 2005 has been published
1	2	applied for? [Section 4(1)(a)]	4	or not?
1.	Governor's Secretariat	Yes.	Yes	Yes
2.	High Court of Manipur	Yes	Records are 2 computerized	Yes

B. ADMINISTRATIVE DEPARTMENTS :

1	2	3	4	5
3.	Consumer Affairs Food & Public Distribution	Records of the office are catalogued	No	Under process
4.	Command Area Development	Yes	Under process	Yes
5.	Education(S) Department	Yes	Partly computerized.	Under process.
6.	Finance Department (Expenditure Section)	Yes	Partly computerized.	No
7.	Finance Department (PIC)	Yes	Partly computerized.	No
8.	Fishery Department	Yes	No	No
9.	Health Department	No	No	No
10.	Horticulture & Soil Conservation	Yes	Yes	No
11.	Information & Public Relations	Yes	Yes	No
12.	Power Department	Yes	Yes	No
13.	Rural Development & Panchayati Raj	Yes	Yes	Yes
14.	Sericulture Department	Yes	Yes	No
15.	Science & Technology	Yes	Some are computerized	Yes

1	2	3	4	5
16.	Tourism Department	Yes	No	No
17.	Transport Department	Yes	Yes	Yes
18.	Vety & AH Deptt.	Yes	No	No
19.	Works Department	Not yet	Not yet	Not yet

C. DIRECTORATE / HEAD OF DEPARTMENTS/AUTONOMOUS DISTRICT COUNCIL :

1	2	3	4	5
20.	Agriculture Department	No	No	No
21.	Art & Culture Department	No	No	Not yet published.
22.	Adult Education Department	Yes	No	No
23.	Board of Secondary Education Manipu	Yes	Not yet	No
24.	Cooperation Department	Yes	No	No
25.	CAF & PD	Yes	Yes	Under process
26.	Council of Higher Secondary Education	Yes	No	Under preparation
27.	Command Area Development	Yes	Under process	Yes
28.	Directorate of Minority Affairs	Yes	Yes	No
29.	Directorate of Welfare of OBC	Yes	Yes	No
30.	Election Department	Yes	Yes	Partly
31.	Economics & Statistics	Yes	Yes	Yes
32.	Excise Department	No	No	No
33.	Employment Exchange	No	Yes	Yes
34.	Fire Service Department	Yes	No	No
35.	Finance Department (Institutional Finance)	Yes	Not yet	Yes
36.	Forest Department (Bishnupur Division)	Yes	No	No
37.	Forest Department (Churachandpur Division)	Yes	No	No
38.	Fishery Department	Yes	No	No

1	2	3	4	5
39.	Health Department	Yes	Some are computerized and some are not.	Some are published and not all.
40.	Information & Public Relations	Not yet	Not yet	Yes
41.	Information Technology	Yes	Yes	No
42.	Jail Department	No	No	No
43.	Local Fund Audit	No	No	No
44.	Labour Department	Yes	No	No
45.	Language Planning & Implementation	Not yet	Not yet	Not yet
46.	Minor Irrigation Department	Yes	Yes	Yes
47.	Manipur State Power Distribution Company Limited	Yes	No	No
48.	Manipur State Power Company Limited	Yes	Yes	No
49.	Printing & Stationery	Under process	Under process	No
50.	PHED	Yes	Yes	Yes
51.	Public Works Department	Not yet activated	Not yet	Pending
52.	Prosecution Department	Yes	No	Under examination
53.	Relief & Disaster Management	No	No	No
54.	Rural Development & Panchayati Raj	Yes	Not yet as of now	Not yet as of now
55.	RD & PR (BDO, Imphal West-II), Wangoi	Yes	Yes	Yes
56.	RD & PR (District Programme Co-ordinator, MGNREGA, Bishnpur)	Yes	No	Yes
57.	RD & PR (BDO, Bishnpur)	Yes	Yes	No
58.	RD & PR (BDO, Nambol)	Yes	Yes	No
59.	RD & PR (Zilla Parishad, Imphal East)	No	No	Not yet
60.	RD & PR (Zilla Parishad, Thoubal)	Yes	Yes	No
61.	RD & PR (Zilla Parishad, Bishnpur)	Yes	Yes	Yes
62.	RD & PR (Zilla Parishad, Imphal West)	Yes	Yes	No

1	2	3	4	5
63.	Revenue (Deputy Commissioner, Kakching)	Yes	Yes	Yes
64.	Revenue (Deputy Commissioner, Pherzawl)	Yes	Not yet	Yes
65.	Revenue (Deputy Commissioner, Ukhrul)	Yes	No	No
66.	Revenue (Deputy Commissioner, Senapati)	Yes	No	Yes
67.	Revenue (Deputy Commissioner, Thoubal)	Yes	Ongoing	-
68.	Revenue (SDO, Moirang)	No	No	No
69.	Revenue (SDO, Nambol)	Yes	No	Yes
70.	Revenue (SDO, Bishnupur)	No	Yes	No
71.	Revenue (SDO, Keirao Bitra)	Yes	No	Yes
72.	Revenue (SDO, Patsoi)	Yes	No	Yes
73.	Revenue (SDO, Porompat)	Yes	Yes	No
74.	Settlement & Land Records	Yes	Yes	Yes
75.	State Health Society	No	Yes	Yes
76.	Small Savings	Yes	Yes	Yes
77.	State Academy of Training	Yes	Partially computerized	Yet to be published.
78.	Science & Technology	Yes	Some are computerized.	Yes
79.	Tribal Affairs & Hills	Yes	Yes	No
80.	Transport Department	No	Yes	No
81.	Trade, Commerce & Industries	Yes	No	Partly published.
82.	Textile, Commerce & Industries	Yes	Partially	No
83.	Treasuries & Accounts	Yes	Yes	No
84.	Taxation Department	Yes	Yes	Yes

1	2	3	4	5
85.	Vety & Animal Husbandary	Yes	No	No
86.	Vigilance & Anti Corruption	Yes	Some records are computerized.	No
87.	Water Resources Department	Yes	No	No
88.	Youth Affairs & Sports	Not yet	Not yet	Not yet
89.	Autonomous District Council, Ukhrul	Yes	Yes	Yes
90.	Autonomous District Council, Kangpokpi	No	No	No

D COMMISSION:

1	2	3	4	5
91.	Manipur Information Commission	Yes	Yes	Yes
92.	Manipur Public Service Commission	Yes	Under process	Yes

Note : *The required information from the Department / Public Authority is not available.

CHAPTER – III
MANIPUR INFORMATION COMMISSION 2021-22

- 3.1. Organisational setup : The Right to Information Act, 2005 (Act No. 22 of 2005), is an Act to provide for setting out the practical regime of the Right to Information for the citizens to secure access to information under the control of the public authorities, and to promote transparency and accountability in the working of every public authority.

The State Government has constituted the Manipur Information Commission vide Govt. order No. 11/7/2005-AR dated 12-09-2006, published in the Manipur Gazette Notification No. 219 dated 16-9-2006, in order to ensure a successful implementation of the Right to Information Act, 2005.

- 3.2. The Commission is currently headed by the State Chief Information Commissioner (in-charge), Shri Oinam Sunil Singh since 1st March 2019 following the superannuation of Shri Th. Ibobi Singh on 28th February 2019. The post of State Information Commissioner is laying vacant since 09-08-2021 due to untimely demise of Dr. Soibam Ibocha Singh (IPS retd). The terms of office of the past and present State Chief Information Commissioners and State Information Commissioners are given below: -

Sl. No.	Name of Chief Information Commissioner/ Information Commissioner	Terms of office
1.	Shri R.K. Angousana Singh, IAS (Retd), State Chief Information Commissioner	12-09-2006 to 12-09-2011
2.	Shri Ch. Birendra Singh, IAS (Retd), State Information Commissioner	19-12-2008 to 31-03-2013
3.	Shri Th. Ibobi Singh, IFS (Retd), State Chief Information Commissioner	04-05-2015 to 28-02-2019
4.	Dr. Soibam Ibocha Singh, IPS (Retd) State Information Commissioner	22-10-2018 to 08-08-2021
5.	Shri Oinam Sunil Singh State Information Commissioner (SCIC in-charge)	22-10-2018 to till date

3.3. Powers and functions of the Manipur Information Commission.

The Manipur Information Commission was constituted to exercise the powers and to perform duties and functions as laid down in the Chapter V of the RTI Act, 2005. Section 15 (4) of the Act provides that general superintendence, direction and management of the affairs of the State Information Commission shall vest on the State Chief Information Commissioner, who may exercise all such powers and do all such acts and things as may be exercised or done by the State Information Commission autonomously, without being subjected to directions by any other authority.

The Information Commission has wide-ranging powers. It has the power to require public authorities to provide access to information, appoint State Public Information Officers (SPIOs), publish various categories of information and make changes to the practices of record maintenance. The Commission is also empowered to order an inquiry if there are reasonable grounds to do so and also has the power of a civil court in respect of enforcing attendance of persons, discovery of documents, receiving evidence on affidavits and issuing summons for examination of witnesses or documents. Section 19 (8)(c) and Section 20 of the Act empowers the Information Commission to impose penalties on erring officials. As per Section 20 (2), the Commission can recommend disciplinary action against a SPIO for "persistent" violation of one and more provisions of the Act. Further under Section 19 (8) (b) of the Act, the Information Commission can require the Public Authority to compensate the Complainant for any loss or other detriment suffered.

Currently, the Manipur Information Commission is manned by the following staff only, which is completely inadequate.

Sl.No.	Designation of the Post	No.	Remarks
1.	State Chief Information Commissioner (in-charge)	1	
2.	Joint Secretary	1	Posted by DP.
3.	Deputy Secretary (Manipur Information Commission)	1	
4.	Deputy Registrar (Judicial)	2	On deputation from Education(S) Department
5.	PA	1	Posted by GAD.
6.	Office Assistant	3	
7.	Peon	2	
8.	Computer Assistant	1	Engaged by the Commission on Contract basis since 12-9-2016.
9.	Driver	1	
10.	Peon	1	

- 3.4 The Commission has no official building of its own and presently, it carry out its functions from the temporary accommodation allotted by the Government in the State Secretariat, North Block, Imphal.

The present official address of the Commission is as follows: -

Manipur Information Commission
Secretariat North Block, Ground Floor,
Behind Western Block, Imphal, Manipur
Pin - 795001.
Phone - 0385 2456495
Website - www.maninfocom.nic.in
Email - scicmanipur2019@gmail.com

3.5 Nodal Department: -

The Administrative Reforms Department is the Nodal Agency of the Manipur Information Commission. All administrative matters are being taken up and routed through the Nodal Department. The Annual Report prepared by the Commission under Section 25(1) of the Right to Information Act, 2005 is forwarded through the Nodal Department for laying the same before the State Legislative Assembly.

