

No. NIC/Appeal-4/2017-18.

Dated Kohima, the 11th June, 2018.

Subject: Notice for Hearing on 4th July, 2018 (Wednesday) at 12:00 Noon.

WHEREAS, under Section 19 of the RTI Act, 2005, the Nagaland Information Commission had received a **Second Appeal dated 31.01.2017** received from an applicant, Shri. Murari Lal Gupta, S/o Shri. Kishan Tola, H.No. 2214, Sector-13, HUDA, Bhiwani, Mobile No. 9355744006 against non-satisfaction of information furnished to him in response to his first appeal preferred before the First Appellate Authority, The Global Open University Nagaland.

AND WHEREAS, the above applicant had earlier submitted an RTI application **dated 06.10.2016** addressed to the PIO & Asstt. Admin. Officer-I, TGOUN alongwith the prescribed application fee of Rs. 10/- paid through IPO No. 2F 552621, seeking the following information regarding M. Phil Chemistry criteria and details of candidate Diwan Singh bearing Roll No. M/PHIL/5659/CHE/2008D:

- a) *Type of course approved for University and conducted by University of course of M.Phil in Chemistry is regular or by distance from year 2008 till present year.*
- b) *Copy of approval received by the University from UGC and all competent bodies in relation to M.Phil Chemistry course being conducted by University from year 2008 till date.*
- c) *Record of examination date sheet of M.Phil Chemistry Examination conducted by University in December 2009.*
- d) *Record of details of all examination centres on which M.Phil Chemistry Examination was conducted by University in December 2009.*
- e) *Record of name examination superintendents who were posted in centres mentioned in information (d) above.*
- f) *Record of registration details of Sh. Diwan Singh who has been given certificate no. 0126122 dated 10.03.2010 for passing M.Phil Examination in Chemistry from University under roll no. M.Phil/5659/CHE/2008D.*
- g) *Attested copy of name of Guide and his posting details under whom Diwan Singh did his M.Phil Thesis.*
- h) *Attested copy of Thesis submitted by Diwan Singh to University.*
- i) *Record of dates on which practical examinations for M.Phil Thesis were attended by candidate Diwan Singh subject wise, place of examination and timing of examinations.*
- j) *Name of the person who did the evaluation of Thesis submitted by Candidate Diwan Singh.*
- k) *Details of evaluation under which 180 marks have been given for M.Phil Thesis to Diwan Singh.*
- l) *Criteria fixed by the University or UGC for giving marks for evaluation of Thesis.*
- m) *Attested copy of examination answer sheets of written by Sh. Diwan Singh for examination of subjects (i) Research Methodology (ii) Computer Programming (iii) Advanced Spectroscopy for which he appeared in Dec. 2009 examination held by University.*

AND WHEREAS, the RTI application was sent through Registered post bearing No. A RH231020779IN on 07.10.2016 as evidenced on the body of the RTI application. However, on not getting any response to his RTI application dated 06.10.2016, the applicant preferred a **first appeal dated 28.11.2016** before the First Appellate Authority, The Global Open University Nagaland.

AND WHEREAS, in response to the first appeal dated 28.11.2016, the Director/Registrar & First Appellate Authority, The Global Open University Nagaland had, vide letter No. GOUN/2-14/16/A/385 **dated 12.12.2016** furnished the information regarding **query Nos. (a), (b), (d) and (f)** to the applicant. However, in respect of the remaining queries, the Director/Registrar & First Appellate Authority had, vide No. GOUN/2-14/16/A/386 dated 12.12.2016 informed the applicant that the application was forwarded to the Controller of Examination, TGOUN to furnish the remaining information.

AND WHEREAS, on not getting any response from the Controller of Examination and the Director/Registrar & FAA, TGOUN, the applicant (now appellant) had preferred a **second appeal dated 31.01.2017** before this Commission.

AND WHEREAS, since the first appeal was not heard, the Commission had, vide letter of even No. dated 28.08.2017 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 Commission directive and submit a copy of the decision to this Commission.

AND WHEREAS, since there was no compliance from the FAA, the Commission had, vide letter of even No. dated 15.12.2017 directed the Director/ Registrar & FAA, TGOUN, to appear before the Commission for a meeting on 07.02.2018 at 11:00 AM and explain the failure to comply with the Commission's directive dated 28.08.2017.

AND WHEREAS, the Commission had received decision dated 27.11.2017 of the FAA vide letter No. GOUN.2-14/16/B Vol I/567 dated 04.12.2017 stating that reply to query Nos. a, b, d & f had already been furnished earlier vide letter No. GOUN/2-14/16/385 dated 12.12.2016, however, since the remaining query Nos. c, e, g, h, l, j, k, l and m were not furnished, the PIO was directed to furnish to the applicant in consultation with the concerned authorities as the above information were not available with the University.

AND WHEREAS, in compliance to the above directive of the Director/Registrar & FAA, TGOUN, Shri. Keluozie Kesiezie, PIO, TGOUN had, vide letter No. GOUN/2-14/16/B Vol I/568 dated 18.12.2017 replied to query Nos. c, e, g, h, l, j, k, l and m to the applicant and with a copy to the Commission.

AND WHEREAS, the Commission had, vide its directive of even No. dated 23.03.2018 directed the Director/Registrar & FAA, TGOUN to submit an explanation for the delay in complying to the directive of the Commission dated 28.08.2017 to hear the first appeal and also for failing to appear before the Commission in the meeting held on 07.02.2018 at 11:30 A.M. without any prior intimation and reason, within 1(One) month from the date of receipt of the Commission's directive.

AND WHEREAS, though sufficient time had lapsed, since the Commission had not received any compliance till date, the Commission has decided to hear the appeal giving opportunity of being heard to all the parties on **4th July, 2018 (Wednesday) at 12:00 Noon 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:-

- i. The Director/Registrar & FAA, TGOUN, Dimapur, Nagaland.
- ii. Shri. Keluozie Kesiezie, AAO & PIO, TGOUN, Dimapur, Nagaland.
- iii. The applicant (now appellant) Shri. Murari Lal Gupta.

Sd/-

CHANBEMO LOTHIA

Chief Information Commissioner

Dated Kohima, the 11th June, 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. The Director/Registrar & FAA, The Global Open University, Nagaland, Sodzulhou village, P.O-ARTC, Dimapur, Nagaland - 797115.
5. Shri. Keluozie Kesiezie, AAO & PIO, The Global Open University, Nagaland, Sodzulhou village, P.O-ARTC, Dimapur, Nagaland- 797115.
6. The applicant (now appellant) Shri. Murari Lal Gupta, S/o Shri. Kishan Tola, H.No. 2214, Sector-13, HUDA, Bhiwani, Mobile No. 9355744006.
7. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's website and Notice Board.
8. Office Copy.

(WORHONTHUNG EZUNG)
Secretary