

**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-36/2015-16

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

Appellant : Shri. Vimal Kumar Mandal,  
Village & P.O. Bandhdiha,  
Via-Jaina Police Station-Jaridiha,  
Dist. Bokaro, Jharkhand, Pin-829301,  
Mobile No. 9430101305.

Respondent(s) : (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 11:30 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. Vimal Kumar Mandal, Village & P.O. Bandhdiha, Via-Jaina Police Station-Jaridiha, Dist. Bokaro, Jharkhand, Pin-829301, Mobile No. 9430101305.

did not appear for the hearing.

**FACT OF THE CASE**

An applicant, Shri. Vimal Kumar Mandal, Advocate, Village & P.O. Bandhdiha, Police Station-Jaridiha, Via-Jaina, Dist. Bokaro, Jharkhand, Pin-829301, Mobile No. 9430101305 had submitted a RTI application dated **28.08.2015** addressed to the PIO, The Global Open University Nagaland, Dimapur –797112, Nagaland alongwith the prescribed application fee of total amount of Rs. 10/- (Rupees ten only) paid vide IPO Nos. 71C 137981 dated 28.08.2015 for Rs. 5/- (Rupees five only) and 71C 137980 dated 28.08.2015 for Rs. 5/- (Rupees five only) seeking the following information:-

- i. *Whether The Global Open University Nagaland is affiliated to the University Grants Commission (UGC) or not?*
- ii. *According to the Daily Newspaper, 'Hindustan Times' Mansa update April, 05, 2015 downloaded from the internet, Mansa SSP, Mr. Bhupendra Singh Khatra had given a press conference, and relating to this publication at para No. 5 of the News, kindly give information whether The Global Open University Nagaland was allowed to run distance education only for one year in 2008-09?*
- iii. *If yes, then on what basis The Global Open University Nagaland is providing correspondence degree according to the publication?*

A photocopy of the published Newspaper, 'Hindustan Times' Mansa update April, 05, 2015 was also attached.

The above application was sent by Speed Post bearing No. RJ100354765IN dated 28.08.2015.

On not getting any response to his RTI application dated 28.08.2015, the applicant had preferred a first appeal dated **28.10.2015** (in Hindi) addressed to the First Respondent Officer (RTI), The Global Open University Nagaland, Dimapur-797112. Further, the applicant stated that since the information was not provided in due time, he desired that all the information be provided in **Hindi**. The first appeal was sent by Speed Post bearing No. RJ100365233IN dated 28.10.2015.

Since there was neither any response to his RTI application dated 28.08.2015 nor to his subsequent first appeal dated 28.10.2015, the applicant had submitted a second appeal dated 07.01.2016 (in Hindi) before the Commission.

The Commission had got the above first appeal dated 28.10.2015 (in Hindi) and the second appeal dated 07.01.2016 (in Hindi) translated into English.

On receipt of the second appeal dated 07.01.2016, 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 28.08.2015 **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/7-3/2016/1606 dated 16.02.2016 issued summon for hearing on 10.03.2016 at 11:30A.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, 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 **27<sup>th</sup> October, 2016 (Thursday) at 11:30 A.M.** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Nagaland, Kohima** and also **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 the appellant), Shri. Vimal Kumar Mandal 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 the first appeal was heard on 10.03.2016 at 11:30 A.M and passed decision vide No. GOUN/2-14/16/B/34/ dated 19.10.2016 wherein the PIO was directed to provide the information to the applicant (now appellant).

The First Appellate Authority also produced a copy of the decision dated 19.10.2016 passed by the First Appellate Authority along with a copy of the information furnished by the PIO vide No. GOUN/ADMN/1-4/06/VOL XII dated 25.03.2016.

The Commission had observed that though the PIO had complied with the decision of the First Appellate Authority, it appeared that the First Appellate Authority had very lately passed its decision on 19.10.2016 only after the Commission had on 12.10.2016 issued the 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 delay, 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 receipt of the RTI application dated **28.08.2015** from the applicant (now appellant) 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.

Copy 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. Vimal Kumar Mandal, Village & P.O. Bandhdiha, Via-Jaina Police Station-Jaridiha, Dist. Bokaro, Jharkhand, Pin-829301, Mobile No. 9430101305.
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