

**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-35/2015-16

Dated Kohima, the 24<sup>th</sup> November, 2016.

Appellant : Shri. T.P. Loganathan,  
S/o Shri. T.V. Panneerselvam,  
Advocate,  
Podaturpet-631208,  
Tiruvallur District,  
Tamil Nadu.

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 12:00 PM.  
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. T.P. Loganathan, S/o Shri. T.V. Panneerselvam, Advocate, Podaturpet-631208, Tiruvallur District, Tamil Nadu did not appear for the hearing.

**FACT OF THE CASE**

An applicant, Shri. T.P. Loganathan, S/o Shri. T.V. Panneerselvam, Advocate, Podaturpet-631208, Tiruvallur District, Tamil Nadu had submitted an RTI application dated **12.11.2015** addressed to the Registrar-cum-PIO, The Global Open University Nagaland, Dimapur –797112, Nagaland alongwith the prescribed application fee vide IPO No. 14F 679740 dated 12.10.2015 for Rs. 10/- (Rupees ten only) seeking the following information regarding *T. P. Loganathan, Enrolment No. TGOU/PG/007/LLM(ADR)/ 2013J LLM(ADR):-*

- i. *whether he has any dues in your University, if yes how much?*
- ii. *Whether passed in first and second year in LLM(ADR)?*
- iii. *Marks secured in each subject.*
- iv. *Whether passed in LLM (ADR), if yes which class?*
- v. *Marks sheet of I<sup>st</sup> and II<sup>nd</sup> year, Provisional Certificate. When the University may sent to him?*

The above application was sent by Speed Post bearing No. RT058117008IN dated 13.11.2015.

On not getting any response to his RTI application dated 12.11.2015, the applicant had preferred a first appeal dated **12.12.2015** addressed to the Appellate Authority-cum-Vice Chancellor, The Global Open University Nagaland, Dimapur-797112. The first appeal was sent by Speed Post bearing No. RT058120608IN dated 11.12.2015.

Since there was no response to his first appeal dated 12.12.2015, the applicant had submitted a second appeal dated 12.01.2016 before this Commission.

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 appeal submitted by Shri. T. P. Loganathan, Tamil Nadu **within 45 days** from the date of receipt of the directive since the first appeal was not heard.

And in compliance to the directive of the Commission, the Director-cum-Registrar & First Appellate Authority had, vide letter No. TGOUD/7-3/2016/1608 dated 16.02.2016 issued summon for hearing on 10.03.2016 at 12:30 P.M.

However, on not receiving 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 07.10.2016 notified to hear the case on **27<sup>th</sup> October, 2016 (Thursday) at 12:00 P.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. T.P. Loganathan, 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 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 in compliance to the Commission's directive of even No. dated 09.02.2016, the first appeal was heard on 10.03.2016 at 12:30 P.M and decision passed vide No. GOUN/2-14/16/B/344

dated 19.10.2016 directing the PIO to provide the information to the applicant (now appellant) within 10 (ten) working days from the pronouncement of his decision.

In compliance to the above decision of the First Appellate Authority dated 19.10.2016, the PIO had furnished the information to the applicant (now appellant) vide letter No. GOUK/ADMN/1-4/06/VOL XII dated 25.03.2016. On receipt of the information, the applicant (now appellant) had, vide letter dated 20.10.2016 expressed satisfaction with the information received from the PIO.

The Commission observed that though the information was furnished to the applicant (now appellant) in compliance 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 07.10.2016 issued Notice for hearing to be held on 27.10.2016.

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 under Section 20 (1) of the RTI Act, 2005.

### **DECISION**

On the above observations and findings, the Commission decided that Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland shall submit to this Commission the date of the receipt of the RTI application dated **12.11.2015** within **1 (one) month** from the date of issue of this decision.

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

Copy 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. T.P. Loganathan, S/o Shri. T.V. Panneerselvam, Advocate, Podaturpet-631208, Tiruvallur District, Tamil Nadu
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