

NAGALAND INFORMATION COMMISSION

Below Raj Bhavan, Officers' Hill Colony

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No. NIC/Appeal-23/2017-18

Dated Kohima, the 10th July, 2018.

Subject: Notice for Hearing on 25th July, 2018 (Wednesday) at 2:00 P.M.

WHEREAS, under Section 19 of the RTI Act, 2005, the Commission had received a second appeal dated 25.09.2017 from Shri. L. Tonen Chang, Assistant Finance Secretary, Eastern Naga Students' Federation, Perizie Colony, High School, Kohima, Mobile No. 7308967875/7630805412 against the non-response from the First Appellate Authority (FAA), Nagaland Public Service Commission (NPSC), Nagaland, Kohima to his first appeal dated 08.08.2017 which was preferred against the non-satisfaction of information furnished to him in response to his RTI application dated 06.06.2017.

AND WHEREAS, the applicant, Shri. L. Tonen Chang had, earlier submitted an RTI application dated 06.06.2017 addressed to the PIO, Nagaland Public Service Commission (NPSC), Nagaland, Kohima along with the prescribed application fee of ` 10/- seeking the following information:

1. *After the Government Notification (NO.RCBT-5/87(Pt-II) dated Kohima, the 23rd July, 2008) how many notifications were notified by the Government against the implementation of Reservation policy for the Backward Tribes of Nagaland? Kindly enclose the photo copy of the notification. Also, which year exam result were declared according to which notification till date?*
2. *Kindly furnish the various Roster Point Table for the Backward Tribes of Nagaland.*
3. *Which Roster Point Table is used against which posts (Technical/Non-Technical/Educational Services)? Furnish the details along with the Roster Point No for each post.*
4. *Does the Commission makes a separate reservation chart/policy for the Eastern Nagas (25%)/10% for the Pochury, Zeliang & Chakesang/ 2% for the Sumi and 3% for the physically handicapped? If yes, kindly enclose a photo copy of the Roster Point table prepared in MC Excel. If No, kindly give the details of the differential in accordance to the reserved percentage in separate MS Excel format.*
5. *How many posts were filled by the physically handicapped under reservation since 2008? Furnish the details of the year and tribe along with the name of the posts.*
6. *How many posts were advertised and results declared so far (Technical/Non-Technical & Educational Services) through NPSC since 23rd July, 2008, details in posts wise.*
7. *How Backward Tribe Reservation percentage is extracted i.e., from 100% or from 80%, in case of any relaxation with regard to any posts (100%/80%) mention the categories of posts and its Roster Point table?*
8. *So far how many posts were vacated/resigned under various categories of posts by the Eastern Nagas. Prespective: Improved up gradation or attempts in different years.*
9. *Kindly furnish the present Roster Position No. for all the posts (Technical/Non-Technical & Educational Services) which comes under the purview of NPSC.*
10. *Total no. of applicant from Eastern Nagas (Chang, Konyak, Yimchunger, Sangtam, Phom and Khiamungan) for Special Recruitment of 10 Backward Tribes 2011-12, Advt. No.1).*
11. *Enclose a photo copy signed by the competent authority of the following:*
 - a. *200 point Roster Table inclusive of formula number, Backward Tribes Position and arithmetic formula preferably in MS Excel.*
 - b. *125 point Roster Table inclusive of formula number, Backward Tribes Position and arithmetic formula preferably in MS Excel.*
 - c. *100 point Roster Table inclusive of formula number, Backward Tribes Position and arithmetic formula preferably in MS Excel.*

AND WHEREAS, on receipt of the RTI application dated 06.06.2017 by the Public Authority on the same day i.e. on 06.06.2017 as evidence on the body of the RTI application, Shri. Kelhouseto Nakhro, Deputy Secretary & PIO, NPSC, Nagaland, Kohima had, vide letter No. NPSC/RTI/2005 (VOL-II) dated 27.07.2017 furnished the information to the applicant.

AND WHEREAS, on receipt of the information furnished to him by the PIO, NPSC, the applicant had filed First Appeal dated 8.8.2017 stating that the replies to query Nos.1, 6, 8, 10 & 11 were unsatisfactory and incomplete, while replies to query Nos. 3 & 9 were misinterpretation of the section of the RTI Act by the PIO, NPSC.