3.6 Powers and function of the Manipur Information Commission:

The Manipur Information Commission functions as the statutory body to hear and adjudicate the complaints and the appeals from citizens and to monitor and ensure implementation of the Act at various levels, in accordance with the provisions of the Right to Information Act, 2005 read with Manipur Information Commission (Regulation of Fee and Cost) Rules, 2012 and the Manipur Information Commission (Appeal Procedure) Rules, 2006 framed by the State Government.

Powers and functions of the officers and employees of the Manipur Information Commission: -

Sl. No.	Designation	Powers and Duties
1.	State Chief Information Commissioner (SCIC), Manipur.	General superintendence, direction and management of affairs of the Manipur Information Commission, adjudication of complaints and second appeals from citizens. Co-ordinate with State Information Commissioner as well as with different Departments of the State Government to ensure proper implementation of the Right to Information Act, 2005.
2.	State Information Commissioner (SIC), Manipur	To assist the State Chief Information Commissioner (SCIC) in dealing with second appeals and complaints in respect of Departments / Organizations allocated to the State Information Commissioner.

3.	Joint Secretary / Deputy Secretary	To assist the Commission in proper implementation of the RTI Act. General supervision of administration and overall supervision of planning, budget and financial management, and to function as FAA of the Commission.
4.	Deputy Registrar (Judicial)	Judicial officer of the Commission for overseeing quasi-judicial functions. Assisting the SCIC/SIC for smooth functioning of the Bench. Providing legal assistance to the Commission and dealing with legal matters connected with court cases. Compilation of annual reports and updation of website. One Dy. Registrar is SPIO of the Commission.
5.	Personal Assistant	To assist the State Chief Information Commissioner / Information Commissioner in the discharge of their duties.
6.	Office Assistant	To provide secretarial assistance to the Deputy Secretary in administrative functions and the Deputy Registrar in disposal of complaint and second appeal cases
7.	Grade-IV including Driver	To perform duties as assigned to them by the SCIC/SIC and Deputy Secretary in routine course.

3.7 Name and designation of the Public Information Officer:

Sl. No.	Name of Public Authority	Name & Designation of the designated Appellate Authority	Name & Designation of the SPIO
1.	Manipur Information Commission	Shri G. Shantikumar Kabui, MCS, Deputy Secretary, MIC, Manipur Secretariat, North Block (Room No. 44), Imphal - 795001	Shri S. Inao Singh, Deputy Registrar (Judl- I), Manipur Information Commission, Secretariat North Block, Imphal-795001

3.8 Budget and Accounts of the Commission:

The budget provision meant for the Manipur Information Commission is provided by the State Government under the Demand No. 3 - Secretariat and is published in the Budget book of the Government under Demand number as given below. The budget provision is meant mostly for payment of pay and allowances of State Chief Information Commissioner/ State Information Commissioners, Domestic Travel Expenses and Office Expenses only.

Details of allocation of budget and expenditure for the year 2021-22 are as follows :

Details Head		Budget provision for the year 2021-22	Expenditure 2021-22
		(Rs. in lakhs)	
Major Head	: 2220 - Information & Publicity		
Sub Major	: 60 - Others		
Minor	: 001 - Direction & Administration		
Sub Head	: 02 - Manipur Information Commission		
Detailed	: 00 - Detailed		
Object	: 01 - Salary	2,50,00,000/-	62,15,109/-
	11 - Domestic Travel Expenses	2,00,000/-	23,308/-
	13 - Office Expenses	24,00,000/-	8,93,004/-

3.9 Activities undertaken by the Commission during the year: -

- i) The main function of the Commission is to hear the Second Appeals preferred to, and to enquire into the Complaints filed by the aggrieved parties. During the year 2021-22, the Manipur Information Commission received 122 Appeals and 11 complaints. Out of these appeal and complaint cases, 155 appeal and 12 complaint cases were disposed of during the period including the pending cases of previous year. The details of receipt and disposal of appeals and complaints by the Commission is given in **Chapter - 4** and **Chapter - 5** of this Report.
- ii) The Commission successfully celebrated the RTI Week on 5th October, 2021 with an objective of making the citizens and the Public Authorities aware of the various provisions of the Act. The highlights of the RTI Week celebration was an opening ceremony at Debala Multipurpose Auditorium Hall, Sangai Bazar, Imphal West, followed by a workshop on various aspects of the Act.



Inaugural Ceremony of RTI Week-2021 at Debala Multipurpose Auditorium Hall, Hiyangthang, Imphal West during the Covid-19 Pandemic by Dr. Sapam Ranjan Singh, Hon'ble MLA, Konthoujam A/C



Shri Oinam Sunil Singh, State Chief Information Commissioner, Manipur Information Commission, speaking during RTI Week-2021 Celebration.



Smt. Pushpa Gurumayum, Advocate, speaking as Resource Person during State Level Workshop as part of the RTI Week-2021.



Invitees / Participants of the Inaugural Ceremony of RTI Week-2021



**CHIEF MINISTER
MANIPUR**

CONDOLENCE MESSAGE

I am deeply aggrieved to learn about the sad demise of Dr. Soibam Ibocha Singh, IPS (Retd.) due to COVID-19 disease.

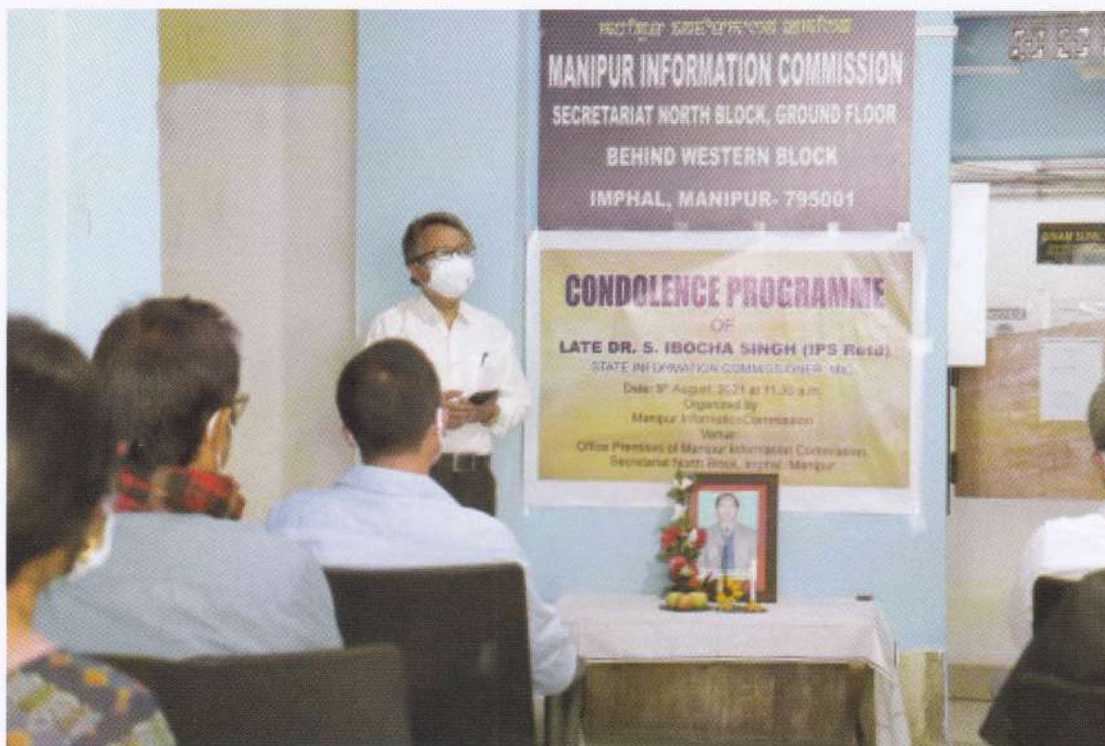
Dr. Soibam Ibocha Singh was holding the position of State Information Commissioner, Manipur.

Born in 1958, he served as lecturer in Maharajah Bodhachandra College from 1979 till 1983. Later, he joined Manipur Police Service in 1983 and retired as Inspector General of Police in 2018. During his service tenure, Dr. Ibocha had served in various capacities towards police modernisation and improvement of law and order in the State. He was the recipient of President's Police Medal for Meritorious Service. Apart from his active service, he had special interest on literature. He was a Sahitya Akademi Translation Awardee, State Literature Awardee, State Kala Akademi Awardee and others. He also served as Vice President of Amateur Rugby Federation of India and President of Rugby Football Manipur.

On his demise, the State has lost a gentleman, an academician and a sports enthusiast who gave his best for the betterment of the society.

On behalf of the Government and people of Manipur, I convey my deepest condolence and share grief with the bereaved family and pray that God may give them the strength to bear this great loss with courage and fortitude.

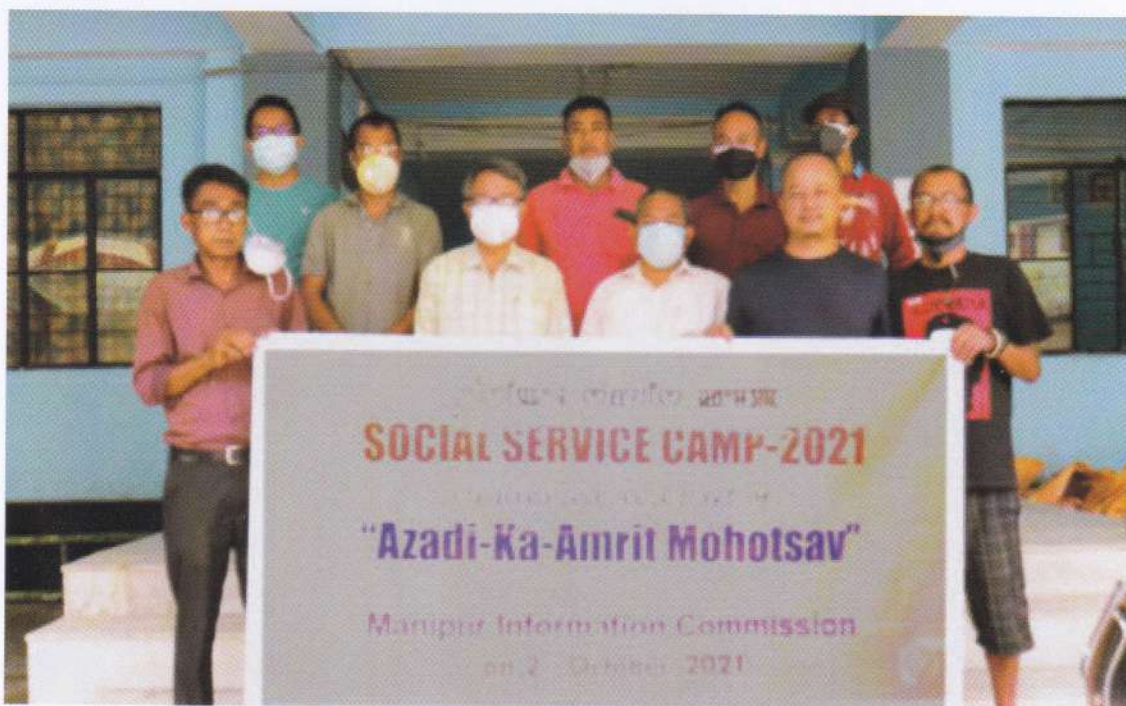

(N. Biren Singh)



