

NAGALAND INFORMATION COMMISSION

Below Raj Bhavan, Officers' Hill Colony

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No.NIC/Complaint-1/2017-18

Dated Kohima, the 16th November, 2017.

Complainant : Dr. Mohkam Singh Mann,
S/o Shri. Surinderpal Singh Mann,
Guru Gobind Singh Nagar,
St, No.4, W. No.7,
New Court Road, Mansa-151505.

Respondent(s) : The AAO & PIO,
The Global Open University Nagaland,
Sodzulhou Village, P.O – ARTC, NH-39,
Dimapur, Nagaland – 797115.

Public Authority : The Global Open University Nagaland,
Sodzulhou Village, P.O – ARTC, NH-39,
Dimapur, Nagaland – 797115.

Date of Hearing : 03.11.2017 at 12:00 P.M
Date of Decision : 16.11.2017

Present:

Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9774418461.

The applicant, Dr. Mohkam Singh Mann, S/o Shri. Surinderpal Singh Mann, Guru Gobind Singh Nagar, St, No.4, W. No.7, New Court Road, Mansa-151505 did not appear for the hearing.

FACT OF THE CASE

An applicant, Dr. Mohkam Singh Mann had submitted an RTI application dated **23.09.2013** addressed to the PIO, The Global Open University Nagaland by Speed post on 23.09.2013 along with application fee of Rs.30/- paid through IPO bearing No. 20F 719425, 20F 719426 & 20F 719426 seeking the following information:-

1. *Information of student who belongs to Punjab State and passed M.A Phy.Edu. through Distance Education Council (DEC) during the session 2008-2010.*

On not getting any response from the PIO, The Global Open University Nagaland to his RTI application dated **23.09.2013**, the applicant had submitted a complaint dated NIL to the State Information Commission, Punjab, however, the State Information Commission, Punjab had, vide letter No. **PSIC/Legal/DNF/2014/9360** dated **07.04.2014** advised the applicant to file the complaint before the Central Information Commission, New Delhi as the complaint against the Public Authority did not fall in their jurisdiction.

As advised, the applicant had filed the complaint before the Central Information Commission, New Delhi, however, the complaint was transferred to this Commission vide letter No. **CIC-RM-C-2014-000438-MP** dated **02.08.2017** on the ground that the subject of the complaint fall under the jurisdiction of Nagaland Information Commission.

The Commission had decided to hear the Complaint on **3rd November (Friday), 2017 at 12:00 P.M** in the **Hearing Room of Nagaland information Commission, Below Raj Bhavan, Officers' Hill Colony, Nagaland, Kohima**, and notified the concerned parties **to bring the files and relevant documents** in question for scrutiny, on the above date and time for hearing.

OBSERVATIONS AND FINDINGS

The applicant (now appellant), Dr. Mohkam Singh Mann did not appear for the hearing and there was no intimation to the Commission regarding his absence. The hearing was conducted only in the presence of Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland.

During the hearing, Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO submitted that the RTI application dated 23.09.2013 **was not received** at all by the Global Open University. However, the RTI application was received only on **04.08.2017** when the Central Information Commission, New Delhi had, vide letter No. CIC-RM-C-2014-000438-MP dated 12.07.2017 directed the Registrar of the The Global Open University Nagaland to conduct an inquiry, enclosing the RTI application and to send the enquiry report alongwith the replies of the PIO to the applicant(now complainant) within two (2) weeks from the date of receipt of the letter and containing the reasons for not furnishing on time.

The Director-cum-Registrar of The Global Open University Nagaland had, vide letter No. TGOUD/2-14/16/C/116 dated 23.08.2017 submitted his enquiry report to the Central Information Commission, New Delhi stating that the RTI application dated 23.09.2013 was not received by the University, and further informed that on receipt of the letter dated 12.07.2017, the information was furnished to the applicant(now complainant). A copy of the information furnished to the applicant alongwith the copy of the letter No. TGOUD/2-14/16/C/115 dated **23.08.2017** in which the information was furnished was also produced before the Commission during the hearing. However, Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO stated that there was no information regarding the satisfaction or non-satisfaction from the applicant (now complainant).

DECISION

On the above observations and findings, the Commission decided that:-

- i. Since Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland, Dimapur had stated that the University had never received the RTI application dated 23.09.2013, he shall declare in the form of a **sworn affidavit** stating that he did not receive the RTI application dated 23.09.2013 of Dr. Mohkam Singh Mann.
- ii. Also since the information had already been furnished, the PIO shall confirm from the applicant(now complainant) the satisfaction or non-satisfaction of the information so furnished to the applicant.

Compliance to the above decisions be submitted to the Commission **within 1 (one) month** from the date of receipt of this decision.

Decision pronounced in the presence of only the respondent on 03.11.2017.

Copy be given to:-

1. Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO -I, The Global Open University Nagaland, Sodzihou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9774418461.
2. The applicant(now Complainant), Dr. Mohkam Singh Mann, S/o Shri. Surinderpal Singh Mann, Guru Gobind Singh Nagar, St, No.4, W. No.7, New Court Road, Mansa-151505.
3. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
4. Office Copy.

Sd/-
CHANBEMO LOTH
State Information Commissioner

Sd/-
KEVIZATUO MIACHIEO
State Information Commissioner

Authenticated true copy:-

(WORHONTHUNG EZUNG)
Secretary