

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-17/2015-16

Dated Kohima, the 1st October, 2015.

Subject: Notice for Hearing on 27th October, 2015 (Tuesday) at 3:30 PM.

WHEREAS under Section 19 of the Right to Information Act, 2005, the Nagaland Information Commission had on 31.08.2015 received a second appeal dated 28.08.2015 from Zeneisüle Ate Loucü, C 1/6, 2nd Floor, Sector -52, Ardee City, Gurgaon, Haryana – 122001, Mobile No. 91-8415068612, email: ateau@hotmail.com, stating that there was no response to her RTI application dated 27.02.2015 and that the information provided in response to her first appeal dated 29.04.2015, was incorrect and misleading, thereby obstructed in furnishing the information.

AND WHEREAS, the above applicant had earlier submitted an RTI application dated **27.02.2015** addressed to the PIO, Directorate of Rural Development, Nagaland, Kohima, Nagaland Civil Secretariat - 797003, requesting **copies of the Sanctioned Orders and drawal of MGNREGS scheme funded for Industrial Village (Razhüphe), Dimapur VDB for the period of:-**

- i. 2004-2005
- ii. 2005-2006
- iii. 2006-2007
- iv. 2007-2008
- v. 2008-2009
- vi. 2009-2010
- vii. 2010-2011
- viii. 2011-2012
- ix. 2012-2013
- x. 2013- 31st March, 2014.

AND WHEREAS, the applicant had paid the prescribed application fee of Rs. 10 (Rupees ten only) paid vide two (2) IPOs bearing No. 65C 591353 dated 26.02.2015 for Rs. 5.00 and No. 65C 591354 dated 26.02.2015 for Rs. 5.00.

AND WHEREAS, on receipt of the above RTI application dated 27.02.2015, Shri. Hilo Semp, Additional Director & PIO, Rural Development, Nagaland, Kohima had, vide letter No. DRD/ME/RTI-16/2014-15 dated **19.03.2015** transferred it to the Project Director & PIO, DRDA, Dimapur, Nagaland alongwith the following documents from 2004 till 31st March, 2014 regarding Razhü Industrial Village under Dimapur District and with a request to furnish directly to the applicant and under intimation to him on or before **10.04.2015**.

1. Fixed Deposit Certificate and Matching Cash Grant (MCG) sanction and drawal orders by VDB.
2. Sanctioned Orders and drawal of VDB Welfare Fund Scheme.
3. Detailed project schemes approved by DPB alongwith scheme utilization Certificates and post office time deposit account, documents submitted by BDO, Dimapur to the Department.
4. Sanctioned Orders and drawal of NRLM.
5. Completion of works by Industrial Village intimated to BDO that the Plan activities have been completed for the year.
6. Sanctioned Orders and drawal of MGNREGS.
7. Sanctioned Orders and drawal of GIA to VDBs (household allocation).
8. Sanctioned Orders and drawal of Micro-Finance Scheme.
9. DPRs submitted to DRDA by Industrial Village.

AND WHEREAS, on not receiving of any information to her RTI application dated 27.02.2015 within the stipulated time frame, the applicant had preferred first appeal dated 29.04.2015 to the Director & FAA, Directorate of Rural Development, Nagaland, Kohima.

AND WHEREAS, on receipt of the first appeal dated 29.04.2015, the Director & FAA, Directorate of Rural Development, Nagaland, Kohima had, vide letter No. DRD/ME/RTI/AA-4/2014/48 dated **21.05.2015**, issued notice for hearing of the first appeal on 28.05.2015 at 12:00 PM.

AND WHEREAS, after hearing of the first appeal on **28.05.2015 at 12:00 PM**, Shri. K. Neibou Sekhose, Deputy Director (RTI), Rural Development, Nagaland, Kohima had, vide letter No.