Condolance function of late Dr. Soibam Ibocha Singh, State Information Commissioner, Manipur Information Commission held on 9-8-2021



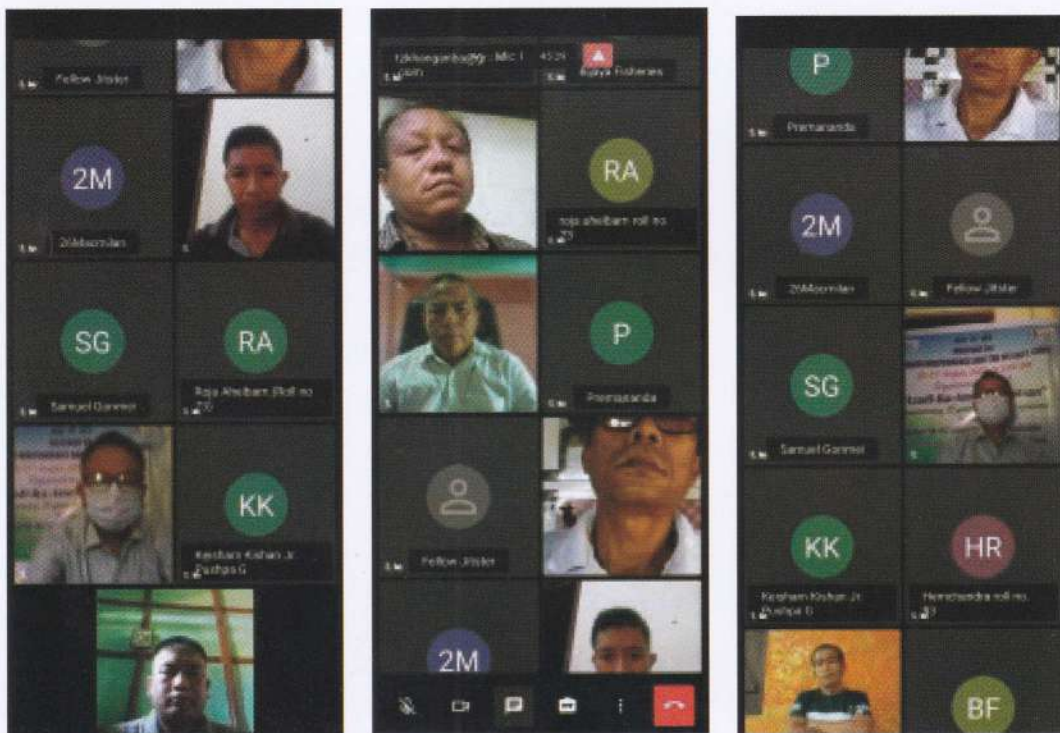
Monetary contribution to Hon'ble Chief Minister Shri N. Biren Singh by Manipur Information Commission for COVID-19 Relief Fund



Social Service Camp 2021 held on 02-10-2021 as part of **"Azadi Ka Amrit Mohotsav"** commemorating 75 years of Indian Independence



Shri Oinam Sunil Singh, SCIC submitting Annual Report-2018-19 & 2019-20 of Manipur Information Commission to Hon'ble Speaker, Manipur Legislative Assembly Shri Y. Khemchand Singh



Online Seminar on RTI Act as part of the “Azadi Ka Amrit Mohotsav” commemorating 75 years of Indian Independence

CHAPTER IV
DISPOSAL OF COMPLAINTS BY THE STATE INFORMATION
COMMISSION

4.1. Section 18 (1) of the RTI Act, 2005, empowers the State Information Commission to receive and inquire into a complaint from any person:

- a) Who has been unable to submit a request to any Public Information Officer, either by reason that no such officer has been appointed under this Act or because the State Assistant Public Information Officer has refused to accept his or her application for information or appeal under this Act for forwarding the same to the State Public Information Officer or a Senior Officer specified in Sub-Section (1) of Section 19 or the State Information Commission.
- b) Who has been refused access to any information requested under this Act.
- c) Who has not been given a response to a request for information or access to information within the time limit specified under this Act.
- d) Who has been required to pay an amount of fee which he or she considers unreasonable.
- e) Who believes that he or she has been given incomplete, misleading or false information under this Act; and
- f) In respect of any matter relating to requesting or obtaining access to records under this Act.

4.2 While inquiring into such complaint under the above section, the State Information Commission shall have the same Powers as that of the Civil Court under the Code of Civil procedure, 1908 in respect of the following matters namely:

- a) Summoning and enforcing attendance of Persons to give evidence or produce documents;
- b) Requiring the discovery and inspection of documents;
- c) Receiving evidence on affidavit;

- d) Requisitioning any Public record or copies thereof from any court or office;
- e) Issuing summons for examination of witnesses or documents and
- f) Any other matter which may be prescribed.

Complaint Cases during 2021-22

Complaints pending as on 01-04-2021	Complaints received during the year	Total Complaints heard during the year	Total Complaints disposed	Percentage of disposal
4	11	15	9	60%

- 4.3 An analysis of the 11 complaints received by the Commission during 2021-22 revealed that 36.36% of the total complaints was filed against 2 Departments. The Education(S) and RD & PR received highest complaints respectively.

The following Table IV shows Department-wise Complaints received and disposed during the year 2021-22.

TABLE - IV
DEPARTMENT-WISE RECEIPT AND DISPOSAL OF COMPLAINT DURING 2021-22

Sl. No.	Name of Department	Total Complaint received	Disposed during the year	Undisposed (Balance)
1.	Revenue	1	1	-
2.	Secretariat Health Department	1	1	-
3.	Health Directorate	1	-	1
4.	Education(S)	2	1	1
5.	Sub-Registrar (Imphal East)	1	1	-
6.	RD & PR	2	1	1
7.	Sangai International University	1	1	-
8.	DC, Kakching(NFSA)	1	-	1
9.	LDA	1	-	1
	Total	11	6	5

CHAPTER - V

HEARING AND DISPOSAL OF SECOND APPEALS BY THE COMMISSION

5.1. Another important function of the State Information Commission is to receive and hear appeals preferred by the Information seekers against the PIOs and designated First Appellate Authorities (FAA). Section 19 of the RTI Act, 2005 provides that:

- (1) Any person who, does not receive a decision within the time specified in sub-section (1) or clause (a) of sub-section (3) of Section 7, or is aggrieved by a decision of the Central Public Information Officer or State Public Information Officers, as the case may be, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who is senior in rank to the Central Public Information Officer or State Public Information Officer as the case may be, in each public authority.

Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

- (2) Where an appeal is preferred against an order made by the Central Public Information Officer or State Public Information Officer, as the case may be, under Section 11 to disclose third party information, the appeal by the concerned third party shall be made within thirty days from the date of the order.

- (3) A second appeal against the decision under sub-section (1) shall lie within ninety days from the date on which the decision should have been made or was actually received, with the Central Information Commission or the State Information Commission.

Provided that the Central Information Commission or the State Information, as the case may be, may admit the appeal after the expiry of the period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

- (4) If the decision of the Central Public Information or State Public Information Officer as the case may be, against which an appeal is preferred relates to information of a third party, the Central Information Commission or State Information Commission, as the case may be, shall give a reasonable opportunity of being heard to that third party.

- (5) In any appeal proceedings, the onus to prove that a denial of a request was justified shall be on the Central Public Information Officer or State Public Information Officer, as the case may be, who denied the request.

- (6) An appeal under sub-section (1) or sub-section (2) shall be disposed of within thirty days of the receipt of the appeal or within such extended period not exceeding a total of forty-five days from the date of filing thereof, as the case may be, for reasons to be recorded in writing.

- (7) The decision of the Central Information Commission or State Information Commission, as the case may be, shall be binding.

(8) In its decision, the Central Information Commission or State Information Commission, as the case may be, has the power to –

- (a) Require the public authority to take any such steps as may be necessary to secure compliance with the provisions of this Act, including –
 - (i) by providing access to information, if so requested, in a particular form;
 - (ii) by appointing a Central Public Information Officer or State Public Information Officer, as the case may be;
 - (iii) by publishing certain information or categories of information;
 - (iv) by making necessary changes to its practices in relation to the maintenance, management and destruction of records;
 - (v) by enhancing the provision of training on the right to information for its officials;
 - (vi) by providing it with an annual report in compliance with clause (b) of sub-section (1) of Section 4;
- (b) Require the public authority to compensate the complainant for any loss or other detriment suffered;
- (c) Impose any of the penalties provided under this Act;
- (d) Reject the application.

- 5.2 During the year 2020-21, 122 Appeal petitions were received by the Commission and 126 appeal cases were carried forward from the previous year. Of these, 155 Appeal cases were disposed of during the year. This represents 62.5% disposal.

The following Table shows Department-wise received and disposal of Second appeal cases during the year 2021-22.

Appeal Cases during 2021-22

Appeals pending as 01-04-2020	Appeals received during the year	Total Appeals heard during the year	Total Appeals disposed	Percentage of disposal
126	122	248	155	62.5 %

- 5.3 An analysis of the 122 second appeals received by the Commission during 2021-22 reveals that 46.72 % of the total second appeals are related to only 5 Departments namely Revenue Department with 23 second appeal, Forest Department with 14 second appeal, Social Welfare and MAHUD with 7 each second appeal and T.A & Hills with 6 second appeals.

The percentage of second appeals filed before the Commission as compared to the total number of RTI applications filed during the year and the first appeals filed before the First Appellate Authorities are 21.01% and 117.3% respectively. The reasons for high percentage of RTI petitioners approaching the Commission may be due to non-disposal of first appeals by the First Appellate Authorities or due to under reporting of total RTI petitions filed to SPIOs during the year as many SPIOs failed to submit their data/ reports for preparing the Annual Report to the Commission.

The Department-wise number of Second Appeals received and disposed during the year 2021-22 is as shown in **Table -V**.

