

NAGALAND INFORMATION COMMISSION
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No. NIC/Appeal-9/2018-19

Dated Kohima, the 20th February, 2019

Appellant : Shri. Renet Ndang,
Peren Kipeujang Village,
House No.40,
Peren Town-797101,
Nagaland,
email:renetndang@gmail.com,
Mobile No.9436015902.

Respondents : 1) Director & FAA,
Rural Development,
Nagaland, Kohima.

2) Concerned PIO,
District Rural Development Agency (DRDA), Peren,

Public Authority : District Rural Development Agency (DRDA), Peren.

Date of first hearing : 16.10.2018 at 1:30 PM.
Date of first Decision : 23.10.2018.

Date of second hearing : 14.02.2019 at 1:00 PM.
Date of second Decision : 20.02.2019.

Present:

1. Smti. Imnukshila Jamir, Additional Director, Rural Development, Nagaland, Kohima, Mobile No. 9436005289, representing Shri. Imlimeren Jamir, Director & FAA, Rural Development, Nagaland, Kohima.
2. Smti. Azenuo Pienyu, Project Director & PIO, DRDA, Peren, Nagaland, Mobile No. 9436001443.
3. The applicant (now appellant), Shri. Renet Ndang, Peren Kipeujang Village, House No. 40, Peren Town-797101, Nagaland, Mobile No. 9436015902, email:renetndang@gmail.com

FACT OF THE CASE

The Commission had, on 16.10.2018 at 1:30 P.M. heard the second appeal dated 08.08.2018 submitted by Shri. Renet Ndang, Peren Kipeujang Village, House No. 40, Peren Town-797101, Nagaland, Mobile No. 9436015902, email: renetndang@gmail.com against the non-satisfaction of the information furnished by the Director & FAA, Rural Development, Nagaland, Kohima to his first appeal dated 21.05.2018 which was submitted against the non-satisfaction of the information furnished by Shri. Keyirangding Hegui, NCS, Project Director & PIO, District Rural Development Agency (DRDA), Peren, Nagaland to his RTI application dated 17.04.2018.

After the hearing on 16.10.2018 at 1:30 P.M, the Commission had passed decision of even No. dated 23.10.2018. In compliance to the **Point No. 1** of the decision of the Commission dated 23.10.2018, Shri. Keyirangding Hegui, NCS, Project Director & PIO, DRDA, Peren, Nagaland had, vide letter dated 12.11.2018 submitted his reply to the explanation stating that his failure to attend the hearing on 16.10.2018 was due to the breakdown of his vehicle while coming up from Jalukie to Kohima to attend the hearing. He had also immediately informed the Director & FAA, Rural Development about the unfortunate turn of events to which the Director responded that he would represent him and bring the incident to the notice of the Commission during the hearing. Further, he stated that he had been transferred and taken charged as Project Director, DRDA, Phek on 11.09.2018 vide Rural Development Department, Notification No. RD/ESTT-T&P/7/2014 dated 30.08.2018 and had enclosed copies.

In compliance to the **Point No. 2** of the decision of the Commission dated 23.10.2018, Smti. Azenuo Pienyu, Project Director & PIO, DRDA, Peren, Nagaland had, vide letter No. DRDA/PRN/RTI/2017-18 dated 12.11.2018 re-furnished the information from query Nos. 1, 2, 3, 4, 5 & 6 to the applicant (now appellant) with a copy to the Commission.

In compliance to the **Point No. 3** of the decision of the Commission dated 23.10.2018, the applicant (now appellant), Shri. Renet N dang had, vide e-mail dated 02.12.2018 submitted to the Commission stating that he had received the information from the PIO on 18.11.2018, however he was not satisfied with the information pertaining to query No. 5 since *“the table list of money provided to each village and the attached illegible photocopies of bank statements don't supplement with the account of each village council”*.

Since the applicant (now appellant) is not satisfied with the information re-furnished on query No. 5 by the PIO, the Commission has decided to hear the appeal case giving opportunity of being heard to all the parties on **14th February, 2019 (Thursday) at 1:00 P.M.** in the **Hearing Room of Nagaland Information Commission, below Raj Bhavan, Officers' Hill Colony, Nagaland, Kohima** and had also directed the parties **to bring the files and relevant documents** in question for scrutiny, on the above date and time for hearing:-

- i. Shri. Imlimeren Jamir, Director & FAA, Rural Development, Nagaland, Kohima.
- ii. Smti. Azenuo Pienyu, present Project Director & PIO, DRDA, Peren, Nagaland.
- iii. The applicant (now appellant), Shri. Renet N dang, Peren Kipeuzang Village, Peren, Nagaland.

OBSERVATIONS AND FINDINGS:

Shri. Imlimeren Jamir, Director & FAA, Rural Development, Nagaland, Kohima had, vide letter No. DIR/Per/2019 dated 05.02.2019 informed the Commission that he would not be appearing for the hearing scheduled on 14.02.2019 at 1:00 PM in view of his son's wedding on the 15.02.2019. Further, he had deputed Smti. Imnukshila Jamir, Additional Director, Rural Development, Nagaland, Kohima, to represent the FAA during the hearing.

The Commission had accepted the request of the Director & FAA, Rural Development, Nagaland, Kohima and proceeded with the hearing.

During the hearing, the applicant (now appellant) stated that Smti. Azenuo Pienyu, Project Director & PIO, DRDA, Peren, Nagaland had re-furnished all the information to him, however, he was not satisfied with the reply given for query No. 5 only since bank statements were not given and that the photocopies for 2 pages out of the 40 pages of the Bank Pass Book of the District Programme Co-ordinator, NREGA, Peren District were not clear and legible. He further, alleged that both the VDB Secretary and the villagers have joint account.

Smti. Azenuo Pienyu, Project Director & PIO, DRDA, Peren stated that bank statements i.e. the photocopies of the Bank Pass Book were furnished and that there cannot be any joint account under NREGA. Moreover, she clarified that some of the photocopies of the pages were not clear since the original pages of the Bank Pass Book were also not clear.

On perusal of the documents furnished to the applicant(now appellant), the Commission had observed that the PIO had already furnished all the information including the reply to query No. 5 i.e. the amount paid to every village annually under MGNREGA since inception, as sought by the applicant (now appellant) alongwith photocopies of the pages of the Bank Pass Book, and therefore no further action was required.

The Commission further observed that there was no delay in furnishing the information to the applicant (now appellant), hence no penalty was attracted.

DECISION:

On the above observations and findings, since all the information sought by the applicant (now appellant) have been furnished as per his RTI application dated 17.04.2018, the Commission had **disposed of** the appeal.

Decision pronounced in the presence of both the parties on 14.02.2019 at 1:00 PM.

Copy be given to:-

1. Shri. Imlimeren Jamir, Director & FAA, Rural Development, Nagaland, Kohima, Mobile No. 9436005660.
2. Smti. Azenuo Pienyu, Project Director & PIO, DRDA, Peren, Nagaland, Mobile No. 9436001443.
3. The applicant (now appellant), Shri. Renet Ndang, Peren Kipeujang Village, House No. 40, Peren Town-797101, Nagaland, email: renetndang@gmail.com, Mobile No. 9436015902.
4. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's website and Notice Board.
5. Office Copy.

Sd/-

CHANBEMO LOTHIA
Chief Information Commissioner

Sd/-

G. H. RAMLIA
State Information Commissioner

Sd/-

KEVIZATUO MIACHIEO
State Information Commissioner

Authenticated true copy:-

(WORHONTHUNG EZUNG)
Secretary