

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-9/2014-15

Dated Kohima, the 17th September, 2014.

Subject: Notice for hearing on 28th October, 2014 (Tuesday) at 1:30 PM.

WHEREAS under Section 19 of the Right to Information Act, 2005, the Nagaland Information Commission had received a Second Appeal dated 24.07.2014, from an applicant, Shri. Vikheto Zhimomi, P.R Hill Colony, Kohima, Mobile No. 9615115300, stating that he was not satisfied with the response of the First Appellate Authority, Office of the Chief Engineer, PWD (Housing), Nagaland, Kohima to his first appeal dated 17.07.2014 and which was submitted against the partial information furnished by the Addl. Chief Engineer & PIO, Office of the Chief Engineer, PWD (Housing), Nagaland, Kohima to his RTI application dated NIL.

AND WHEREAS, earlier the applicant had submitted a RTI application dated NIL, addressed to the PIO, Chief Engineer (NPWD) Housing Office, Nagaland, Kohima alongwith the prescribed fee of Rs. 10/- paid in cash requesting for a Xerox copy of Seniority list of (latest) regular employees both Gazetted and non-gazetted under the office of Chief Engineer, PWD (Housing), Nagaland, Kohima as per section 3 (1) and section 3 (2) of the Nagaland Retirement from Public Employment (Second Amendment) Act 2009 and in terms of Government of Nagaland, P&AR department Notification No. AR-3/GEN-174/2007 (Pt) dated 7th August, 2009.

AND WHEREAS, the above RTI application dated NIL was received by the Public Authority on 25.04.2014 as evidenced on the body of the copy of the above RTI application dated NIL.

AND WHEREAS, in response to the above RTI application dated NIL, Er. O. N. Ngully, Addl. Chief Engineer & PIO, PWD (Housing), Office of the Chief Engineer, PWD (Housing), Nagaland, Kohima had vide letter No. CE(H)/ESTT-212/2013/1190-91 dated 29.05.2014 forwarded the RTI application dated NIL to the Engineer-in-Chief, NPWD, Nagaland, Kohima on the ground that the Office of the Chief Engineer, PWD (Housing), Nagaland, Kohima was unable to furnish all the required information since NPWD Department maintains the common seniority list of all the Gazetted officers and non-Gazetted staffs descending from UDA, LDA, Typist, Steno, Tracer, SO and Draftsman.

AND WHEREAS, Er. O. N. Ngully, Addl. Chief Engineer & PIO, Office of the Chief Engineer, PWD (Housing), Nagaland, Kohima had, vide letter No. CE(H)/ESTT/2012-2013 dated 01.07.2014 furnished the seniority list of regular employees (Non gazette) excluding ministerial staff under the establishment of the Chief Engineer PWD (Housing), Nagaland, Kohima to the applicant.

AND WHEREAS, on being not satisfied with the information so received from Er. O. N. Ngully, Addl. Chief Engineer & PIO, Office of the Chief Engineer, PWD (Housing), Nagaland, Kohima, the applicant preferred First Appeal dated 17.07.2014 before the Appellate Authority, Chief Engineer PWD (Housing) Office, Nagaland, Kohima, requesting to furnish the remaining seniority list of both Gazetted and Non-Gazetted staffs.

AND WHEREAS, the above First Appeal dated 17.07.2014 was received by the Public Authority on 21.07.2014 as evidenced on the body of the copy of the above First Appeal dated 17.07.2014.

AND WHEREAS, in response to the First Appeal dated 17.07.2014, Er. Chanbemo Lotha, Chief Engineer & FAA, PWD (Housing), Nagaland, Kohima had, vide letter No. CE/(H)/ESTT/212-2013(RTI) dated 21.07.2014, informed the applicant(now appellant) that the Seniority list of Gazetted Officers are maintained by the Government i.e, Department of Works & Housing, Nagaland and the Seniority List of Non-Gazetted staffs are maintained by the Office of the Engineer-in-Chief, Nagaland. Further, the FAA stated that whatever Seniority lists are maintained by the Office of the Chief Engineer, PWD (Housing), Nagaland, Kohima have been furnished by the PIO concerned, and the applicant(now appellant) was further requested to seek

the Seniority List of Gazetted officers and Non-Gazetted staff from the Department of Works & Housing, Nagaland and the office of the Engineer-in-Chief, Nagaland.

AND WHEREAS, on being not satisfied with the above response of the Chief Engineer & FAA, PWD (Housing), Nagaland, Kohima to his First Appeal dated 17.07.2014, the applicant(now appellant) had preferred a Second Appeal dated 24.07.2014 before this Commission, stating that since he was directed to collect the Seniority List of Gazetted officers from the Department of Works & Housing, Nagaland and the Seniority List of Non-Gazetted staff from the Office of the Engineer-in-Chief, Nagaland, he questions how far it is justified as per sec 6 (3) of RTI Act, 2005 and requests the Commission to take necessary action as per sec 20 (1) RTI Act, 2005.

AND WHEREAS, the Commission has decided to hear the appeal, giving opportunity to the parties, on **28th October, 2014 (Tuesday) at 1:30 PM** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima.**

NOW THEREFORE, it is notified that the following concerned are directed to appear before this Commission and **also to bring the files and relevant documents** in question for scrutiny, on the above date and time for hearing.

1. Er. Chanbemo Lotha, Chief Engineer & FAA, PWD (Housing), Nagaland, Kohima.
2. Er. O. N. Ngully, Addl. Chief Engineer & PIO, Office of the Chief Engineer, PWD (Housing), Nagaland, Kohima.
3. The applicant(now the appellant), Shri. Vikheto Zhimomi, P.R Hill Colony, Kohima, Mobile No. 9615115300.

Sd/-

BUKCHEM PHOM

State Information Commissioner

Dated Kohima, the 17th September, 2014.

No. NIC/Appeal-9/2014-15

Copy to:-

1. The P.A to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The P.A to the State Information Commissioner, Nagaland Information Commission for kind information of the SIC.
3. Er. Chanbemo Lotha, Chief Engineer & FAA, PWD (Housing), Nagaland, Kohima.
4. Er. O. N. Ngully, Addl. Chief Engineer & PIO, Office of the Chief Engineer, PWD (Housing), Nagaland, Kohima.
5. The applicant(now the appellant), Shri. Vikheto Zhimomi, P.R Hill Colony, Kohima, Mobile No. 9615115300.
6. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
7. Office Copy.

(SOYIMNA AIER KOZA)

Secretary