TABLE - V
DEPARTMENT-WISE RECEIPT AND DISPOSAL OF SECOND
APPEALS DURING 2021-22

Sl. No.	Name of Department	Total Appeal received	Disposed during the year	Undisposed (Balance)
1.	Revenue	23	8	15
2.	Social Welfare	7	6	1
3.	PWD	4	3	1
4.	TA & Hills	6	2	4
5.	Home	1	1	-
6.	PHED	2	1	1
7.	Vety & AH	1	-	1
8.	Power	4	-	4
9.	MPSC	1	1	-
10.	Health	5	5	-
11.	JNIMS	2	2	-
12.	Agriculture	1	-	1
13.	BOSEM	1	1	-
14.	CAF & PD	1	1	-
15.	COSHEM	1	1	-
16.	Cooperative	1	1	-
17.	DP	1	1	-
18.	DRDA	1	-	1
19.	Education(SSA)	2	2	-
20.	Education(S)	9	4	5
21.	Finance	1	1	-
22.	Fishery	2	1	1
23.	Forest	14	-	14
24.	Hr. Education	1	1	-
25.	Horticulture & SC	1	-	1
26.	IMC	4	1	3
27.	MAHUD	7	2	5
28.	MU of Culture	4	-	4
29.	MLA	1	-	1
30.	PDA	2	-	2
31.	RD & PR	5	2	3
32.	Sangai International University	1	-	1
33.	Trade Commerce & Industries	1	1	-
34.	Water Resource Department	4	2	2
	Total	122	51	71

CHAPTER - VI

Penalties, Disciplinary Action and Compensation (Section 20 (1) & (2) and 19(8)(b) of the RTI Act, 2005)

6.1. The State Information Commission under Section 19 (8)(c) is empowered to impose penalties in accordance with the provisions laid down under the Act. Section 20 (1) of the Act, provides that "where the Central Information Commission or State Information Commission" as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or State Public Information Officer, as the case may be, has without any reasonable cause refused to receive an application for information or has not furnished the information within the time specified under sub-section (1) of Section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information, which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however the total amount of such penalty shall not exceed twenty five thousand rupees;

Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him;

Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer or the State Public Information Officer, as the case may be.

While exercising the above power, in every case, the Commission gives an opportunity to the SPIO by issuing a Show Cause notice to him/ her,

asking to explain as to why penalty under Section 20 (1) shall not be imposed against him/ her for violation of the provisions of the RTI Act, 2005. After giving him/her an opportunity of being heard and after detailed examination and consideration of all the papers and documents available and produced before the Commission and in case the Commission is convinced and satisfied that the SPIO has contravened the law, the Commission imposed penalty on them.

In case the Commission is satisfied with any claim of the complainant/ appellant that a loss or detriment has been caused to him by the delay in providing the information, the Commission also direct the Public Authority to compensate the complainant/ appellant under section 19(8)(b) of the RTI Act, 2005.

- 6.2. The Commission in exercise of the above power has imposed the following penalties as indicated in Table-VI

Table-VI

Sl. No.	Case No.	Name of the Complaint/ Appellant	Name of SPIO/ Public Authority	Amount of Penalty
1.	A/69(P)SCIC-2020	Angom Harikumar Singh	MPSC	Rs. 17,250/-

CHAPTER - VIII

RECOMMENDATIONS

7.1 As usual the Manipur Information Commission made recommendations to the Government under Section 25(5) of the RTI Act, 2005, but these recommendations have not been considered as yet. Reiterating these recommendations, the Commission would urge the State Government to look into the following issues on priority basis :

7.2 **Lack of Manpower :**

The Manipur Information Commission is without adequate manpower to handle the volume of works, which clearly shows an increasing trend. So far, no posts have been created for the commission except the State Chief Information Commissioner and State Information Commissioners. In this regard, State Government was requested and had submitted proposal for creation of at least skeleton posts for smooth functioning of various activities of the Commission.

7.3 **Training of the SPIOs / FAA:**

It is the obligation of the State Government to prepare programmes for advancement and better understanding of the rights and provisions contemplated under the Act, including training of SPIOs and FAAs. The Commission urges the State Government to take up necessary step for imparting training to SPIOs and FAAs in a phase wise manner.

7.4 **Suo-Moto Disclosures under Section 4(1)(b) of the RTI Act, 2005 :**

As provided under Section 4(1)(b), each public authority shall publish 17 points of information relating to it and such information should also be updated on regular basis. Unfortunately, most of the public authority do not make suo-moto disclosure or update its declaration. The Commission

urges all the Administrative Departments to ensure compliance by public authorities sub-ordinate to them and issue appropriate official instruction for strict compliance.

7.5 Record Maintenance by Public Authority :

Many at time, public authorities cannot provide the information to RTI applicants due to non-availability and missing of concerned files, records, etc. Government should ensure that all the public authority maintain record properly duly catalogued and indexed as per record manual, rules and instruction of the concerned Department. Each public authority may frame their own record retention policy.

- 7.6 Lastly, the Commission recommends appropriate actions against the Public authorities, who have not submitted information/ data for the publication of the Annual Report for the year 2021-22.

ANNEXURE

Complaint Case No. 2 of 2020

Name of the Complainant : Shri Ranjit Kumar, Bihar.
Name of the SPIO : Director General of Police, Manipur
Date of RTI Application : 4-6-2020
Date of Complaint petition : 10.8.2020
Date of Decision : 10.8.2021
Decision taken by : Shri O. Sunil Singh, State Chief
Information Commissioner
Manipur Information Commission

Under the RTI Act, 2005, the Commission observes that in a Complaint petition filed U/S 18 (1) of the RTI Act, 2005, the Commission has no power to give direction to the public authority, Manipur Police to provide information to the Complainant as per order of the Hon'ble Supreme Court of India.

Brief Facts of the case:

One Shri Ranjit Kumar C/o Meena Devi, Abigila Devi Sthan P.O. Buniyad Ghanz, Bihar - 823003 filed an RTI application on 4/6/2020 addressed to the Director General of Police, Manipur through Register Post seeking information under section 6 (1) of the RTI Act, 2005. Thereafter, the SPIO/ DGP Control Room, Police Department, Manipur rejected the sought information vide letter no. 223/14/SP (CR)/2016/684 dated 3/7/2020 and returned the IPO of Rs. 10/- deposited as RTI fee.

Being aggrieved he filed a complaint petition dated 10/8/2020 U/S 18 (1) of the RTI Act, 2005 before the Commission through Registered Post, which was received by the Commission on 29/8/2020.

Proceedings of the Case:

On the day of hearing on 28/1/2021, the complainant submitted that he wanted to obtain information with respect to the formation of Police Grievance Authority, its website etc. He stated that the Hon'ble Supreme Court of India passed an order dated 22/9/2006 and 11/1/2007 in WP(C) 301 of 1996 (Prakash Singh & ors Vs Union of India) directing all the states to constitute State level and District Level Public Grievances Authority by the concern Police Departments.

During the course of hearings, the representative of the Police Department placed a copy of the letter dated 3.7.2020 written by SP, DGP Control Room, Police Department/ SAPIO addressed to the RTI applicant stating that Police Department, Manipur is exempted from the purview of the RTI Act, 2005 vide notification no. 11/4/2005 - AR of Department of Personnel & Administrative Reforms (Administrative Reforms Division), Government of Manipur, dated 28.5.2011, subject to the provision under sub-section 4 of section 24 of the Right to Information Act, 2005.

Upon hearing of all the parties and perusal of case records, the Commission observes that the sought queries are closely related with the Police Department, which is an exempted organization as per Government Notification No. 11/4/2005 - AR dated 28/5/2011, issued by the Department of Personnel & Administrative Reforms (Administrative Reforms Division), Government of Manipur, in exercise of powers conferred by Sub section (4) of the section 24 of the RTI Act, 2005 except information sought pertains to allegation of corruption and human right violation.

The Commission further observes that in a complaint petition filed U/S 18 (1) of the RTI Act, 2005, the Commission has no power to give direction to the SPIO/ public authority to provide information as per an order of the Hon'ble Supreme Court of India.

As the complainant, during the hearing, did not mention any allegation of corruption and violation of human rights, the Commission cannot initiate any further proceedings against the Police Department as it is an exempted organization as per Government Notification No. 11/4/2005- AR dated 28/5/2011.

Hence, then prayer of the complainant is not acceded to.

Appeal Case No. 15-21 & 26-35 of 2021

Name of the Appellants	: Huidrom Jotibashu Meitei & Ors.
Name of the SPIO	: The Joint Secretary (Home), Govt. of Manipur.
Name of the FAA	: The Chief Secretary (Home), Govt. of Manipur
Date of RTI Application	: 18.12.2020
Date of 1 st Appeal	: 18.1.2021
Date of 2 nd Appeal	: 22.2.2021
Number of Hearings	: 16.3.2021; 25.03.2021; 17.04.2021; 28.08.2021
Final Hearing	: 2.9.2021
Announcement of Judgment	: 16.9.2021
Decision taken by	: Shri O. Sunil Singh, State Chief Information Commissioner, Manipur Information Commission

Interpretation of Information under Section 2 (f) of the RTI Act, 2005 :- The Commission observes that as the result of the said recruitment process (Recruitment of Riflemen for 10th & 11th IRB) is yet to be declared, it would be improper to give direction to the public authority of Home & Manipur Police Department to furnish the sought information to the appellants.

The FAA/ SPIO (Home) is represented by Shri E. Premchand Singh, Legal Officer (Home). The SPIO/ Manipur Police is represented by Shri Birendra Singh, SI, Manipur Police. Seven (7) appellants are represented by Shri Golly Ahanthem, Advocate, while the remaining ten (10) appellants are represented by Shri Thingujam Sanjit Singh.

The present appeal case No. 15 of 2021 is clubbed together with the appeal case No. 16, 17, 18, 19, 20, 21, 26, 27, 28, 29, 30, 31, 32, 33, 34 & 35 of 2021 as it being analogous.

Brief facts of the case:

Shri Huidrom Jotibas and six others submitted RTI application seeking information in connection with the recruitment of Riflemen in 10th and 11th IRB addressed to the SPIO/ Joint Secretary (Home) u/s 6 (1) of the RTI Act, 2005. Thereafter, they filed 1st appeal to the Chief Secretary (Home), Govt. of Manipur u/s 19 (1) of the RTI Act, 2005. However, the SPIO/ Home and the FAA/ Home failed to furnish the sought information to the appellants. Being aggrieved by the inaction on the part of the public authority, Home and the Manipur Police, the above appellants filed a Writ petition, W.P(C) No. 118 of 2021 to the Hon'ble

Manipur High Court praying for directing the above respondents to furnish the information sought for by them. Since the petitioners/ appellants have not approached the Manipur Information Commission, the High Court feels that it may not be appropriate for this court to take up the matter. Accordingly, the Writ petition was disposed of with the direction that the petitioners/ appellants may approach the State Information Commission and the Commission shall consider and disposed it quickly.

