

NAGALAND INFORMATION COMMISSION

Below Raj Bhavan, Officers' Hill Colony

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No. NIC/Appeal-9/2018-19

Dated Kohima, the 23rd October, 2018

Appellant : Shri. Renet N dang,
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 hearing : 16.10.2018 at 1:30 PM.

Date of Decision : 23.10.2018.

Present:

1. Shri. Imlimeren Jamir, Director & FAA, Rural Development, Nagaland, Kohima, Mobile No. 9436005660.
2. The applicant (now appellant), Shri. Renet N dang, Peren Kipeujang Village, House No.40, Peren Town-797101, Nagaland, Mobile No.9436015902, email:renetndang@gmail.com

The Project Director & PIO, District Rural Development Agency (DRDA), Peren, Nagaland **did not appear** for the hearing.

FACT OF THE CASE

An applicant, Shri. Renet N dang had submitted an RTI application dated 17.04.2018 addressed to the Project Director & PIO, DRDA, Peren, Nagaland alongwith an application fee of Rs. 10/- in cash, seeking the following information:-

1. *Total number of schemes implemented by DRDA Peren.*
2. *Number of houses constructed in Peren District under the scheme of Pradhan Mantri Awas Yojana with the names of the beneficiaries.*
3. *Expenditure incurred for construction of each household under Pradhan Mantri Awas Yojana.*
4. *Total number of Jobcard holders in Peren District under MGNREGA along with the list in village wise.*
5. *Amount of money paid to every village annually under MGNREGA from inception till date with support of financial records.*
6. *Reports of social audit conducted under MGNREGA by DRDA Peren.*
7. *Total number of Self Help Groups assisted under Swarnajayanti Gram Swarozgar Yojana with detail account of financial records.*

On receipt of the RTI application dated 17.04.2018 by Shri. N.Lima Aier, JE, DRDA, Peren on the same day as evidence on the body of the said application, Shri.Keyirangding Hegui, NCS, Project Director and PIO, DRDA, Peren, Nagaland had, vide letter No.DRDA/PRN/RTI-1/2013-14 dated 11.05.2018 furnished the information to the applicant. However, on not being satisfied with the above information, the applicant had submitted his first appeal dated 21.05.2018 to the Director & FAA, Rural Development, Nagaland, Kohima.

On receipt of the first appeal dated 21.05.2018, the Director & FAA, Rural Development, Nagaland, Kohima had, vide letter No. DRD/ME/RTI AA-7/2016-17 dated 28.06.2018 issued Notice for Hearing on 10.07.2018 at 12:00 Noon. And as scheduled, the hearing for the first appeal was held on 10.07.2018 however no decision could be made due to the absence of the PIO & Project Director, DRDA, Peren and the Hearing was rescheduled on 18.07.2018 at 2:00 P.M. A copy of the attendance sheet for a hearing on 09.03.2018 was found enclosed even though the date of hearing of the first appeal was on 10.07.2018.

As rescheduled above, the first appeal was heard by the Director & FAA, Rural Development, Nagaland, Kohima on 18.07.2018 at 2:00 P.M. and passed its decision on 18.07.2018 vide letter No. DRD/RTI-AA-8/2017-18 dated 19.07.2018. A copy of the attendance sheet for the Hearing on 18.07.2018 was found enclosed. However, on not being satisfied with the decision dated 18.07.2018 of the Director & FAA, Rural Development, Nagaland, Kohima, the applicant (now appellant) had preferred a second appeal dated 08.08.2018 before this Commission.

On receipt of the second appeal, since the RTI application dated 17.04.2018 was not found enclosed by the applicant (now appellant), the Commission had, vide letter of even No. dated 17.09.2018 directed the applicant to submit a copy of his RTI application dated 17.04.2018 which was submitted to the Project Director & PIO, DRDA, Peren, Nagaland.

In response to the above directive of the Commission dated 17.09.2018 the applicant (now appellant) had sent a copy of his RTI application dated 17.04.2018 through e-mail on 26.09.2018.

