

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-26/2015-16

Dated Kohima, the 25th January, 2016.

Appellant: Shri. Krovielhoute,
Post Box No. 01,
Chozuba Post Office,
Phek District,
Nagaland – 797104.

Respondent(s) : 1) The Commissioner & Secretary and First Appellate
Authority,
School Education Department,
Nagaland Civil Secretariat,
Nagaland, Kohima.

2) The concerned PIO,
School Education Department,
Nagaland Civil Secretariat,
Nagaland, Kohima.

Public Authority : School Education Department,
Nagaland Civil Secretariat,
Nagaland, Kohima.

Date of hearing : 22.01.2016 at 11:30 AM.
Date of Decision : 25.01.2016.

Present:

- i) Shri. F. P. Solo, Commissioner & Secretary and FAA, School Education Department, Nagaland Civil Secretariat, Nagaland, Kohima.
- ii) Shri. G. Kevishe Pucho, Joint Secretary & PIO, School Education Department, Nagaland Civil Secretariat, Nagaland, Kohima – 797001.

The applicant (now the appellant), Shri. Krovielhoute, Post Box No. 01, Chozuba Post Office, Phek District, Nagaland – 797104 **did not appear** for the hearing.

FACT OF THE CASE.

An applicant, Shri. Krovielhoute, Post Box No. 01, Chozuba Post Office, Phek District, Nagaland – 797104, had earlier submitted an RTI application dated **10.04.2015** addressed to the PIO, School Education Department, Nagaland Civil Secretariat, Nagaland, Kohima – 797001, alongwith the prescribed application fee of Rs. 10 (Rupees ten only) paid vide IPO No. 11E 831758 dated 10.04.2015 seeking certain information regarding details of all teaching and non-teaching staff in his given format for all Government Higher Secondary School (GHSS) in Nagaland.

On receipt of the above RTI application dated 10.04.2015, Shri. G. Kevishe Phucho, Joint Secretary & PIO, School Education Department, Nagaland Civil Secretariat, Nagaland, Kohima had, vide letter No. DSE/HSS/14-13/2014/518 dated 20.05.2015 furnished certain information to the applicant.

And on receipt of the information furnished to him, the applicant had preferred a First Appeal dated NIL to the FAA, School Education Department, Nagaland Civil Secretariat, Nagaland, Kohima stating that the information provided was **incomplete and not satisfied**. Further, he stated that the objective of his appeal were to get information for the interest of the public and to streamline the system for transparency and accountability.

On receipt of the above First Appeal dated NIL, the Commissioner & Secretary and FAA, School Education Department, Nagaland Civil Secretariat, Nagaland, Kohima had, vide letter No. DSE/HSS/14-13/2014/826 dated 16.09.2015, while welcoming the objective of the first appeal, wrote to the applicant stating that after putting in considerable efforts and time, substantial amount of information had been obtained and furnished, however, on the non-satisfaction of the information so furnished still a lot of resources including manpower and time would be required to compile the demanded information which may lead to wastage of public resources and may not meet the stated objectives by supplying the demanded information. Hence, the information as asked for cannot be supplied and that the applicant (now appellant) may seek specific information or point out any specific irregularities that may lead to discovery of any irregularity and to meet the objectives of public interest, transparency, accountability or good governance.

On being not satisfied with the response of the Commissioner & Secretary and FAA, School Education Department, Nagaland Civil Secretariat, Nagaland, Kohima, the applicant (now appellant) had preferred a second appeal dated NIL before this Commission stating that the First Appellate Authority had failed to provide the information sought and had requested to the Commission to provide the genuine information sought.

OBSERVATIONS AND FINDINGS:

The applicant (now the appellant), Shri. Krovielhoupé, **did not appear** for the hearing and there was no prior information to the Commission regarding his absence.

During the hearing, the PIO submitted that on receipt of the RTI application dated 10.04.2015 on **20.04.2015**, all the GHSS (Government Higher Secondary Schools) were informed to submit the information vide letter No. DSE/HSS/14-13/2014 dated 07.05.2015. The PIO also submitted that the information sought was voluminous and had expressed the difficulties and the time taken in collecting and compiling the information from all the GHSS in the districts. And on receipt of the information from the GHSS, the information were compiled and sent to the applicant by Speed Post on **30.05.2015**.

However, the PIO submitted that some information regarding the GHSS such as, the names of all applicants for PGT (Post Graduate Teacher), the names of those who had resigned/voluntarily retired/died/promoted and the sanction posts of PGT could not be furnished as these were voluminous and they had to be collected from all the **41 (forty one) GHSS** across the State. Further, the PIO submitted that the Department's Service Rules was also given to the applicant.

The FAA also submitted that on receipt of the first appeal on 10.08.2015, a reply was given to the applicant (now appellant) on 16.09.2015, and as per office records, the reply was issued on 22.09.2015, however, there was no record of sending by Speed Post.

The Commission observed that information had to be given to the applicant except those which falls under the exempted categories of information, however, the applicant had to pay for the cost of information.

DECISION:

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

1. the PIO shall collect the remaining information pertaining to all the GHSS in the districts and furnish it to the applicant (now appellant) on or before 22.02.2016, and with a copy to this Commission.
2. a copy of the Department's Service Rules be also given to the Commission.

Decision pronounced in the presence of only the respondents on 22.01.2016.

Copy be given to:-

1. Shri. F. P. Solo, Commissioner & Secretary and FAA, School Education Department, Nagaland Civil Secretariat, Nagaland, Kohima, Mobile No. 9436000314.
2. Shri. G. Kevishe Pucho, Joint Secretary & PIO, School Education Department, Nagaland Civil Secretariat, Nagaland, Kohima, Mobile No. 9856468021.
3. The applicant (now the appellant), Shri. Krovielhoup, Post Box No. 01, Chozuba Post Office, Phek District, Nagaland – 797104.
4. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
5. Office Copy.

Sd/-
BUKCHEM PHOM
Chief Information Commissioner

Authenticated true copy:-

(WORHONTHUNG EZUNG)
Secretary

	Date	No. of days
Date of application	10-04-2015	
Date of received by PIO	20.04.2015	
Date of furnishing by PIO	20-05-2015	
Date of received by Applicant		
Date of first appeal	NIL	21-07-2015
Date of receipt of first appeal	10.08.2015	
Date of reply to first appeal by FAA	16-09-2015	
Date of second appeal	NIL	
Date of receipt of second appeal by NIC	23-11-2015	
Date of Hearing	22-01-2016	
Date of issue of Notice for Hearing	16-12-2015	
Date of Decision		

Date of receipt of the RTI application by the PIO=

Date of receipt of the First appeal by the FAA=

Reasons/grounds for non-satisfaction even after the FAA had written on 16-09-2015.