

**NAGALAND INFORMATION COMMISSION**

**Below Raj Bhavan, Officers' Hill Colony**

**Post Box No. 148**

**Nagaland, Kohima-797001**

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No.NIC/Complaint-2/2017-18

Dated Kohima, the 20<sup>th</sup> April, 2018.

Complainant : Shri. Jatin Gera,  
68/9, Ashok Nagar,  
Mobile No. 8585928086,  
email: jatingera.90@gmail.com

Respondent(s) : (i) Director-cum-Registrar & First Appellate Authority,  
The Global Open University Nagaland,  
Sodzulhou Village, P.O – ARTC, NH-39,  
Dimapur, Nagaland – 797115.

(ii) 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 first Hearing : 03.11.2017 at 1:00 P.M  
Date of first Decision : 17.11.2017

Date of second Hearing : 12.04.2018 at 1:00 P.M  
Date of second Decision : 20.04.2018.

Present:

1. Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9436070457.
2. 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 (now complainant), Shri. Jatin Gera, 68/9, Ashok Nagar, Mobile No. 8585928086, email: jatingera.90@gmail.com **did not appear** for the hearing.

**FACT OF THE CASE**

The Commission had, after hearing the second appeal on 03.11.2017 at 1:00 P.M passed its decision vide even No. dated 17.11.2017 wherein the PIO, The Global Open University, Nagaland was directed to submit to this Commission the date of furnishing of the information and a copy of the information furnished to the applicant.

However, on not receiving any compliance to its decision of even No. dated 17.11.2017, the Commission had, vide letter of even No. dated 16.02.2018 directed the Asst. Administrative Officer & PIO, The Global Open University Nagaland to submit compliance to the above decision of the Commission within 2 (two) weeks from the date of receipt of the directive.

In compliance to the decision of the Commission of even No. dated 17.11.2017 and subsequent directive of even No. dated 16.02.2018, the Asst. Administrative Officer & PIO, The Global Open University, Nagaland had, vide letter No. GOUN/2-14/16/B VOL I/36 dated 23.02.2018 stated that the University had already furnished the reply vide letter No. GOUN/2-15/2017 VOL I/56 dated **06.03.2017** and had enclosed a copy of the reply to the Commission. However, since the Commission had observed that the above compliance submitted to the Commission did not conform to the decision of the Commission of even No. dated 17.11.2017 as

the reply dated 06.03.2017 given was addressed to another person regarding verification of documents in respect of Shri. Jatin Gera, the applicant, the Commission had decided to hear the appeal again giving opportunity of being heard to all the parties on **12<sup>th</sup> April, 2018 (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 to bring the files and relevant documents** in question for scrutiny on the above date and time for hearing.

1. Shri. Keluozie Kesiezie, Asst. Administrative Officer & PIO, The Global Open University, Nagaland.
2. The applicant (now complainant), Shri. Jatin Gera.

#### **OBSERVATIONS AND FINDINGS**

The applicant (now complainant), Shri. Jatin Gera, **did not appear** for the hearing and there was no prior intimation or any reason regarding his absence.

The Commission observed that since the RTI reply was given to another party i.e. Vicky Golaft in Mumbai and not to the applicant, the applicant had filed a complaint to this Commission.

During the hearing, Shri. Keluozie Kesiezie, Asst. Administrative Officer & PIO, The Global Open University, Nagaland stated that the applicant, Shri. Jatin Gera himself and his prospective employer, Vicky Golaft in Mumbai had written to the University for verification of the documents. On **06.03.2017**, he had written to Vicky Golaft in Mumbai and also to the applicant to submit the original documents so that necessary verification report may be sent. However, the applicant had never submitted the original documents and instead he had sent satisfaction. The PIO had further submitted that the RTI application dated 02.02.2017 was received on **02.02.2017**.

The Commission observed that on receipt of the RTI application dated 02.02.2017 on 02.02.2017, the PIO had replied on 06.03.2017 regarding the verification of documents. Hence, considering the 30 days time limit for the PIO to reply, there was a delay of four (4) days. However, since the PIO had prayed for condoning the delay, the Commission took a lenient view and had condoned the four (4) days of delay and hence no penalty was imposed.

#### **DECISION:**

On the above observations and findings, since the applicant (now appellant) had by **email dated 19.10.2017** withdrawn his complaint from the Commission as he had received the information which he had sought, and that the Commission had also condoned the four(4) days of delay, the Commission decided to declare the case as **closed**.

Decision pronounced in the presence of only the respondents on 12.04.2018.

Copy be given to:-

1. Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9436070457.
2. 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.
3. The applicant (now complainant), Shri. Jatin Gera, 68/9, Ashok Nagar, Mobile No. 8585928086, email: [jatingera.90@gmail.com](mailto:jatingera.90@gmail.com).
4. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's website and Notice Board.
5. Office Copy.

Sd/-

**G. H. RAMLIA**  
State Information Commissioner

Sd/-

**KEVIZATUO MIACHIEO**  
State Information Commissioner

Authenticated true copy:-

**(WORHONTHUNG EZUNG)**  
Secretary