DRD/ME/RTI/AA-4/2014/52 dated **01.06.2015** forwarded the information received from the Project Director & PIO, DRDA, Dimapur, Nagaland to the applicant (now appellant), which includes

- i) the furnishing of the replies by Shri. K. Yamao Konyak, BDO & APIO, RD Block, Chumukedima, Dimapur, vide letter No. BDO/CHUMU/RTI-03/2013-14 dated 15.04.2015 to the Project Director & PIO, DRDA, Dimapur, Nagaland stating that that **as per the guideline of MGNREGA, whatever amount allotted by the department is credited to their VDB account and drawal was made by the VDB itself after preparing Muster Rolls of the engaged job cards against the works selected by the VDB. Therefore, all records regarding fund drawal can be availed only from MGNREGA accounts of VDB which is being maintained by the VDB itself. Since separate sanction orders issued against Industrial Village are not available, approved and completed works and amount indicated against the works are covered by the reply of Query No. 5. i.e. Works Completion Reports in respect of Industrial village.**
- ii) forwarding of the reply of the BDO & APIO, RD Block, Chumukedima, Dimapur by Smti. Asangla T. Aier, Project Director & PIO, DRDA, Dimapur, Nagaland, vide letter No. DRDA/DMR/RTI/2014-15 dated **May, 2015** to the Director & FAA, Directorate of Rural Development, Nagaland, Kohima for the hearing on 28.05.2015.

AND WHEREAS, on receipt of the information on 01.06.2015 after the hearing, the applicant (now appellant) submitted a second appeal dated 28.08.2015 before the Commission stating that the information given was farce, shocking and thereby obstructed in furnishing the information. Further, the applicant(now appellant) stated that there seemed rampant misappropriation of MGNREGA funds, non-transparency of implementation confirming to NREGA guidelines, violation of NREGA Act, forgery and corruption/misappropriation of funds eg Muster Rolls etc. Furthermore, the applicant(now appellant) had submitted that:-

- i) the PIO be directed to provide the information free of cost; and
- ii) impose penalty of Rs. 25,000.00 on the PIO for malafide denial of information.
- iii) Implementation of suo motu disclosure under Section 4 of the RTI Act, 2005.

AND WHEREAS, the Commission has decided to hear the appeal, giving opportunity to all the parties, on **27th October, 2015 (Tuesday) at 3:30 PM** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima.**

NOW THEREFORE, it is notified that the following concerned are directed to appear before this Commission and **also to bring the files and relevant documents** in question for scrutiny, on the above date and time for hearing.

1. Shri. Metsubo Jamir, Director & FAA, Rural Development, Nagaland, Kohima
2. Shri. Hilo Semp, Additional Director & PIO, Rural Development, Nagaland, Kohima.
3. Smti. Asangla T. Aier, Project Director & PIO, DRDA, Dimapur, Nagaland
4. Shri. K. Yamao Konyak, BDO & APIO, RD Block, Chumukedima, Dimapur.
5. Smti. Zeneisüle Ate Loucü, C 1/6, 2nd Floor, Sector -52, Ardee City, Gurgaon, Haryana-122001, Mobile No. 91-8415068612, email: ateau@hotmail.com.

Sd/-

KEVININO P. MERU

Chief Information Commissioner

Dated Kohima, the 1st October, 2015.

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Copy to:-

1. The P.P.S to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The P.A to the State Information Commissioner, Nagaland Information Commission for kind information of the SIC.
3. Shri. Metsubo Jamir, Director & FAA, Rural Development, Nagaland, Kohima
4. Shri. Hilo Semp, Additional Director & PIO, Rural Development, Nagaland, Kohima.
5. Smti. Asangla T. Aier, Project Director & PIO, DRDA, Dimapur, Nagaland
6. Shri. K. Yamao Konyak, BDO & APIO, RD Block, Chumukedima, Dimapur.
7. Smti. Zeneisüle Ate Loucü, C 1/6, 2nd Floor, Sector -52, Ardee City, Gurgaon, Haryana-122001, Mobile No. 91-8415068612, email: ateau@hotmail.com.
8. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
9. Office Copy.

(WORHONTHUNG EZUNG)

Deputy Secretary