NAGALAND INFORMATION COMMISSION
Old Secretariat Complex,
Post Box No. 148
Nagaland, Kohima - 797001.
Tel: 0370-2291041, Fax: 0370-2291774, Website: www.nlsic.gov.in

RIGHT TO INFORMATION

No. NIC/Appeal-40/2015-16 Dated Kohima, the 9th May, 2016.

Appellant	: Shri. Paul Sharma, Advocate, 809/2A, Prem Nagar, Bindraban Road, Civil Lines, Ludhiana – 141001, Mobile No. 09803701127, email: rtiludhiana@yahoo.com
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	: 26.04.2016 at 12:30 PM.
Date of Decision	: 09.05.2016.

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. Paul Sharma, Advocate, 809/2A, Prem Nagar, Bindraban Road, Civil Lines, Ludhiana – 141001, Mobile No. 09803701127, email: rtiludhiana@yahoo.com did not appear.

FACT OF THE CASE

An applicant, Shri. Paul Sharma, Advocate, 809/2A, Prem Nagar, Bindraban Road, Civil Lines, Ludhiana – 141001, Mobile No. 09803701127, email: rtiludhiana@yahoo.com had submitted a second appeal dated 01.02.2016 to this Commission stating that he did not receive reply from the First Appellate Authority, TGOUN to his First Appeal dated 15.12.2015 which was submitted against the non-response of the PIO, TGOUN to his RTI application dated 01.11.2015 within the stipulated time.

The above applicant had earlier submitted an RTI application dated 01.11.2015 addressed to the PIO, The Global Open University Nagaland, alongwith the prescribed application fee of Rs. 10/- (Rupees ten only) paid vide IPO No. 31F 215939 dated 01.11.2015 seeking the following information:-

a. *What is the name, address & contact number of all managing committee of The Global Open University?*
b. *Is The Global Open University/society/agency is involved in promoting/running any other university/institute if yes please give details?*

c. *Pls. provide details all programmes permitted to be offered by gazette notification of state govt. & its reference?*
d. *What is the sources of finance and quantum of funds available:-*
   From: Fees
   From: State Govt.
   From: UGC
   From: other sources or (from sponsors)?
   Please provide full details?
e. *What is corpus fund/endowment fund of the society/trust? Detail of all bank account statement year 2013-2014? Pan card no. of university/society on behalf of bank account opened? Please provide full details?*
f. *Provide statement of income & expenditure for the last three year, year wise?*
g. *Provide university land documents, name registered in the name of university and its location in the state? Deposit made in the name of society/university separately or jointly with state authority?*
h. *Please provide details of administration office with mobile number and total plinth area of university, built areas, buildings areas details etc.?*
i. *Provide detail number of classrooms & laboratories?*
j. *Whether students already admitted? **If** yes, details of courses and the number of students admitted in each course during the last two year. How many Ph. D students are enrolled till Oct. 2015?*
k. *Whether university has any off-campus or study center or admission center established outside the state/abroad?*
l. *What is the admission procedure of university?*
m. *What is the fee structure for different courses run by the university with details?*
n. *How many sanctioned post of professors, readers and lectures?*
o. *What is the Name, designation, qualifications & publication of the existing teaching staff (department wise). Please provide full details?*
p. *Whether institute is following UGC pay scale for teaching staff?*

The applicant had given his address as 1133/14B, Luxmi St. Shiv puri Rioad, Ludhiana-141001, Punjab in his RTI application dated 01.11.2015.

The RTI application dated 01.11.2015 was sent to the public authority by Speed Post vide No. RP496078190IN dated 02.11.2015. However, on not getting any response to his RTI application dated 01.11.2015 from the PIO, TGOUN within the stipulated time, the applicant had preferred a first appeal dated 15.12.2015 to the Appellate Authority, TGOUN. The first appeal was sent to the public authority vide Speed Post No. RP488892460IN on 17.12.2015.

Further still, on not getting any response to his first appeal dated 15.12.2015, the applicant(now appellant) had preferred a second appeal dated 01.02.2016 to the Commission.

The Commission has decided to hear the appeal, giving opportunity to the parties on **26th April, 2016 (Tuesday) at 12:30 PM** in the **Hearing Room of the Nagaland Information Commission**, **Old Secretariat Complex, Kohima** and also notified 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 the appellant) did not appear for the hearing and there was no information to the Commission regarding his absence.

During the hearing, Shri. Keluozie Kesiezie, PIO, The Global Open University Nagaland, submitted that the RTI application dated 01.11.2015 and the First Appeal dated 15.12.2015 sent by the applicant (now the appellant) as mentioned in the Commission's Notice for the Hearing were **never received** inspite of searching the above letters in the office and tracking from the website with the given Speed Post Numbers.

However, on scrutiny of the letters and the Speed Post Receipts enclosed by the applicant (now the appellant), it was observed that the applicant (now the appellant) had sent both the RTI application dated 01.11.2015 and the First Appeal dated 15.12.2015 to the **Wokha Campus.**

Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland had also submitted that the first appeal was never received and hence no hearing of the first appeal could be held. He further submitted that the both Kohima and Wokha Campuses were shifted to Dimapur during the month of February, 2016.

However, the Commission pointed out that both the RTI application dated 01.11.2015 and the First Appeal dated 15.12.2015 were sent last year in 2015 prior to the shifting of the Campuses to Dimapur. The Commission observed that if the campus existed in Wokha where the applicant had sent the RTI application, how and why it was not received.

DECISION:

On the above observations and findings, since neither the RTI application dated 01.11.2015 nor the First Appeal dated 15.12.2015 were received, the Commission directs Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland to:-

1. take up the case by hearing the parties i.e. the applicant and the PIO concerned **within one (1) month**, and after the hearing of the first appeal, a copy of the decision on the first appeal be submitted to this Commission.

2. submit proof of existence of campuses at Wokha and Kohima with proper addresses and the persons heading the above campuses.

Decision pronounced in the presence of only the respondents on 26.04.2016.

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. Paul Sharma, Advocate, 809/2A, Prem Nagar, Bindraban Road, Civil Lines, Ludhiana – 141001, Mobile No. 09803701127, email: rtiludhiana@yahoo.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 LOTHA
State Information Commissioner

Authenticated true copy:-

(WORHONTHUNG EZUNG)
Secretary