

NAGALAND INFORMATION COMMISSION  
OLD SECRETARIAT COMPLEX,  
POST BOX NO. 148  
NAGALAND  
KOHIMA – 797001

No. NIC/Appeal-18/2008

Dated Kohima, the 23<sup>rd</sup> October, 2008

Appellant : Shri Wekhro Krome ,  
C/o P.B. 27 P.O. Kohima, Nagaland.

Respondent : Department of Health & Family  
Public Authority : Welfare, Nagaland, Kohima.  
Directorate of  
Health & Family Welfare.  
Nagaland, Kohima.

Date of Hearing - 23.10.2008

Present - Ms. Sentinaro for the appellant.  
- Shri R.F. Lotha, Additional Drug Controller & PIO,  
Directorate of Health & Family Welfare, Kohima.  
- Dr. V. Sekhose, Appellate Authority and Principal  
Director, Health & Family Welfare, Kohima, Nagaland.

Shri Wekhro Krome had submitted an Appeal under section 19 of RTI Act 2005 on 27.8.2008 to the Commission stating that he had not received any information in response to his RTI application submitted to PIO Community Health Centre (CHC), Pfutsero dated 30.4.2008, even after expiry of the 30 days, hence he preferred appeal to the Appellate Authority, Medical Department i.e. Directorate of Health & Family Welfare Nagaland, Kohima on 27.6.2008. However only Shri R.F. Lotha, Additional Drug Controller and PIO Directorate of Health & Family Welfare, Kohima on 17.7.2008 informed the applicant to deposit Rs. 10/- RTI application fee and while giving some of the information sought, directed him to obtain the rest of the information from Chief Medical Officer's Office Phek.

The Commission observe that the fee of Rs. 10/- has already been received by Community Health Centre (CHC) Pfutsero on 30.4.2008, hence there is no question of applicant to be asked to pay fees two times for same application. The appeal addressed to the first Appellate Authority dated 27.6.2008 is yet to be dealt with by the first Appellate Authority. The above observations show that the

Department of Health & Family Welfare is not conversant and sensitive to the provisions of the RTI Act 2005.

The Commission hereby direct the first Appellate Authority i.e. the Principal Director of Health & Family Welfare to examine and dispose off the first appeal dated 27.6.2008 according to provisions of the RTI Act 2005 within 10 working days from the date of pronouncement of this order.

The Commission in its Decision and orders in Appeal No.NIC/ Appeal 15/2008 dated 15.10.2008, has given direction to sensitise and gear up the mechanism to deal with RTI applications in the Department. The same direction should be noted and complied with.

Pronounced in open proceedings today 23.10.2008

Copy of this order be given to the Parties.

Copy be given to

1. The Commissioner & Secretary, Health & Family Welfare  
Department, Nagaland, Kohima.
2. The Principal Director, Directorate of Health & Family Welfare,  
Nagaland, Kohima.
3. The Director (Health) , Directorate of Health & Family Welfare,  
Kohima, Nagaland.
4. The Director (Family Welfare) Directorate of Health & Family  
Welfare, Nagaland, Kohima.

Sd/-

**P. TALITEMJEN AO, IAS (Rtd)**  
Chief information Commissioner,  
Nagaland

Sd/-

**REV.DR. W. PONGSING KONYAK,**  
State Information Commissioner,  
Nagaland

Sd/-

**DR. KUHOI K ZHIMOMI)**  
State Information Commissioner,  
Nagaland.

Authenticated by

( **ADINO** )

Sr. P.S. to Chief Information Commissioner,  
Nagaland.