

NAGALAND INFORMATION COMMISSION
Old Secretariat Complex,
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Nagaland, Kohima - 797001.
Tel: 0370-2291041, Fax: 0370-2291774, Website: www.nlsic.gov.in



No. NIC/Appeal-8/2014-15

Dated Kohima, the 24th February, 2015.

Appellant: Shri. Vikheto Zhimomi,
P.R Hill Colony,
Kohima.
Mobile No. 9615115300.

Respondent(s): 1) The Engineer-in-Chief & FAA,
NPWD,
Nagaland, Kohima.

2) The Deputy Chief Engineer & PIO,
Office of the Engineer-in-Chief,
NPWD, Nagaland, Kohima.

Public Authority: Office of the Engineer-in-Chief,
NPWD,
Nagaland, Kohima.

Date of first hearing : 29.10.2014 at 11:00 AM.

Date of first Decision : 03.11.2014.

Date of second hearing: 12.02.2015 at 11:00 AM.

Date of second Decision: 24.02.2015.

Present:

1. Er. D. Mero, Engineer-in-Chief & First Appellate Authority, NPWD, Nagaland, Kohima.
2. Er. Longzochang, Deputy Chief Engineer & the new PIO, Office of the Engineer-in-Chief, NPWD, Nagaland, Kohima.
3. The applicant(now the appellant), Shri. Vikheto Zhimomi, P.R Hill Colony, Kohima, Mobile No. 9615115300.

FACT OF THE CASE

The Commission had, on 29.10.2014 at 11:00 AM. heard the Second Appeal dated 23.07.2014 submitted by an applicant, Shri. Vikheto Zhimomi, P.R Hill Colony, Kohima, Mobile No. 9615115300 against the non response of the First Appellate Authority, Office of the Engineer-in-Chief, NPWD, Nagaland, Kohima to his first appeal dated 01.07.2014 which was submitted against the unsatisfactory and incomplete information furnished by the PIO to his RTI application dated 23.05.2014.

The first hearing was held on 29.10.2014 at 11:00 AM. with the following:-

1. Er. K. Rhetso, Deputy Chief Engineer & PIO, Office of the Engineer-in-Chief, NPWD, Nagaland, Kohima.
2. The applicant(now the appellant), Shri. Vikheto Zhimomi, P.R Hill Colony, Kohima, Mobile No. 9615115300.

And after hearing the parties on 29.10.2014, the Commission had passed decision vide even No. dated **03.11.2014.**

And in compliance to point No. 1 of the decision of the Commission dated 03.11.2014, Er. K. Rhetso, Deputy Chief Engineer & PIO, Office of the Engineer-in-Chief, NPWD, Nagaland, Kohima had, vide letter No. NPWD/E-IN-C/PIO-RTI/2010-2011 dated **24.11.2014** furnished the remaining information to the applicant (now appellant) **free of cost** and **within 15**

days from the date of receipt of this Commission's Decision i.e. on **13.11.2014**, with a copy to this Commission.

However, on receipt of the information from Er. K. Rhetso, Deputy Chief Engineer & PIO, Office of the Engineer-in-Chief, NPWD, Nagaland, Kohima, and in compliance to point No. 2 of the decision of the Commission dated 03.11.2014, the applicant (now appellant) had submitted a complaint dated 28.11.2014 to this Commission stating that the information furnished with respect to Query Nos. 1 and 3 were incomplete and not satisfied, since it was detected mis-matched number of retired employees in the reply given for Query No. 1; and against his query No. 3, the Department did not issue any order for regularizing of work charged employees.

Since the applicant (now appellant) had submitted a complaint dated 28.11.2014, the Commission has decided to hear the appeal, giving opportunity to the parties, on **10th February, 2015 (Tuesday) at 11:00 AM** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima.**

However, due to sudden unavoidable circumstances (sudden hospitalisation of the SIC), the proposed hearing on 10.02.2015 was postponed to 12.02.2015. The Commission had in effect notified the parties vide letter of even No. dated 10.02.2015.