In the meantime, another ten appellants filed 2nd appeal petitions before the Commission on the same cause of action. The Commission clubbed all the cases as it being analogous and taken up together in joint hearing.

Hence the case.

Summary of the Proceedings:

On the day of the hearing dated 25.03.2021, Shri E. Premchand Singh, representative of the Home Department submitted that the 1st appeal cases were disposed of on 03.03.2021 with an observation that the sought information are not in the custody of the Home Department and the said RTI application is transferred to the SPIO/ Manipur Police Department.

He demanded that the SPIO/ Manipur Police should be treated as deemed SPIO in the next hearing, and added that the recruitment of riflemen in the 10th and 11th IRB is under process and the final results are yet to be announced.

The learned Counsel of the appellants submitted that the seven appellants had passed the physical test however; they were not selected in the written test. He alleged that the selection were done by pick and chose policy/ method. He raised the query No. 4 which asked under what notification, rule and regulation, the recruitment process (for 10th and 11th IRB) were or was carried out by the Police Department. He stated that non-furnishing of rules & regulations and notification to the general public as well as to the competitors/ aspirants led to the suspicion of corruption in the recruitment process. He also argued that the sought information cannot be denied by using exemption clauses as laid down in section 8 of the RTI Act, 2005. He further claimed that the RTI queries also do not come under exemption enjoyed by the Police Department through notification issued by the Administrative Reforms Department, Government of Manipur, u/s 24 (4) of the RTI Act, 2005.

On the day of hearing dated 17.04.2021, Shri Haobam Suraj Singh, Learned Counsel of the appellants, submitted a set of written argument on behalf of the appellants to the Commission and similar copies were also handed over to both the public authorities. The learned Counsel prayed the kind attention of the Commission on his written argument as submitted during the hearing. He alleged that the concerned authority has indulged in corruption by resorting to pick and

choose policy while selecting the successful candidates in the written test examination held for recruitment of riflemen in 10th & 11th IRB. He also stated that the sought information is disclosable because there is allegation of corruption and cannot be barred, even though the Manipur Police Department is an exempted organisation under Sub Section 4 of Section 24 of the RTI Act, 2005 by a notification dated 28.05.2011 issued by the State Government. He added that the Supreme Court as well as the High Court in a catena of cases has affirmed the rights of appellants to inspect their answer sheet under the RTI Act, 2005.

Shri Birendra Singh, representative of the SPIO/ Manipur Police, submitted that so far his knowledge is concerned, the said recruitment is now under process and the final results are yet to be announced. He stated that if the present DPC is yet to announce the final result of the recruitment, it will make unnecessary intervention on the public authorities dealing with the recruitment process. He however suggested the Commission to seek a clarification from the Chairman of the said recruitment committee/ board regarding the said examination.

Upon hearing from all the parties, the Commission directs the SPIO/ Manipur Police to submit a written letter indicating the present status of the said recruitment process. The Commission also directs the Chairman of the DPC for recruitment of 10th and 11th IRB Riflemen to clarify the exact position of the said recruitment process.

The Commission further directs the appellants to file any written rejoinder or submit any verifiable order/ rules from any High Courts or Apex Court or any tribunals wherein the sought queries can be disclosed during the pendency of a recruitment process.

However, the Commission feels that the information like notification copy, rule & regulation for conducting the recruitment of (10th & 11th IRB) can be disclosed under Section 4 (1) of the RTI Act, 2005. Accordingly, the Commission directs the SPIO/ Home and SPIO/ Manipur Police to furnish the said information to the appellants.

On 30.04.2021, the SPIO/ Manipur Police wrote to the Commission that the result of the said recruitment is yet to be declared. He argued that furnishing of the sought information/ answer scripts at this juncture would not be proper and would cause unwanted invasion to the members of the Departmental Promotion/ Recruitment Committee. He further stated that the disclosure of the sought information during pendency of recruitment process may cause multiple litigations unnecessarily.

On the day of hearing dated 28.08.2021, Shri Sanjit Singh, representative of the appellants, submitted that the Commission may pass an order directing the public authority to provide the required information just after the declaration of results for the said recruitment.

On the day of hearing dated 02.09.2021, the representative of SPIO/ Manipur Police submitted that as the result of the said recruitment is yet to be declared, it would be improper to furnish the sought information.

The learned counsel of the appellant submitted that the Manipur Police and the Home department are yet to obey the Commission's order dated 17.04.2021 wherein the Commission had directed them to furnish the copies of notification, rule and regulation for the recruitment of riflemen for 10th and 11th IRB to the appellants.

Upon hearing from all the parties, the Commission expressed its unhappiness over the conduct of SPIO/ Home and SPIO/ Manipur Police for not complying with the Commission's decision dated 17.04.2021. The Commission directs the SPIO/ Home and the SPIO/ Manipur Police to comply with the said decision. The Commission also directs all the parties to submit their final written statement/ argument/ rejoinder, if any, to the Commission.

Judgement and Observation of the Commission:

The SPIO/ Manipur Police submitted copies of the information with respect to notification, rule and regulation for conducting the recruitment of riflemen for 10th and 11th IRB before the Commission on 14.09.2021, and the same was handed over to Shri Suraj Singh, learned Counsel of the appellants and Shri Sanjit Singh, the representative of the appellants, on the morning of 15.09.2021 with due acknowledgement of theirs.

The Commission observes that as the result of the said recruitment process (recruitment of riflemen for 10th and 11th IRB) is yet to be declared, it would be improper to give direction to the public authority of Home and Manipur Police Departments to furnish the sought information/ answers scripts to the appellants.

The Commission advised the appellants to file fresh RTI applications to the concerned public authorities of Home Department and Manipur Police after the declaration of result of the said recruitment. The Commission further advised the SPIO/ Home and SPIO/ Manipur Police to promptly deal with the RTI applications of the appellants.

With this observation, the present appeal cases are disposed of.

Appeal Case No. 38 of 2021

Name of the Appellant	:	Luwangchao Kabui
Name of the SPIO	:	Manipur Police Department
Name of the FAA	:	Director General of Manipur Police
Date of RTI application	:	23.11.2020
Date of 1 st Appeal	:	06.01.2021
Date of 2 nd Appeal	:	18.03.2021
Date of Final Decision	:	28.09.2021
Decision taken by	:	Shri O. Sunil Singh, Chief Information Commissioner, Manipur Information Commission.

The Commission observes that in a democratic welfare society, the Police Department plays a key role in bringing peace and harmony in the society. Accordingly, the Commission advises the DGP, Manipur to take a prompt action and look into the serious complaint lodged by marginalized section of the society under the SC/ ST (Prevention of Atrocities) Act, 1989.

Proceedings of the Case:

During the hearing on 17.04.2021, Shri W. Joykumar Singh, representative of the appellant, submitted that he has already received some of the information furnished by the public authority (Manipur Police) with reference to the sought queries. He stated that the public authority (MP) did not furnish any information on query No. 10 of the RTI application. In the meantime, he also prayed the Commission to grant some more time to file a written rejoinder.

Shri Birendra Singh, representative of the SPIO/ Manipur Police, handed over a set of information to the representative of the appellant. He further submitted that it will take many months to furnish the information of query no. 10 as the SPIO have to collect the list of cases taken up under the SC & ST (Prevention of Atrocities) Act, 1989 with copies of FIRs from different Police Stations in 16 districts of the state. He stated that the Police Department is an exempted organization in Manipur under the Sub-Section (4) of Section 24 of the RTI Act, 2005.

Upon hearing from both the parties, the Commission directs the public authority, Manipur Police and the appellant to file a rejoinder/ written statement in support of their arguments on or before the next hearing.

During the hearing on 31.08.2021, the representative of the appellant submitted that the appellant, who belongs to scheduled tribe, has been threatened/ attacked by miscreants preventing him from attending his paddy field in Lilong, and police have refused to take up any case under the SC & ST (Prevention of Atrocities) Act, 1989. He stated that the appellant would like to know the information about the number of cases taken up by police under this Act in 16 districts of Manipur.

The public authority/ Manipur Police submitted that he has acquired the information about the registration of cases under this Act from many districts and he would hand over them to the appellant.

Upon hearing from both the parties, the Commission directs the SPIO/ Manipur Police to hand over the said information to the appellant. The Commission also directs him to acquire left out information, if any, and furnish it to the appellant before the next hearing.

During the hearing on 28.9.2021, Shri Birendra Singh submitted that he had already furnished the required information to the appellant.

The representative of the appellant submitted that he has acknowledged the receipt of the said information. However, he apprised the Commission that he was not pleased with the State Police Department as it failed to initiate any legal action on the complaint lodged by the appellant.

On being asked to the representative of the appellant whether he had any comment on the information as received by the appellant, he stated that he is pleased and prayed for closing the case.

Upon hearing from both the parties, the Commission observes that in a democratic welfare state, the Police Department plays a key role in bringing peace and harmony in the society. Accordingly, the Commission advises the DGP, Manipur to take prompt action and look into the serious complaint lodged by marginalized section of the society under the SC/ ST (Prevention of Atrocities) Act, 1989.

As the appellant is pleased with the sought information provided by the public authority, there is no need for further intervention on the subject of request. Hence, the case is disposed of.

Appeal Case No. 69 of 2020

Name of the appellant : Angom Harikumar Singh
Name of the SPIO : i. Joint Secretary, MPSC.
ii. The OSD (Law)/ SPIO (MPSC).
Name of the FAA : The Secretary, MPSC
Date of RTI application : 16.07.2020
Date of 1st Appeal : 17.09.2020
Date of 2nd Appeal : 04.12.2020
Date of Hearing : 05.01.2021, 13.01.2021, 03.02.2021,
24.02.2021, 09.03.2021, 25.03.2021,
03.04.2021, 21.04.2021, 21.08.2021,
28.08.2021, 18.09.2021, 14.10.2021,
28.10.2021
Judgement Announced on : 10.11.2021
Decision taken by : Shri O. Sunil Singh, Chief Information
Commissioner, Manipur Information
Commission

Under the Section 20 (1) of the RTI Act, 2005, the Commission directs the then SPIO/ Shri N. Tejkumar Singh, OSD (Law), MPSC to pay a sum of Rs. 17,250/- for the delay of 69 days in replying the RTI application.

Party Present:

Ms. Kh. Mandakini Devi, Joint Secretary, MPSC; Shri N. Tejkumar Singh, OSD (Law)/ SPIO, MPSC; Shri Lalmani Singh, Controller/ Additional Secy. MPSC; and Shri K. Rabei, Learned Counsel of the public authorities, MPSC attended the hearing. Shri Rajeev Thangsabam, Advocate and Kh. Iboyaima Singh, Advocate represented the appellant.