Since the applicant (now appellant) is not satisfied with the information furnished by the PIO and with the decision of the FAA, the Commission has decided to hear the appeal case giving opportunity of being heard to all the parties on **16th October, 2018 (Tuesday) at 1:30 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. Shri. Keyirangding Hegui, NCS, Project Director & PIO, DRDA, Peren, Nagaland.
- iii. Shri. N. Lima Aier, JE, DRDA, Peren.
- iv. Shri. Renet N dang, Peren Kipeujang Village, Peren Town, Nagaland.

OBSERVATIONS AND FINDINGS:

The Project Director & PIO, DRDA, Peren did not appear for the hearing and there was no prior intimation or reason regarding his absence in the hearing. The FAA informed that the PIO could not attend the hearing since he had met with an accident while coming up to Kohima for the hearing.

During the hearing, the applicant (now appellant) stated that he was not satisfied with the information furnished by the PIO and by the FAA and hence the appeal.

1. Regarding Query No. 1, the reply of the PIO was not satisfied, since the reply given was that there were two (2) schemes implemented by the DRDA, Peren.
2. Reply to Query No. 2 was not satisfied since the reply of the PIO was given as '*verification still underway*'.

Shri. Imlimeren Jamir, Director & FAA, Rural Development, Nagaland, Kohima explained that during 2016-17, the *Indira Awas Yojana* (IAY) scheme was renamed as *Pradhan Mantri Awas Yojana* (PMAY). Funds were received under the *Pradhan Mantri Awas Yojana* (PMAY), however the funds have not been utilised and the amount still lying unused. List of beneficiaries was done randomly and is available on the website, but no construction have been done. However, basing on the survey report of the Ministry of Rural Development, the list of beneficiaries are under verification.

The applicant (now appellant) also stated that some roofing materials were given under the PMAY, however the FAA clarified that roofing materials were given under the old scheme, IAY. Moreover, no works has been started under the new scheme of PMAY.

3. Query No. 3 – this was related to query No. 2. Not satisfied since no specific reply was given and the PIO replied was ‘works yet to commence’.
4. Query No. 4 – not satisfied since the list is incomplete.
5. Query No. 5 – not replied, hence not satisfied.
6. Query No. 6 – Not furnished.
7. Query No. 7 – the PIO replied that *Swaranjayanti Gram Swarozgar Yojana* (SGSY) was no longer implemented by DRDA, Peren however, the reply was not satisfied.

The FAA also informed that the *Swaranjayanti Gram Swarozgar Yojana* (SGSY) was discontinued since 4 to 5 years back.

The Commission 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, the Commission decided that:-

1. Since Shri. Keyirangding Hegui, Project Director & PIO, District Rural Development Agency (DRDA), Peren had failed to appear before the Commission for the hearing without any reason or prior intimation to the Commission, he shall submit an **explanation** to the Commission **within fifteen (15) days** from the date of receipt of this Decision.
2. Shri. Keyirangding Hegui, Project Director & PIO, District Rural Development Agency (DRDA), Peren shall revisit and re-furnish the information from **query No. 1 to 6** to the applicant (now appellant) and with a copy to the Commission **within twenty (20) days** from the date of receipt of this Decision.
3. On receipt of the information from the PIO, the applicant (now appellant) shall submit satisfaction or non-satisfaction of the information so received from the PIO **within fifteen (15) days** from the date of receipt of this Decision and with a copy to the Commission.

Decision pronounced in the presence of both the parties on 16.10.2018.

Copy be given to:-

1. Shri. Imlimeren Jamir, Director & FAA, Rural Development, Nagaland, Kohima, Mobile No. 9436005660.
2. Shri. Keyirangding Hegui, Project Director & PIO, District Rural Development Agency (DRDA), Peren, Nagaland, Mobile No. 9862339023.
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

Authenticated true copy:-

(WORHONHUNG EZUNG)
Secretary