OBSERVATIONS AND FINDINGS

During the second hearing held on 12.02.2015 at 11:00 AM, the new PIO, Er. Longzochang, Deputy Chief Engineer, Office of the Engineer-in-Chief, NPWD, Nagaland, Kohima informed that on the transfer of the former PIO, Er. K. Rhetso, Deputy Chief Engineer, Office of the Engineer-in-Chief, NPWD, Nagaland, Kohima, he recently took charge in the month of January, 2015.

Regarding non-satisfaction of the information so received to **query No.1** of his RTI application dated 23.05.2014, the applicant(now appellant) submitted that the public authority had furnished that from October, 2009 to July, 2014, there were **855 number** of employees retired on completion of 60 (sixty) years of age/or retired on completion of 35 (thirty five) years of length of service under the establishment of NPWD. However, on cross-examination with the information received for **query No. 2**, there was mis-matched number of retired employees, since the names of many retired employees were not found in the 855 number of the list of retired employees.

Er. Longzochang, Deputy Chief Engineer & PIO, Office of the Engineer-in-Chief, NPWD, Nagaland, Kohima submitted that there are five(5) Chief Engineer's Offices with a total of more than 20,000 regular employees excluding the work charge employees, and hence needed atleast **2 (two) months** to furnish accurate information regarding **query Nos. 1 and 2.**

The Commission had accepted the above request of the new PIO to furnish accurate information within **2 (two) months.**

The applicant(now appellant) had also agreed that he can wait for 2 (two) months, but he wanted accurate information.

Regarding **query No. 3**, the applicant(now appellant) submitted that he was not satisfied with the reply of the former PIO that regularization of work charge employees are done on seniority-cum-merit basis, since he observed that some work charge employees got regularized within few years while others with more than 20 years of service were not regularized.

In response, Er. D. Mero, Engineer-in-Chief & First Appellate Authority, NPWD, Nagaland, Kohima submitted that the Department simply and only follows the Government policy of seniority-cum-merit basis for the regularization of the work charge employees. And since the Department has not regularized the work charge employees in the recent past few years, there are no orders for such regularization of the work charge employees.

Further, Er. D. Mero, Engineer-in-Chief & First Appellate Authority, NPWD, Nagaland, Kohima informed that a **Board** for regularization of the work charge employees is being setup which shall examine and recommend to the Government for regularization and for filling up of

the vacancies on the basis of 50% by regularization and the rest 50% by direct appointment. He had also submitted that no further regularization shall be entertained without the recommendation of the Board, and for which he had already directed the staffs to prepare and submit vacancies once in every month.

The applicant (now appellant) submitted that he was **satisfied** with the above submission of the Engineer-in-Chief & First Appellate Authority, NPWD, Nagaland, Kohima.

DECISION:

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

1. Regarding **Query Nos. 1 and 2**, since the Commission had accepted the above request of the new PIO to furnish accurate information within **2 (two) months**, the new PIO, Er. Longzochang, Deputy Chief Engineer, Office of the Engineer-in-Chief, NPWD, Nagaland, Kohima shall, after cross-checking furnish the **correct information** to the applicant (now appellant) **free of cost** within 2 (two) months i.e. on or before **12th April, 2015**, and with a copy to this Commission.
2. Regarding **query No. 3**, since the applicant (now appellant) submitted **satisfaction** with the above submission of the Engineer-in-Chief & First Appellate Authority, NPWD, Nagaland, Kohima, the Commission had dismissed this query.

This appeal case shall be closed only after compliance to this Commission's Decision is received.

Decision pronounced in presence of all parties present on 12.02.2015.

Copy be given to:-

1. Er. D. Mero, Engineer-in-Chief & First Appellate Authority, NPWD, Nagaland, Kohima.
2. Er. Longzochang, Deputy Chief Engineer & the new PIO, Office of the Engineer-in-Chief, NPWD, Nagaland, Kohima.
3. The applicant(now the appellant), Shri. Vikheto Zhimomi, P.R Hill Colony, Kohima, Mobile No. 9615115300.
4. The Computer Programmer, Nagaland Information Commission for uploading on the website.
5. Office Copy.

Sd/-

BUKCHEM PHOM

State Information Commissioner,
Nagaland.

Authenticated by:-

(WORHONTHUNG EZUNG)

Under Secretary
Nagaland Information Commission