Brief Facts of the case:

One Shri Angom Hari Kumar Singh filed an RTI application on 16.07.2020 to the SPIO (MPSC) seeking information under section 6 (1) of the RTI Act, 2005 to examine personally his answer script/ book in connection with the examination for recruitment of Section Officers in Engineering Department held in the year 2019. Even after the lapse of two months from the date of receipt of his RTI application, the SPIO (MPSC) did not respond or provides any reply or information.

Accordingly, he filed 1st appeal on 17.09.2020 to the FAA/ Secretary, MPSC with a prayer to examine the said answer scripts/ books. And instead of personal

examination of the said answer scripts, the SPIO (MPSC) in a letter dated 09.11.2020 informed the appellant that "The MPSC has taken a decision not to furnish evaluated answer books for descriptive type of papers to the candidates". Being aggrieved to the reply of the public authority (MPSC), he filed 2nd appeal on 04.12.2020 to the Commission under section 19 (3) of the RTI Act, 2005.

Hence, the case.

Summary Proceedings of the case Hearings:

On the day of hearing dated 5.1.2021, the appellant submitted that he desired to see personally his answer scripts for the following papers, (i) General English, (ii) General Studies, (iii) Civil Engineering paper (one), and (iv) Civil Engineering paper (two) in connection with the written examination for recruitment of Section officers in Engineering Department, 2019. He stated that there was a phone call from the office of MPSC on 9th September 2020 stating that he will be allowed to see the said answer scripts on 14th September 2020. However, another phone call came to him on 14th September 2020 stating that the Secretary, MPSC was on 3 days' leave, and without the Secretary MPSC, the said answer scripts cannot be shown to him. Thereafter, another phone call came to him on 15th September 2020 stating that he could see his answer scripts only after the Covid-19 pandemic situation improves.

The representative of MPSC submitted that the subject of request could not be disclosed as the MPSC has taken a policy decision not to furnish evaluated answer books for descriptive type papers to candidates.

The Commission then directs the appellant to file a written rejoinder to the Commission on the charges he levelled against the MPSC. The Commission also directs the SPIO (MPSC) to furnish a written statement explaining reasons for not providing a photocopy of the said answer scripts to the appellant. Both the appellant and the SPIO (MPSC) were asked to submit their written rejoinder and statement before the Commission within one week, vide decision dated 5.1.2021.

During hearing on 13.1.2021, the learned counsel of the appellant submitted three sets of rejoinder copies before the Commission. The Commission handed over two sets of copies direct to the public authority (MPSC).

In the meantime, Shri Tejkumar Singh, Legal Officer (MPSC) submitted three sets of written replies before the Commission.

On the day of hearing on 3.2.2021, the learned counsel of the appellant prayed for some time to file a counter statement with regard to the written statement furnished by the public authority, MPSC.

The public authority (MPSC) also agreed to the request made by the counsel of the appellant.

The Commission then directs the appellant to file a written rejoinder/ statement before the Commission on the basis of the statement furnished by the public authority (MPSC) before the next hearing with copy endorsed to the public authority (MPSC) on or before the next hearing.

During the hearing on 24.2.2021, the representative of MPSC submitted an application dated 24.2.2021 through whatsapp messenger with a prayer to postpone the hearing because he was on leave. He further informed that he had received the rejoinder furnished by the appellant only in the evening of 23.2.2021.

The appellant also agreed to the request made by the public authority (MPSC).

On the day of hearing on 25.3.2021, the learned Counsel of the appellant charged the public authority, MPSC of denying the required information. He argued that penal action under appropriate provision or section of the RTI Act, 2005 should be initiated against the SPIO (MPSC). He pointed out that the public authority (MPSC) did not furnish any reply/ information to the RTI queries within the mandated period of 30 days.

The representative of MPSC submitted that there has been a policy decision not to furnish evaluated answer book for descriptive type papers to the candidates.

Upon hearing from both parties, the Commission directs the SPIO (MPSC) and the appellant to appear in person during the next hearing. The Commission further directs all the parties to file rejoinder or written statement, if any, before the next hearing.

During the hearing on 3.4.2021, the learned Counsel of the appellant submitted that the policy decision taken on 28.10.2020 by the MPSC not to furnish the evaluated answer books for descriptive type papers to the candidates is bad in law. And, it is in violation of the fundamental rights to information. The policy decision itself is against the spirit of transparency and accountability as enshrined in the RTI, Act, 2005. The learned Counsel of the appellant further reiterated that the MPSC has not adopted any rules & regulation at par with the present UPSC norms.

The learned Counsel of the appellant further pointed out that there was a phone call from the office of MPSC on 9th September 2020 stating that the appellant will be allowed to see the answer scripts on 14th September 2020. However, another phone call came to the appellant on 14th September 2020 stating that the Secretary MPSC was on three days' leave, and without the secretary MPSC, the said answer scripts cannot be shown to him. Thereafter, another phone call came to the appellant on 15th September 2020 stating that he could see his answer scripts only after the Covid-19 pandemic situation improves.

The learned Counsel of the appellant charged that there is some hidden agenda in the MPSC, because one of the candidates under Roll No. 10671 who appeared the same examination with the appellant, was given the said information by MPSC. He asked why the MPSC did not provide the information in case of the present appellant.

Lastly, the learned Counsel of the appellant prayed the Commission to initiate penal action against the SPIO (MPSC) u/s 20 (1) of the RTI Act, 2005 for the delay of 59 days in furnishing the response to the RTI application dated 16.7.2020.

The Commission expressed its unhappiness on the way the public authority (MPSC) failed to appear in the hearing on 3.4.2021 without giving any valid reasons. The Commission observed that the SPIO (MPSC) had not adhered to the time limit laid down in the Act while replying to the said RTI application. Accordingly, the Commission issues a show cause notice to the then SPIO (MPSC) as to why penal action should not be taken up against him/ her under Section 20 (1) of the RTI Act, 2005 for failing to furnish the sought information within the mandated time, vide decision dated 3.4.2021. The reply to the show cause notice shall be furnished within 14 days.

On the day of hearing on 21.4.2021, the learned Counsel of the appellant prayed the Commission to allow him to file a written statement/ argument in connection with the reply submitted by the MPSC to the show cause notice served against Shri N Tejkumar Singh, OSD (Law)/ SPIO (MPSC) by the Commission on 03.04.2021. He stated that he was not pleased with the paragraph no. 1 of the said reply submitted by the SPIO (MPSC). He submitted that Shri Tejkumar Singh, OSD (Law)/ MPSC was present during the hearing on 25.03.2021 wherein the Commission directed both the parties to be present in person during the next hearing on 03.04.2021. Accordingly, the appellant along with two learned Counsel appeared before the Commission in person on 03.04.2021. However, the SPIO (MPSC) did not turn up for the said hearing. This amounts to gross indiscipline and disobeying of the Commission's order. As such, the Commission should impose penal action against the OSD (Law)/ MPSC, he argued.

Shri Kh. Lalmani Singh, Controller/ Additional Secretary (in-charge), MPSC prayed the Commission to allow the MPSC to modify or make amendment in its earlier reply to the said show cause notice.

Upon hearing from both the parties, the Commission is of the view that the attitude and behaviour of Shri N Tejkumar Singh, OSD (Law)/ MPSC is undesirable and obnoxious.

The Commission directs the appellant to file any written rejoinder on or before the next hearing. The Commission also grants a liberty to the SPIO (MPSC) to make any amendment or modification to its earlier reply of the said show cause notice.

During the hearing on 21.8.2021, the learned Counsel of the appellant pressed for imposing penal action against the SPIO (MPSC) for not providing the information till now. He also stated that the RTI Act, 2005 is to bring transparency and accountability in the administration run by the government. He claimed that the MPSC is not transparent in handling the said RTI application and such act of MPSC officials have demoralised the new aspirants/ candidates/ appellant.

The Commission then grants another hearing as prayed by the learned Counsel of the MPSC.

On the day of hearing on 28.8.2021, the learned counsel of the SPIO (MPSC) submitted that the MPSC has adopted a decision on 28.10.2020 wherein the MPSC decided 'not to furnish evaluated answer books for descriptive type of papers to candidates under normal circumstances. He also prayed the Commission not to initiate any penal action against the SPIO (MPSC) for the delay caused by the public authority.

The learned counsel of the appellant argued that the MPSC is neither an individual property nor it has any overriding effect on the RTI Act 2005. He stated that the decision taken by the MPSC has no justification and no merit because the RTI Act, 2005 has an overriding effect on all the statutory act and laws. He questioned why MPSC allowed another RTI applicant to see/ examine his/ her answer books and not his client/ appellant.

Upon hearing from both the learned counsel, the Commission directs the SPIO (MPSC) to explain whether the decision taken by the MPSC on 28.10.2020 overrides the RTI Act, 2005 which was enacted by parliament to bring transparency and accountability in governance. The Commission also directs the SPIO (MPSC) to reply whether it is true that it allowed another RTI applicant to see/ examine his/ her answer books.

After thorough perusal of the entire case laws, case records in the file, reply to the show cause notice, rejoinder, written statements as furnished by the parties, the Commission place the important issues on this 2nd Appeal case.

The Manipur Public Service Commission in its full Commission meeting held on 28.10.2020 had taken a policy decision not to furnish evaluated answer books for descriptive type papers to candidates under normal circumstances as the MPSC perceives the problems enumerated by the Union Public Service Commission in not providing evaluated answer books to the candidates is also similar for MPSC. The MPSC in its full Commission minutely discussed the matter of the appellant and considered the issues regarding providing the evaluated answer books to the candidates and decided that as there is no public interest involved and no unwelcoming issues occurred in the said recruitment of Section Officers in Engineering Department, 2019, the MPSC took the policy decision not to provide or access to the evaluated answer books to the appellant after

considering minutely the various rulings of the Hon'ble Supreme Court of India. The SPIO (MPSC) submitted that the MPSC is run/ governed by full Commission meeting decision and the SPIO (MPSC) could not furnish the information sought by the appellant as the MPSC has taken policy decision not to furnish evaluated answer books for descriptive type paper to candidates. The decision is binding and common to all candidates and not individual basis discriminating the appellant and any other candidates, the MPSC argued.

Last but not the least, the public authority (MPSC) requested that the reply to the show cause notice made by the then SPIO (MPSC)/ Shri N Tejkumar Singh, OSD (Legal) dated 15.4.2021 may kindly be allowed to be treated as withdrawn. The MPSC further submitted that the reply of the show cause notice served on 3.4.2021 against Shri N Tejkumar Singh, OSD (Legal) caused unintentional damage to the reputation and sanctity of the Manipur Information Commission which the MPSC felt uncalled for and should not have taken place.

