

**NAGALAND INFORMATION COMMISSION**  
**Old Secretariat Complex,**  
**Post Box No. 148**  
**Nagaland, Kohima - 797001.**  
**Tel: 0370-2291041, Fax: 0370-2291774, Website: www.nlsic.gov.in**



No. NIC/Appeal-20/2012-13

Dated Kohima, the 30<sup>th</sup> July, 2013.

Appellant: Ms. Mezhülhousieno Nakhro,  
Exam Roll No. A-521,  
Dimapur, Nagaland,  
Mobile No. 9856445692/9206125783,

Respondent: 1. Shri. Vipralhou Kesiezie,  
Director & First Appellate Authority,  
SCERT, Nagaland, Kohima,  
  
2. Shri. Kegwalo Thyug,  
Research Associate & PIO,  
SCERT, Nagaland, Kohima

Public Authority: SCERT, Nagaland, Kohima

Date of Hearing: 12.06.2013

Date of Interim Decision: 18.06.2013

Date of Final Hearing: 30.07.2013

Date of Final Decision: 30.07.2013

Present:

- i. Shri. Vipralhou Kesiezie, Director & First Appellate Authority, SCERT, Nagaland, Kohima;
- ii. Shri. Kegwalo Thyug, Research Associate & PIO, SCERT, Nagaland, Kohima.
- iii. The appellant, Ms. Mezhülhousieno Nakhro, Exam Roll No. A-521, Dimapur, Nagaland, Mobile No. 9856445692/9206125783.

After the hearing held on 12.06.2013, the Commission had, in its Interim Decision dated 18.06.2013 decided as:-

*‘Since the **oral and written marks** of all the candidates (selected, waiting list, failed candidates and absentees), and a **photocopy of the written answer script** were furnished to the applicant(now appellant) on 26.09.2012, and that the **‘State Board of Teacher Education Examination Rules, 2011’** debars candidate in accessing the answer scripts of the other candidates **without the consent of the other candidates**, which is in consonance with the some of the decisions of the Central Information Commission, including this Commission and Supreme Court judgments, and also that the appellant was not present, the Commission reserves its final decision to the next hearing which shall be held on **30.07.2013 at 1:00 PM.**’*

The final hearing was held on 30.07.2013 and after giving due opportunity to all the parties present to make their submission, the Commission decided as follows:-

That the appeal of Ms. Mezhülhousieno Nakhro for the answer sheets of other candidates requested in her RTI application cannot be entertained since she failed to produce the consent letter from the other candidates. It was also explained to her that under the '**State Board of Teacher Education Examination Rules, 2011**' it was clearly specified that no candidate shall have access to the answer scripts of the other candidates without the consent of the other candidates, and in order to get photocopy of the answer scripts of the other candidates, the consent of the other candidates needed to be obtained. To which she expressed satisfaction with the explanation. Precedent orders of Central Information Commission were also cited.

As the appellant was convinced with the **grounds** spelt out before her by the Commission for **not** acceding to her RTI application, the Commission declared the appeal case **closed**.

The Commission also made the following recommendations to the Public Authority as empowered under Section 25(5) of the RTI Act, 2005:-

- a. To correct the errors in the 'State Board of Teacher Education Examination Rules, 2011' with particular reference to Rule 6 where the words 'marks' and 'answer scripts' are given as one word whereas there should be oblique/slash between the words, 'marks' and 'answer scripts' which are not the same.
- b. To introduce a system/format wherein candidates seeking 'marks' or 'answer scripts' of other candidates can obtain consent or NOC (No Objection Certificate) from other candidates whose 'marks' or 'answer scripts' they wish to obtain.

Decision pronounced on this day, the 30<sup>th</sup> July, 2013.

Copies be given to the parties:-

1. Shri. Vipralhou Kesiezie, Director & First Appellate Authority, SCERT, Nagaland, Kohima;
2. Shri. Kegwalo Thyug, Research Associate & PIO, SCERT, Nagaland, Kohima.
3. Ms. Mezhülhousieno Nakhro, Exam Roll No. A-521, Dimapur, Nagaland, Mobile No. 9856445692/9206125783.
4. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
5. Office Copy.

Sd/-

**LALHUMA, IAS (Retd)**

Chief Information Commissioner

Sd/-

**(Kevinino P. Meru)**

State Information Commissioner,

Sd/-

**Bukchem Phom**

State Information Commissioner,

Authenticated by:-

**(Soyimna Aier Koza)**

Secretary