

**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-25/2015-16

Dated Kohima, the 16<sup>th</sup> December, 2015.

**Subject: Notice for Hearing on 22<sup>nd</sup> January, 2016 (Friday) at 12:00 PM.**

WHEREAS under Section 19 of the Right to Information Act, 2005, a second appeal dated 03.12.2015 has been received on 07.12.2015 from Shri. Vikheto Zhimomi, P.R Hill, Kohima, Mobile No. 9615115300, 9089896123, stating that he was not satisfied with the information furnished by the Executive Engineer after the stipulated time frame in response to his RTI application dated 10.08.2015 and by the Director & FAA, Urban Development, Nagaland, Kohima in response to his first appeal dated 21.09.2015.

AND WHEREAS, the above applicant had earlier submitted an RTI application dated 10.08.2015 addressed to the PIO, Directorate of Urban Development, Nagaland, Kohima alongwith the prescribed application fee of Rs. 10/- (Rupees ten only) paid in cash seeking the following information for public interest:-

- i. true copy of Sanction/Release Orders for 2013-14 Annual Plan.*
- ii. Work Orders for 2013-14 Annual Plan.*
- iii. All the Actual Payee Receipts (APRs) for 2013-14 Annual Plan.*
- iv. All completion certificates and also the name & designation of the officers who inspected the work allotted during 2013-14.*
- v. The amount kept in CD (Civil Deposit) from 2013-14 Annual Plan. If any, furnish photocopy of documents.*
- vi. Maintain all the ongoing/incomplete works allotted during 2013-14 Annual Plan.*
- vii. All the photocopy of Challan deposited in Government account for deduction in the form of various taxes during 2013-14 Annual Plan.*

AND WHEREAS, the above RTI application dated 10.08.2015 was sent by Speed Post bearing No. EE431314155IN dated 10.08.2015 and was delivered to the PIO on 12.08.2015 as per the Detailed Track Events downloaded from the website. A copy of the RTI application dated 10.08.2015 and the Detailed Track Events were also enclosed.

AND WHEREAS, on receipt of the above RTI application dated 10.08.2015, Er. Ketouzo Peseyie, Executive Engineer, Urban Development, Nagaland, Kohima had, vide letter No. EE/UD/RTI/2011-12/part-2/16 dated **17.09.2015** furnished the information to the applicant on payment of Rs. 980/- (Rupees nine hundred and eighty only). The applicant had received the information with the payment of Rs. 980/- on **18.09.2015**.

AND WHEREAS, the applicant had, vide letter dated 18.09.2015 wrote to the PIO, Directorate of Urban Development, Nagaland, Kohima stating that the RTI application which was sent by Speed Post bearing No. EE431314155IN dated 10.08.2015 was received on 12.08.2015 as per the Detailed Track Events and since the information was provided on 17.08.2015 after the 30 days time limit which expired on 11.09.2015, he had requested the PIO, Directorate of Urban Development, Nagaland, Kohima to exempt the cost of information as per the RTI Act.

AND WHEREAS, the applicant had submitted first appeal dated **21.09.2015** to the First Appellate Authority, Directorate of Urban Development, Nagaland, Kohima stating that the information so received was **incomplete** and **not satisfied** and hence requested to **re-furnish** the information.

AND WHEREAS, on receipt of the first appeal dated 21.09.2015 on **22.09.2015**, the Director & First Appellate Authority, Directorate of Urban Development, Nagaland, Kohima had, vide letter No. UD/NUIS-RTI-2015/case-2/105 dated 02.11.2015 furnished the information to the applicant (now appellant).

AND WHEREAS, on receipt of the information furnished by the Director & First Appellate Authority, Directorate of Urban Development, Nagaland, Kohima in response to the first appeal dated 21.09.2015, the applicant (now appellant) had submitted a second appeal dated **03.12.2015** to this Commission stating that the information was **still incomplete and unsatisfied**. The applicant (now appellant) had specified the grounds for non-satisfaction and incomplete information since:-

- a. Query No. 1, the total amount as per the sanction orders and the departmental final figures for 2013-14 Annual Plan do not match.
- b. Query Nos. 2 & 4, the total amount sanctioned and the Work order allotted do not match. There was no work order and completion certificate in some of the schemes and projects.
- c. Query No.5, the public authority does not maintain clearly the amount kept in civil Deposit from 2013-14 Annual Plan.

AND WHEREAS, further, the applicant (now appellant) submitted that his request under Sub-section 6 of Section 7 to exempt the cost of information as the information was provided after the expiry of the stipulated time limit was **rejected**.

AND WHEREAS, since the applicant (now appellant) was not satisfied with the information furnished by the Executive Engineer after the stipulated time frame in response to his RTI application dated 10.08.2015 and by the Director & FAA, Urban Development, Nagaland, Kohima in response to his first appeal dated 21.09.2015, the Commission has decided to hear the appeal, giving opportunity to all the parties on **22<sup>nd</sup> January, 2016 (Friday) at 12:00 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.

- i) The Director & First Appellate Authority, Directorate of Urban Development, Nagaland, Kohima.
- ii) The concerned PIO, Directorate of Urban Development, Nagaland, Kohima.
- iii) Er. Ketouzo Peseyie, Executive Engineer, Urban Development, Nagaland, Kohima.
- iv) The applicant (now the appellant), Shri. Vikheto Zhimomi, P.R Hill, Kohima, Mobile No. 9615115300, 9089896123.

Sd/-

**BUKCHEM PHOM**

Chief Information Commissioner

Dated Kohima, the 16<sup>th</sup> December, 2015.

No. NIC/Appeal-25/2015-16

Copy to:-

1. The P.P.S to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The Director & First Appellate Authority, Directorate of Urban Development, Nagaland, Kohima.
3. The concerned PIO, Directorate of Urban Development, Nagaland, Kohima.
4. Er. Ketouzo Peseyie, Executive Engineer, Urban Development, Nagaland, Kohima.
5. The applicant (now the appellant), Shri. Vikheto Zhimomi, P.R Hill, Kohima, Mobile No. 9615115300, 9089896123.
6. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
7. Office Copy.

**(WORHONTHUNG EZUNG)**

Secretary