On the other hand, the learned Counsel of the appellant claimed that the decision of the MPSC not to furnish evaluated answer books for descriptive type papers to candidates is not in the interest of the law and is unconstitutional. He argued that it amounts to discourage number of deserving educated youths in any recruitment examinations as conducted by the MPSC in the years to come. He also quotes the landmark ruling of the Supreme Court of India stating that the right to information is a cherished right. It is also formidable tools in the hands of the responsible citizens to fight corruption and to bring transparency and accountability and good governance in the State, run by democratic Government. He alleged that the MPSC has taken its decision in a hasty manner. He also demanded the Commission to impose penalty against the SPIO (MPSC) for the deliberate delay of 59 days u/s 20 (1) of the RTI Act, 2005. He once again pressed the Commission to order the SPIO (MPSC) to allow inspection/ examination of the appellant's written answer books/ scripts.

The learned Counsel of the appellant submitted that there could be no secrecy or confidentiality in examining a candidate's own answer books wherein its final result has already been announced. He claimed that the MPSC is unable to show as to how disclosure of answer books to the candidates shall prejudices or affects the examination or affects its competitiveness. He pointed out that an examinee is entitled to satisfy himself/ herself as to the fairness and transparency of the examination. He alleged that the public authority, MPSC denied the right to equality, natural justice, and discriminates among fellow candidates as one of the candidates bearing Roll No. 10671 had already got the sought information under RTI Act, but in case of the appellant, the public authority/ MPSC debarred his constitutional rights. He rejected the charges of the MPSC that the danger of coaching institute collecting copies of these from candidates may perhaps encourage/ induce them to apply for the copies of their answer books under the RTI Act is real. He argued that the appellant submitted an affidavit indicating

that he had not attended any Coaching Centre with respect to the relevant recruitment conducted by MPSC. He stated that the appellant had never shared any information to any Coaching Centres.

The appellant's counsel concludes that the SPIO (MPSC) did not explain nor furnish any written comment/ statement on the Commission's query on whether the decision of the MPSC on 28.10.2020 overrides the RTI Act, 2005 which was enacted by the parliament to bring transparency and accountability in governance.

Observation and Decision:

In the above facts and circumstances, the Commission observes that there is discrimination in providing information to candidates as submitted by the appellant. Some are allowed to see his/ her answer books whereas the present candidate is debarred of his rights.

The Commission also observes that the SPIO (MPSC) had not adhered to the time limit laid down in the Act while replying to the said RTI application. The RTI application was filed on 16.7.2020 to the SPIO (MPSC). The reply was furnished only on 9.11.2020. There was 85 days' delay in furnishing the reply. The Commission further observes that the SPIO (MPSC) did not explain nor furnish any written comment on whether the decision of the MPSC taken on 28.10.2020 overrides the RTI Act, 2005. The Commission is of the view that the decision taken on 28.10.2020 by MPSC has no overriding effect on the RTI Act, 2005, as the Hon'ble Supreme Court mainly focuses on the UPSC, but not other bodies like MPSC, because other bodies may stand on different footing. The MPSC has not adopted any examination system at par with the UPSC. In the WA No.19 of 2017, Ms. Shalini Chingtham & Ors. Vs the MPSC, the Hon'ble High Court of Manipur observed that the MPSC had, in the present case, miserably failed to discharge its duties and functions as mandated in the Constitution of India. It would like to continue holding examinations, only in name, with a half baked rules so that it could manipulate it. If the MPSC was/ is unable to frame an appropriate and correct rule, it could do so by taking the help from the UPSC or any other State Public Service Commission.

In other Hon'ble Supreme Court ruling in Central Board of Secondary Education & another - Vs - Aditya Bandopadhyay ors., the S.C. directs the examining bodies to permit examinee to inspect and take copies of their evaluated answer books even if such inspection of taking copies is barred under the rules/ bye-laws of the examining body governing the examinations. Therefore, the decision of the MPSC taken on 28.10.2020 cannot interfere with the right of the examinee seeking inspection of answer books or taking certified copies thereof.

The Commission further observes that a candidate writing an examination has a right to have his answer paper valued correctly and he has a right to know whether the same has been done properly and correctly. Both the public authority

and the examiner have a public duty to get the valuation done correctly and properly, which is a public activity and duty. Therefore, the supply of the copy of the answer paper, which is for enabling the candidate to ascertain whether the valuation of the answer paper has been done correctly and properly, has relationship to a public activity or interest.

Hence, the Commission directs the SPIO (MPSC) to allow inspection of the required answer books of the appellant bearing Roll No. 10492 in the written examination for recruitment of Section Officers in Engineering Department 2019 for the following subject papers: - (i) General English, (ii) General Studies, (iii) Civil Engineering paper one, and (iv) Civil Engineering paper two, within 15 days from today and a compliance report be submitted to the Commission before the next hearing.

The Commission further directs the then SPIO/ Shri N. Tejkumar Singh, OSD (Law), MPSC to pay a sum of Rs. 17,250/- for the delay of 69 days in replying the RTI application. While Shri Singh has admitted the mistake in his reply to the show cause notice and apologised, the Commission feels that his act is unpardonable. The Commission has deducted 16 days (which was lockdown period) while calculating the quantum of punishment from the total of 85 days delay. The delay in replying the RTI application is w.e.f 16.8.2020 to 8.11.2020 (i.e. 85 days). The lockdown/ curfew period was from 16.8.2020 till 31.8.2020.

The above penalty shall be paid within a period of one month from the date of receipt of this order and the amount shall be deposited to the following head of account.

Major Head 0070	- Other Administrative Services
Sub-Major 01	- Administration of Justice
Major 501	- Services & Service Fees

The Commission further directs the DDO (MPSC) to deduct the above said amount from the monthly salary of Shri N. Tejkumar Singh, OSD Law. A copy of challan shall be submitted to this Commission within 45 days from the date of receipt of this order. A compliance report shall be furnished to the Commission within 45 days from today.

On the day of hearing on 13.12.2021, the appellant submitted that the SPIO (MPSC) is yet to invite him to inspect the said answer books despite the Commission's decision on 10.11.2021.

The Learned Counsel of the SPIO (MPSC) submitted that as far as his knowledge is concerned the issue of inspection of the appellant's answer books is being discussed.

Upon hearing from both the parties, the Commission feels unhappy over the non compliance of the Commission's decision by the SPIO (MPSC). The

Commission now directs the SPIO (MPSC) to allow the appellant to inspect the said answer books within 2 (two) weeks from the receipt of this order.

On the day of hearing on 10.1.2022, the appellant submitted that in compliance with the decision of the Commission, he had inspected the required answer books and expressed his satisfaction. Lastly, he prayed for closing the present appeal case.

On being asked to the SPIO (MPSC) with respect to the penalty imposed against the then SPIO (MPSC)/ OSD (Law) under section 20 (1) of the RTI Act, 2005, the public authority (MPSC) clarified that she could not levy the penal amount from the then SPIO (MPSC)/ OSD (Law) as the Hon'ble Manipur High Court in its interim order dated 14.12.2021 in WP (C) No. 914 of 2021 has suspended the impugned order of the Commission dated 10.11.2021 regarding the payment of penalty.

She submitted that due to the Covid 19 pandemic and lack of supporting staffs in her office, she was unable to implement the Commission's decision within the prescribed 2 (two) weeks. She stated that the order/ decision of the Commission dated 13.12.2021 was received by her office on 16.12.2021, and she invited the appellant to inspect the answer books in person on 29.12.2021.

Lastly, she prayed the Commission to pardon her for the delay in implementing the Commission's decision on time.

Upon hearing from both the parties, the Commission finds no malafide intention in the conduct of the present SPIO (MPSC) as she was instrumental in the implementation of the direction/ order of the Commission. Moreover, the appellant has also inspected the required answer books and expressed his satisfaction.

As such, the Commission feels that no further proceedings is required. Accordingly, the present appeal case is disposed of.

Appeal Case No. 28 of 2021

Name of the FAA : The Principal Secretary (Health & FW),
Govt. of Manipur
Name of the SPIO : The Director (Health Services),
Govt. of Manipur.
Name of the Appellant: Smt. Thiyam Thaballei Devi
Date of RTI application: 07-12-2020
Date of 1st Appeal : 11-01-2021
Date of 2nd Appeal : 18-03-2021
Date of Decision : 29-11-2021.
Decision by : Shri Oinam Sunil Singh, State Chief
Information Commissioner, Manipur
Information Commission.

RTI Act, 2005 Section 8 (1) (e) & (j) - details of suspension of four doctors and one nurse in relation with the COVID 19 duty is confined to the employer and employee only. The appellant has no right to obtain the information to form an opinion about the human resource management in fighting the COVID - 19 Pandemic by the Health Department.

DECISION

Fact of the Case: The Appellant had filed her RTI application to the State Public Information Officer (SPIO)/Director of Health Services, Manipur on 07-12-2020 and sought details of the suspension of 4 (four) doctors and 1 (one) nurse in relation to the COVID-19 duty, including their names, designation, place of posting, explanation call served to them along with signature of the recipients concerned, orders of suspension along with the signature of the recipients concerned, duty rosters allocated to them along with the signatures of the recipients concerned, statement of period of suspensions, statement of proceedings taken up against them. And, she filed her first appeal to the First Appellate Authority/Principal Secretary (Health and Family Welfare), Govt. of Manipur on 11-01-2021.

Getting no response from both the SPIO and the FAA within the mandated period, the Appellant had filed her second appeal on 15-03-2021 to this Commission and the case was heard on 17-04-2021, 27-04-2021, 27-08-2021, 27-09-2021, 21-10-2021 and 19-11-2021. During the hearing, both the SPIO and the Appellant submitted their written statements and counter statements.

The Appellant submitted that she has the right to obtain the sought information to form an opinion about the human resource management in fighting the Covid-19 pandemic by the Health Department of Manipur and there is no greater public interest and activity than this. She argued that only after receiving the sought information, the public will know whether the SPIO/Director (Health) is misleading/deceiving/telling lie in the public domain. She is not seeking information of any other individual employee about whom the Director of Health Services did not mentioned in his Press Meet held on 04-12-2020. The reply that was sought from him (SPIO) was about the details of an announcement which he made in that Press Meet. The Appellant further argued that if the Director of Health Services, Manipur considers the sought information as personal information of individual employees, then there is no reason to believe that the statement he made in the Press Meet is to defame the concerned employees. Or it could be a move to mislead the public to obtain appreciation from the public and high authorities and to serve his personal interest, she argued. Her case cannot be treated merely as that of an employer and the employee only and the issue can no more be classified as privacy and section 8 (2) of the RTI Act, 2005 can be of relevance.

