

NAGALAND INFORMATION COMMISSION
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No. NIC/Appeal-14/2017-18

Dated Kohima, the 3rd February, 2018

Subject: Notice for Hearing on 6th March, 2018 (Tuesday) at 12:00 P.M.

WHEREAS, under Section 19 of the RTI Act, 2005, the Commission had received a second appeal dated 13.07.2017 submitted by Ms. Renbeni Ezung, c/o Hayibemo Ezung, Kenezou colony, Kohima, Nagaland, Mobile No. 8259001340/9612562606, email: ezunghayi07@gmail.com/ ezungrenbeni2@gmail.com against the non-response by the Mission Director & FAA, RMSA, Nagaland to her first appeal dated 25.05.2017 which was preferred against the non-satisfaction of information furnished by the PIO, RMSA, Nagaland Kohima in response to her RTI application dated 19.04.2017.

AND WHEREAS, the applicant, Ms. Renbeni Ezung had earlier submitted an RTI application dated 19.04.2017 addressed to the PIO, Rashtriya Madhyamik Shiksha Abhiyan (RMSA), Nagaland, Kohima along with the prescribed application fee of Rs. 10/- in cash seeking the following information in regard to appointment of waiting list candidates for MIL (Lotha) for Secondary Teachers in the RMSA upgraded High School in Nagaland:-

- i. *For selecting wait list No.2 instead of wait list No. 1.*
- ii. *The file noting on the above.*
- iii. *Photo copy of the offering letter issued to the wait list candidate.*
- iv. *A copy of the acceptance letter of wait list No. 2 S. Mhabeni.*

AND WHEREAS, on receipt of the RTI application dated 19.04.2017 on the same day, Shri. Wobenthung Lotha, PIO, RMSA, Kohima, Nagaland had, vide letter No. NLD/RMSA/RTI/2015-16/62 dated 01.05.2017 furnished the information to the applicant.

AND WHEREAS, on receipt of the information furnished by the PIO, the applicant had submitted a first appeal dated 25.05.2017 addressed to the Mission Director & First Appellate Authority, RMSA, Nagaland, Kohima stating that the information provided was **unconscionable, incomplete and malafide.**

AND WHEREAS, the first appeal dated 25.05.2017 was received by the public authority on the same day i.e. 25.05.2017 as evidenced on the receipt, however, on not getting any response from the First Appellate Authority to her first appeal dated 25.05.2017, the applicant (now appellant), had preferred a second appeal dated 13.07.2017 before this Commission.

AND WHEREAS, on receipt of the second appeal dated 13.07.2017, since the First Appeal was not heard, the Commission had, vide letter of even No. dated 25.08.2017 directed the First Appellate Authority to take up the first appeal by hearing the parties i.e, the applicant and the PIO concerned and pass decision within 1 (one) month from the date of receipt of the directive and submit a copy of the decision to this Commission.

AND WHEREAS, in compliance to the directive of the Commission of even No. dated 25.08.2017, the State Mission Director & FAA, RMSA, Nagaland, Kohima had, vide letter No. NLD/RMSA/RTI/2015-16/153 dated 16.09.2017 submitted to the Commission that a Notice vide No. NLD/RMSA/RTI/2015-16 dated 07.06.2017 was issued for hearing of the first appeal on 15.06.2017 at 1:00 P.M followed by voice calls, SMS and intimation through email, however, there was no response from the applicant and she had failed to appear for the hearing.

AND WHEREAS, since the applicant (now appellant) had not responded to the above Notice for Hearing, the Commission had, vide directive of even No. dated 10.10.2017 directed the State Mission Director & FAA to fix a new date and time for hearing the appeal and publish it in the Local Dailies/Newspapers summoning the applicant (now appellant) to appear for the

hearing on the appointed date and time positively, and with a copy of the Notice for hearing and the Newspaper clippings submitted to the Commission.

AND WHEREAS, in compliance to the directive of the Commission of even No. dated 10.10.2017, the State Mission Director & FAA, RMSA had, vide No. NLD/RMSA/RTI/2015-16/173 dated 25.10.2017 submitted to the Commission, a copy of the Notice issued vide No. NLD/RMSA/IEDAA/NOTICE/47/2015-16 dated 16.10.2017 for hearing on 13.11.2017 at 1:00 P.M in the State Mission Office, RMSA, Nagaland, Kohima and a copy of the Newspaper clipping summoning the applicant (now appellant) to appear for the hearing.

AND WHEREAS, though above compliance to the directive of the Commission was received, since there was no decision of the State Mission Director & FAA, the Commission had, vide even No. dated 14.12.2017 directed the State Mission Director & FAA to submit the above mentioned decision to the Commission on or before 20.01.2018.

AND WHEREAS, in reply to the directive of the Commission dated 14.12.2018, the State Mission Director & FAA had, vide letter No. NLD/RMSA/RTI/2015-16/199 dated 19.12.2017 submitted to the Commission that since the appeal case was **resolved amicably** with the applicant (now appellant) in the presence of her three (3) guardians on 13.11.2017 at 1:00 P.M in his office chamber, he had requested to consider the matter as **expedited**.

AND WHEREAS, the Commission has decided to hear the appeal case again, giving opportunity of being heard to both the parties, on **6th March, 2018 (Tuesday) at 12:00 P.M** in the Hearing Room of the Commission.

NOW THEREFORE, the following parties are directed to appear before this Commission and **also to bring the files and relevant documents** in question for scrutiny, on the above date and time for hearing.

- i. Shri. Limawabang Aier, State Mission Director & FAA, RMSA, Nagaland, Kohima.
- ii. Shri. Wopenthung Lotha, Deputy Mission Director & PIO, RMSA, Nagaland, Kohima.
- iii. The applicant (now appellant), Ms. Renbeni Ezung, c/o Hayibemo Ezung, Kenezou colony, Kohima, Nagaland.

Sd/-

CHANBEMO LOTH

Chief Information Commissioner

Dated Kohima, the 3rd February, 2018

No. NIC/Appeal-14/2017-18

Copy to:-

1. The PPS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The PA to the State Information Commissioner (K), Nagaland Information Commission for kind information of the SIC (K).
3. The PA to the State Information Commissioner (R), Nagaland Information Commission for kind information of the SIC (R).
4. Shri. Limawabang Aier, State Mission Director & FAA, Rashtriya Madhyamik Shiksha Abhiyan(RMSA), Nagaland, Kohima.
5. Shri. Wopenthung Lotha, Deputy Mission Director & PIO, Rashtriya Madhyamik Shiksha Abhiyan(RMSA), Nagaland, Kohima.
6. The applicant (now appellant), Ms. Renbeni Ezung, c/o Hayibemo Ezung, Kenezou colony, Kohima, Nagaland, Mobile No. 8259001340/9612562606, email: ezunghayi07@gmail.com/ ezungrenbeni2@gmail.com.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
8. Office Copy.

(WORHONTHUNG EZUNG)

Secretary