

NAGALAND INFORMATION COMMISSION

**Old Secretariat Complex,
Post Box No. 148**

Nagaland, Kohima - 797001.

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No.NIC/Appeal-34/2015-16

Dated Kohima, the 24th November, 2016.

Appellant : Shri. Alok,
S/o Shri. Mehar Singh,
H.No.1508, Urban Estate,
Jind-126102, Haryana,
Mobile No. 09996701508

Respondent : (i) Director-cum-Registrar & First Appellate Authority,
The Global Open University Nagaland,
Sodzulhou Village, P.O – ARTC, NH-39,
Dimapur, Nagaland – 797115.

(ii) The AAO & PIO,
The Global Open University Nagaland,
Sodzulhou Village, P.O – ARTC, NH-39,
Dimapur, Nagaland – 797115.

Public Authority : The Global Open University Nagaland,
Sodzulhou Village, P.O – ARTC, NH-39,
Dimapur, Nagaland – 797115.

Date of hearing : 27.10.2016 at 11:00 AM.
Date of Decision : 24.11.2016

Present:

1. Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9436070457.
2. Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9774418461.

The applicant (now appellant), Shri. Alok, S/o Shri. Mehar Singh, H.No.1508, Urban Estate, Jind-126102, Haryana, Mobile No. 09996701508 did not appear for the hearing.

FACT OF THE CASE

An applicant, Shri. Alok, S/o Shri. Mehar Singh, H.No.1508, Urban Estate, Jind-126102, Haryana, Mobile No. 09996701508, 09255123457, email: urwidalok@gmail.com had submitted an RTI application dated **17.10.2015** addressed to the Registrar, The Global Open University Nagaland, Sodzulhou village, P.O. ARTC, NH-39, Dimapur –797112, Nagaland along with an IPO No. 88G 143254 dated 17.10.2015 for Rs. 50/- (Rupees fifty only) towards the prescribed application fee seeking the following information:-

- i. *Date of receipt of my Degree Certificate Requisition form for B.Com (Hons.) degree against Roll No. B.Com/146/2007J along with all requisite certificates and degree requisition fee of Rs. 1000/-.*
- ii. *Date of receipt of Bank Draft No. 538512 dated 05.11.2014 and No. 538924 dated 19.02.2015 and date-wise amount deposited in the University account number.*
- iii. *Total admission fee for B.Com course and date-wise fee received and pending dues if any against Roll No. B.Com/146/2007J.*
- iv. *Date of receipt of scanned copies of all certificates at your office email No. ce@nagaland.net.in.*

- v. *Datewise receipt of my request letter dated 07.11.2014, 19.12.2014, 31.01.2015, 19.02.2015, 26.02.2015, 20.04.2015, 09.06.2015 and 08.09.2015 at University with diary number and action taken against each letter.*
- vi. *Date of despatch of the above required B.Com (Hons.) degree certificate and the address of despatch with post office slip number, counter number and code number alongwith University despatch number.*
- vii. *In case of non-despatch/issuing of requisite B.Com(Hons.) degree certificate against Roll No. B.Com/146/2007J, kindly mention the reason thereof.*

On not getting any response to his RTI application dated 17.10.2015, the applicant had preferred a first appeal dated **14.12.2015** addressed to the Vice Chancellor, The Global Open University Nagaland, Sodzulhou village, P.O. ARTC, NH-39, Dimapur –797112, Nagaland.

Further still, on not getting any response to his first appeal dated 14.12.2015, the applicant (now appellant) had preferred a second appeal dated 11.01.2016 before the Commission.

On receipt of the second appeal dated 11.01.2016, the Commission had, vide letter of even No. dated **09.02.2016** directed the Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland to hear and pass decision on the first appeal dated 14.12.2015 **within 45 days** from the date of receipt of the directive.

And in compliance to the direction of the Commission, the Director-cum-Registrar & First Appellate Authority, The Global Open University, Nagaland had, vide letter No. TGOUD/7-3/2016 dated 16.02.2016 issued summon for hearing on 10.03.2016 at 12:00 P.M. However, on not receiving any copy of the decision passed by the Director-cum-Registrar & First Appellate Authority, the Commission had vide letter of even No. dated **02.09.2016** issued a directive to submit a copy of the decision **within two (2) weeks** from the date of receipt of the directive.

However, still on not getting any response from the Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland, the Commission had, vide notice of even No. dated 12.10.2016 notified to hear the case on **27th October, 2016 (Thursday) at 11:00 A.M.** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Nagaland, Kohima** and also directed the parties to **bring the files and relevant documents** in question for scrutiny on the above date and time for hearing.

OBSERVATIONS AND FINDINGS:

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

The appeal was heard in the presence of the Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority and Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland.

During the hearing, Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority submitted that as directed by the Commission in its letter of even No. Dated 09.02.2016, the hearing of the first appeal was conducted on 10.03.2016 at 12:00 P.M and in compliance to the directive of the First Appellate Authority, the Controller of Examinations had, vide letter No. TGOUD/EX/8-5/15 VOL-14 dated 06.04.2016 issued copy of the Degree Certificate to the applicant (now appellant). Copy of the First Appellate Authority's decision dated 19.10.2016 along with the copy of compliance by the Controller of Examinations were produced by the First Appellate Authority during the hearing.

The Commission observed that though the Controller of Examinations had complied to the decision of the First Appellate Authority, it appeared that the First Appellate Authority had very lately passed its decision on 19.10.2016 which was only after the Commission had on 12.10.2016 issued Notice for hearing to be held on 27.10.2016.

During the hearing, Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO also submitted that the applicant (now appellant) had telephonically requested him to send his Degree Certificate. However, the Commission pointed out that any communication done regarding the case should have been in written form which could be used for future references also.

The Commission viewed seriously the callousness of both the First Appellate Authority and the PIO in not taking the above RTI matter seriously resulting in huge delays, thus attracting maximum penalty.

DECISION

On the above observations and findings, the Commission decided the following:

1. Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland shall submit the date of the receipt of the RTI application dated **17.10.2015** within **1 (one) month** from the date of issue of the decision.
2. Since the information had already been furnished to the applicant (now appellant), the PIO shall obtain from the applicant (now appellant) satisfaction or non-satisfaction of information furnished to him and submit a copy to this Commission

On receipt of the above compliance, the case will be heard again in the next hearing which shall be notified later.

Decision pronounced in the presence of only the respondents on 27.10.2016.

Copies be given to:-

1. Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9436070457.
2. Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9774418461.
3. The applicant (now appellant), Shri. Alok S/o Sh. Mehar Singh, H. No. 1508, Urban Estate, Jind- 126102, Haryana, Mobile No. 09996701508, 09255123457, email: urwidalok@gmail.com.
4. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
5. Office Copy.

Sd/-
TOSHI AIER, IAS (Retd.)
Chief Information Commissioner

Sd/-
CHANBEMO LOTH
State Information Commissioner

Authenticated true copy:

(WORHONTHUNG EZUNG)
Secretary