During the course of hearing, the representative of the SPIO submitted that the sought information is a sensitive information and details of suspension of four doctors and one nurse were only confined to the employer and employee. These are personal information and the disclosure of such details has no relationship to any public activity or interest, and it would cause unwarranted invasion on the privacy of the public authority, and are exempted from disclosure under section 8 (1) (j) of the RTI Act, 2005. He further submitted that only disclosable part of the information relating to the suspension of four doctors and one nurse was mentioned in the Press Meet. The SPIO also submitted that he did not mention the identity of the staff facing suspension in the press meet and giving only such a statement in the press meet did not amount to lie in the public domain. He further submitted that if the information sought therein are furnished, there is likelihood of invasion to the life and service career/conditions of the employees concerned for which the Act of 2005 has incorporated the provision of the individuals. The information sought by the appellant therein are fiduciary relationship between the employer and the employee. Even if, it was mentioned in the press meet, it was done without identifying the staff concerned and as such, the information sought are exempted. He also submitted supporting case law decided by the Hon'ble Supreme Court in *Girish Ramchandra Deshpande - Vs.- Central Information Commission & Ors.*

Decision: After hearing from both parties and perusal of case records, the Commission is of the view that the information sought by the Appellant is confined to the employer and employee only and is personal information which has no relationship to the Appellant as defined under section 8(1) (e) & (j) of the RTI Act, 2005. On the other hand, the Commission is not inclined to the submission of the Appellant who is a third party in relation to the sought information as she has no right to obtain the sought information to form an opinion about the human resource management in fighting the Covid-19 pandemic by the Health Department of Manipur. Hence, the prayer of the Appellant is not acceded to and the appeal case is closed.

Announced in open chamber.

1. Appeal Case No. 25 of 2021
2. Appeal Case No. 59 of 2021
3. Appeal Case No. 60 of 2021

Name of the FAA : The Director of Education (S), Govt. of Manipur.
Name of the SPIO : The Additional Director (Grievance Cell)/ ZEO (Zone- I), Govt. of Manipur.
For Appellant : Shri N. Nodiachand Singh
Date of RTI application: 06-10-2020
Date of 1st Appeal : 30-12-2020
2nd Appeal filed on : 12-02-2021
Date of decision : 17-03-2022.
Decision by : Shri Oinam Sunil Singh, State Chief Information Commissioner, Manipur Information Commission.

RTI Act, 2005, Section 2 (f) - public authority is only required to furnish such information as it is available and exists in office records. There is no lacuna found in the decision of the FAA.

DECISION

The FAA and SPIO are represented by Shri Karong Victor Kom, OSD (Legal) and Shri Ch. Biramani Singh, OSD (Legal) respectively whereas the Appellant is also present.

During the course of the hearing, the Appellant submitted that he has received incorrect information from the SPIO. He further submitted that election of Guardian representative is to be done according to the Education Code. However, before expiry of five months, election was done and Guardian was appointed by the Committee which is against the Education Code and amounts to false information.

In response, the representative of the SPIO submitted that the information whatever available in the office records was provided to the Appellant and there is no question of providing false or incorrect information to the Appellant.

The representative of the FAA submitted that as per the provision of the RTI Act, 2005, the public authority is only required to furnish such information as it is available and existing and held by the Public Authority or is under control of the Public Authority. And no provision under the Act vested any jurisdiction to the Public Authority to instruct or modify or add to the information so furnished

unless the same is tempered or manipulated; and also have no jurisdiction to impose penalty upon any Public Authority unless shown intentional negligence on their part. He further submitted that as no case to adjucate further regarding supplying incorrect information, the First Appeal filed by the Appellant was also disposed of on 16-11-2021.

After hearing from both the parties and perusal of case records, the Commission is of the view that there is no lacuna found in the decision of the FAA dated 16-11-2021 and the Commission is inclined to the said decision.

Accordingly, the appeal proceeding is closed.

Appeal Case No. 56 of 2021

Name of the Appellant : N. Shinglai
Name of the SPIO : Joint Secretary (TA & Hills),
Govt. of Manipur
Name of the FAA : The Additional Chief Secretary
(TA & Hills), Govt. of Manipur
Date of RTI Application : 09.10.2020
Date of 1st Appeal : 19.2.2021
Date of 2nd Appeal : 6.7.2021
Date of Decision : 24.3.2022
Decision taken by : Shri O. Sunil Singh, State Chief
Information Commissioner
Manipur Information Commission

Under the RTI Act, 2005, the Commission directs the public authorities of 6 ADCs of Ukhrul, Senapati, Kangpokpi, Churachandpur, Tamenglong and Chandel to furnish the required information in connection with the Recruitment Rules (RR) for appointment of primary teachers held in the year 2009-2010 in the ADCs of Hill Districts in Manipur.

The SPIO/ Joint Secretary (TA & Hills), Govt. of Manipur is represented by Shri Gaikhonlung Gangmei, Legal Officer, TA & Hills, Manipur. The appellant is also present.

Proceedings of the case:

During the hearing on 14.10.2021, the appellant submitted that he was not pleased with the SPIO and the FAA/ TA & Hills, Manipur for deliberately ignoring his RTI application. He also stated that no information is furnished till date and pressed for initiating penal action against the public authority.

The representative of the SPIO/ TA & Hills, Manipur submitted that as the sought information have to be collected from 6 CEO/ ADCs, the department requires some more time.

Upon hearing from both the parties, the Commission directs the SPIO/ TA & Hills to furnish the required information to the appellant before the next hearing. The Commission further directs the SPIO/ TA & Hills, Manipur to send reminders to the six CEOs/ ADC within 3 days from today with copy endorsed to both the Commission and the appellant.

During the hearing on 11.11.2021, the representative of TA & Hills submitted that the required information had already been furnished to the appellant on 16.10.2021. He stated that the information asked on query No. 1 & 2 are not specific and clear. He stated that in case of query No. 3 & 4, the Department of TA & Hills had transferred it to the CEOs of ADCs u/s 6 (3) of the RTI Act, 2005.

The appellant submitted that he received some information from CEO, Tamenglong but had not received any information from other CEOs. He further expressed that he is not pleased with the information furnished by the public authority, TA & Hills.

Upon hearing from both parties, the Commission directs Shri Gaikhonlung Gangmei, Legal Officer and the appellant to have a joint sitting/ meeting/ inspection in the office chamber of the Legal Officer, TA & Hills on 30.11.2021 at 11am. The Commission asked the Legal Officer, TA & Hills to furnish a compliance report of the said joint meeting to the Commission before the next hearing.

During the hearing on 13.12.2021, the legal officer, TA & Hills submitted that there was a joint sitting on 2.12.2021 with the appellant, and the appellant claimed information with respect to the RR of Assistant Primary Teacher under 6 ADCs along with result sheet for recruitment of Primary Teacher, 2009-10 under 6 ADCs, Manipur. He further stated that ADC Tamenglong had already provided the information to the appellant. And, the SPIO (TA & Hills) had transferred the RTI application to the remaining 5 (five) ADCs on 16.10.2021.

The appellant has acknowledged the receipt of the information for ADC, Tamenglong but he is yet to get it for the remaining 5 ADCs.

Upon hearing from both the parties, the CEOs of the 5 (five) ADCs i.e. ADC Ukhrul, ADC Senapati, ADC Chandel, ADC Kangpokpi, and ADC Churachandpur are treated as deemed SPIOs. The Commission further directs the CEOs of the above mentioned 5 (five) ADCs to be present in the next hearing, and also furnish the sought information.

During the hearing on 10.01.2022, the appellant submitted that he has received information from CEO, ADC, Churachandpur and Tamenglong only. He prayed the Commission to initiate penal action against the left out CEOs of ADCs for their failure to furnish the sought information.

The representative of the SPIO (TA & Hills) submitted that he will remind once again the left out CEOs of the following ADCs, i.e., Ukhrul, Kangpokpi, Senapati & Chandel to furnish the required information direct to the appellant.

Upon hearing from both the parties, the Commission directs the deemed SPIOs/ CEOs of the following ADCs, i.e., Ukhrul, Kangpokpi, Senapati & Chandel to furnish the required information direct to the appellant before the next hearing failing which necessary penal action shall be initiated against them under the RTI Act, 2005.

During the hearing on 24.3.2022, the appellant submitted that he has received the required information and expressed his satisfaction. He also prayed the Commission to close the case.

The public authority also agreed to the request made by the appellant to close the case.

No. 2/1(5)/2008-FB(RTI)
GOVERNMENT OF MANIPUR
SECRETARIAT: FINANCE DEPARTMENT
(Budget Section)

OFFICE MEMORANDUM
Imphal, the 4th February, 2009

Subject: - Head of Account for Deposit of fees collected from the public requesting for information under RTI Act, 2005.

Fees collected from the public requesting for information under RTI Act, 2005 is to be deposited under the receipt Head indicated below: -

Major Head 0070-Other Administrative Services

Sub-Major 01- Administration of Justice

Major 501- Services & Service Fees

For the fees collected in the form of Demand Draft or Banker Cheque the Department may utilize the Bank Account which has already been opened for salary transaction by the Department/Drawing and Disbursing Officer.

2. This Office Memorandum will take immediate effect.

Sd/-.
(A.N. Jha)
Principal Secretary (Finance),
Government of Manipur

Memo No. 2/1/(5)/2008-FB(RTI):

Imphal, the 4th February, 2009.

**GOVERNMENT OF MANIPUR
DEPARTMENT OF PERSONNEL & ADMINISTRATIVE REFORMS
(ADMINISTRATIVE REFORMS DIVISION)**

NOTIFICATION

Imphal, the 28th May, 2011

No. 11/4/2005 – AR: In supersession of all earlier Notifications issued in this regard and in exercise of the powers conferred by sub-section (4) of section 24 of the Right to Information Act, 2005 (22 of 2005), the Governor of Manipur is pleased to notify the exemption of the **following organizations of the State Government** from the purview of the Right to Information Act, 2005:

- (1) The Manipur Police Department comprising of: -
 - (i) Civil Police,
 - (ii) Manipur Police Wireless,
 - (iii) Manipur Rifles,
 - (iv) India Reserve Battalions,
 - (v) Intelligence Wings (Special Branch & Crime Branch of CID),
 - (vi) Forensic Science Laboratory.
- (2) Jail Department,
- (3) State Vigilance Commission and its subordinate offices, and
- (4) Home Department (*in regard to reports of Enquiry Commissions, Magisterial Enquiries & classified reports including those of MHA & IB*).

2. Exemption of the above organizations, however, shall be subject to the provisos under sub-section 4 of section 24 of the Right to Information Act, 2005 relating to information sought for pertaining to allegations of corruption and human rights violation.

Sd/-

(Kh. Raghumani Singh)

Additional Secretary (AR), Govt. of Manipur.