

**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-22/2013-14/

Dated Kohima, the 19<sup>th</sup> June, 2013

Appellant: Sri Rugeisier,  
Assembled Organization,  
Kohima village,  
C/o Post Box No. 907,  
Kohima Head Post office.

Respondent Add. Director & PIO, Social Welfare  
Directorate, Nagaland, Kohima.

Public Authority: Director & FAA, Social Welfare ,  
NagalandKohima.

Date of hearing 19.06.2013

Pronouncement of decision: 19.06.2013

Date of issue of final order 19.06.2013

**Present:**

1. Shri Khevito T. Shohe, Director & FAA, Social Welfare, Nagaland, Kohima
2. Shri T. Merangtsungba Aier, Addl. Director & PIO, Directorate of Social Welfare, Nagaland, Kohima.
3. Shri Thsopelo, Registrar, Directorate of Social Welfare, Kohima.
4. Sri Rugeisier, Assembled Organization, Kohima village, C/o Post Box No. 907, Kohima Head Post office.
5. Shri. T. Ruovi, Kohima village.

**Facts of the case**

The RTI application was filed before the PIO of the Directorate of Social Welfare on 31.07.2012. As per the statement of the PIO and documents in file, the PIO furnished the information to the applicant on 30.08.2012.

However, on 18.09.2012, the appellant filed the First Appellate Authority before the Director and FAA of Social Welfare Department on the ground that the information furnished by PIO of the Social Welfare Directorate in respect of Sl. No. 3 and Sl. No. 2 (a), (b) and (c) are found to be false and misleading etc.

According to the Director & FAA, Social Welfare, he fixed and held hearing on **30.10.2012** and **22.01.2013**. This statement is born out by the records. However, no orders

were passed on the hearing held on 30.10.2012. The order on hearing held on 22.01.2012 were issued and are on the records of the Commission.

The appellant, however, filed the second appeal before the NIC on 15.11.2012 on the grounds that the PIO Directorate of Social Welfare Deptt. failed to provide the information as requested. This is not factually correct on PIO had submitted information sought to the applicants on 30.08.12. On the hearing held on **22.01.2013**, the Director & FAA Social Welfare on 24.01.13 directed the PIO to collect the treasure challan from the Treasury Office without further delay and submit the challan to the appellant. However, no time frame for furnishing the challan to the appellant was indicated by the Director & FAA, Social Welfare Department in his order.

The appellant again filed for the complaint to the Commission on 16.04.2013 that the Department have not yet submitted the information directed to be given by the Director & FAA in his order dated 24.01.2013. The Commission admitted the complaint and accordingly hearing was held on 18.06.2013 and the facts of the case have been highlighted.

### **Findings**

The Commission on scrutiny of the case records and statements of the PIO and Director & FAA, Social Welfare and records available on file observed that the PIO and Director & FAA, Social Welfare on initiated action to furnish the information sought within stipulated time. The only flaw in action taken by them is that the discrepancies in the VAT challan against the Supply orders of M/s C.K. Enterprises, Kohima issued on 29.06.2009 and No.2 VAT challan issued against the supply order No.sw/ICDS-9-2009 dated 19.08.2009 needed to be clarified and authenticated in order to satisfy the applicants.

### **Decision**

Since the PIO, Directorate of Social Welfare, Nagaland, Kohima had furnished the information within the stipulated time frame though found to be incomplete by the appellant and since the Director & FAA, Social Welfare had also initiated action to have the hearing of the first appeal within the stipulated time, no penalty is attracted. However, the PIO and the Director & FAA shall initiate the following actions under intimation to the Commission by 10.07.2013:-

- (a) Discrepancy pointed out by the appellant in respect of VAT challen against supply order issued to M/s C.K. Enterprises, Kohima on 29.06.2009 and VAT challan issued against supply order No.SW/ICDS-9-2009dated 19.08.2009 shall be clarified to the applicants.
- (b) That the VAT challan in question of these two supply order shall also be authenticated and furnished to the applicants.

Copies of the above mentioned documents after clarification and authentication shall be given to the appellant with a copy to Commission by 10.07.2013.

The case shall declared to be closed after above decision/directive are complied with by the Director & FAA and PIO, Directorate of Social Welfare.

Decision pronounced in the presence of all concerned today the 19<sup>th</sup> June, 2013.

Copy to be given to the :-

1. Shri Khevito T. Shohe, Director & FAA, Social Welfare, Nagaland, Kohima
2. Shri T. Merangtsungba Aier, Addl. Director & PIO Social Welfare, Nagaland, Kohima.
3. Shri Thsopelo, Registrar, Directorate of Social Welfare, Kohima.
4. Sri Rugeisier, Assembled Organization, Kohima village, C/o Post Box No. 907, Kohima Head Post office.
5. T. Ruovi, Kohima village.

Sd/-

**LALHUMA, IAS (Rtd)**  
Chief Information Commissioner,  
Nagaland, Kohima

Sd/-

**BUKCHEM PHOM**  
State Information Commissioner,  
Nagaland, Kohima

Authenticated by:-

**(Worhonthung Ezung)**  
Under Secretary  
Nagaland Information Commission.