

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-43/2015-16

Dated Kohima, the 24th November, 2016.

Appellant : Shri. Naresh Kumar,
S/o Shri. Birbal Singh,
Tuner Instructor,
Govt. ITI, Narwana,
Distict-Jind,
Haryana-126116,
Mobile No. 09996137744

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 1:00 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. Naresh Kumar, S/o Shri. Birbal Singh, Tuner Instructor, Govt. ITI, Narwana, Distict-Jind, Haryana-126116, Mobile No. 09996137744 did not appear for the hearing.

FACT OF THE CASE

An applicant, Shri. Naresh Kumar, S/o Shri. Birbal Singh, Tuner Instructor, Govt. ITI, Narwana, Distict-Jind, Haryana-126116, Mobile No. 09996137744 had submitted an RTI application dated **24.02.2015** (in Hindi) addressed to The Global Open University Nagaland enclosing five (5) IPOs bearing Nos. 23F 291118, 23F 291119, 23F 291120, 23F 291121 and 23F 291122 for Rs. 10/- each totalling to Rs. 50.00 (Rupees fifty only) seeking verification of provisional certificate for B.A (General) in respect of Pawan Kumar during 2010-2013.

On receipt of the above RTI application dated 24.02.2015, Shri. Keluozie Kesiezie, PIO, The Global Open University Nagaland had, vide letter No. GOUK/ADMN/1-4/06/VOL IX/263 dated **30.04.2015** informed the applicant that the University had prescribed a proforma and fixed Rs. 500/- for verification of educational documents, and a copy of the proforma was enclosed.

The applicant had, on **15.06.2015** submitted the prescribed proforma duly filled up alongwith a Demand Draft for Rs. 500/- vide DD No. 883281 dated 11.06.2015 to The Global Open University Nagaland. However, on not getting any response even after more than three (3) months, the applicant had written to the Registrar, The Global Open University Nagaland, Dimapur on **07.10.2015** requesting to send the verified documents as soon as possible.

Further still, on not getting any response from the Registrar, The Global Open University Nagaland, Dimapur, the applicant had preferred a second appeal dated 11.03.2016 before this Commission.

Since the first appeal was not heard, the Commission had, vide letter of even No. dated 28.03.2016 directed the First Appellate Authority take up the first appeal by hearing the parties i.e. the applicant and the PIO concerned and pass decision on or before **28th April, 2016**. And after the hearing of the first appeal, a copy of the decision on the first appeal may be submitted to this Commission.

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 07.10.2016 notified to hear the case on **27th October, 2016 (Thursday) at 1:00 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. Naresh Kumar 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 28.03.2016, the first appeal was heard on 27.04.2016 at 12:00 P.M and passed decision on 19.10.2016, disposing off the case since the PIO had, vide No. GOUN/ADMN/1-4/VOL XII /66 dated 19.04.2016 furnished the verification report to the applicant (now appellant).

The Commission observed that though the information was furnished to the applicant (now appellant) by the PIO on 19.04.2016, 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 also 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 obtain from the applicant (now appellant) satisfaction or non-satisfaction of information furnished to him and submit a copy to this Commission.
2. The PIO shall submit the date of the receipt of the RTI application dated **24.02.2015** within **1 (one) month** from the date of issue of the decision.

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. Naresh Kumar, S/o Shri. Birbal Singh, Tuner Instructor, Govt.ITI, Narwana, Distict-Jind, Haryana-126116, Mobile No. 09996137744.
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