AND WHEREAS, on receipt of the first appeal dated 8.8.2017 by the Secretary & FAA on the same day i.e. 8.8.2017 as evidenced on the body of the above first appeal, since there was no response or any decision from the Secretary & FAA, NPSC within the stipulated time limit of 30 days, the applicant (now appellant) had preferred second appeal dated 25.9.2017 before this Commission.

AND WHEREAS, on receipt of the second appeal dated 25.9.2017, since the first appeal was not heard by the First Appellate Authority, the Commission had, vide letter of even No. dated 17.10.2017 directed the First Appellate Authority to take up the first appeal by hearing the parties i.e., the applicant (now appellant) 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 the Commission.

AND WHEREAS, in compliance to the directive of the Commission of even No. dated 14.2.2018, Shri. Khrupi Sothu, Secretary & FAA, NPSC, Nagaland, Kohima had, vide letter No. NPSC/ESTT-9/2016 dated 23.11.2017 submitted that after hearing the applicant (now appellant), the information relating to query Nos. 1, 6, 8, 10 & 11 were furnished to the applicant (now appellant) and with a copy to Commission.

AND WHEREAS, on receipt of the above decision of the Secretary & FAA, NPSC, the Commission had, vide letter of even No. dated 14.2.2018 directed the Secretary & FAA, NPSC to confirm satisfaction or non-satisfaction of the information so furnished to the applicant (now appellant) within 2 (Two) weeks from the date of receipt of the directive positively.

AND WHEREAS, in response to the above directive of the Commission of even No. dated 14.2.2018, the Secretary & FAA, NPSC had, vide letter No. NPSC/ES55-9/2016 dated 20.2.2018 stated that since the applicant (now appellant) had not complaint or appealed on the matter further the NPSC was of the opinion that the applicant (now appellant) was fully satisfied with the information furnished. He further added that if the applicant (now appellant) was still not satisfied, it would be his bounden duty to approach the Commission and that the NSPC have no further responsibility to ascertain his satisfaction or non-satisfaction of information.

AND WHEREAS, since confirmation regarding the satisfaction or non-satisfaction of the information furnished to the applicant (now appellant) was not received, the Commission had, vide letter of even No. dated 22.3.2018 again directed the Secretary & FAA, NPSC to issue **final reminder** to confirm satisfaction or non-satisfaction of information furnished to the applicant (now appellant) specifying a certain time limit for submission of the confirmation, with a copy to this Commission.

AND WHEREAS, in compliance to the directive of the Commission of even No. dated 22.3.2018, the Secretary & FAA, NPSC, Nagaland, Kohima had, vide letter No. NPSC/ESTT-9/2010 dated 9.5.2018 directed the applicant (now appellant) to submit confirmation of satisfaction or non-satisfaction of information so furnished to him within 2 (Two) weeks from the date of issue of his letter failing which the case shall be closed.

AND WHEREAS, since there was delay in furnishing the information and to determine the cause of delay, the Commission has decided to hear the appeal giving opportunity of being heard to all the parties **on 25th July, 2018 (Wednesday) at 2:00 P.M** in the **Hearing Room of Nagaland Information Commission, below Raj Bhavan, Officers' Hill Colony, Nagaland, Kohima.**

NOW THEREFORE, it is notified that 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:-

1. Shri. Khrupi Sothu, Secretary & FAA, NPSC, Nagaland, Kohima.
2. Shri. Kelhouseto Nakhro, Deputy Secretary & PIO, NPSC, Nagaland, Kohima.
3. The applicant (now appellant), Shri. L. Tonen Chang, Assistant Finance Secretary, Eastern Naga Students' Federation, Perizie Colony, High School, Kohima.

Sd/-

CHANBEMO LOTHIA

Chief Information Commissioner

Dated Kohima, the 10th July, 2018.

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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. Khrupi Sothu, Secretary & FAA, NPSC, Nagaland, Kohima, Mobile No.9436618557.
5. Shri. Kelhouseto Nakhro, Deputy Secretary & PIO, NPSC, Nagaland, Kohima, Mobile No.9436600680.
6. The applicant (now appellant), Shri. L. Tonen Chang, Assistant Finance Secretary, Eastern Naga Students' Federation, Perizie Colony, High School, Kohima, Nagaland, Mobile No.7308967875.
7. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's website and Notice Board.
8. Office Copy.

(WORHONTHUNG EZUNG)
Secretary