

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

No. NIC/Compln-11/2008

Dated Kohima, the 27<sup>th</sup> February , 2008

COMPLAINANT : Shri Md. Joynal Uddin,  
C/o Firoz Manzil, South Ramnager  
(PEC) Akhaora Road, Agartala – 799001  
Tripura.

RESPONDENT : Department of Transport and  
PUBLIC AUTHORITY : Communication, Office of the District  
Transport Officer, Mokokchung  
Nagaland.

**DATE OF HEARING - 06.2.2008**

**DATE OF DECISION - 27.2.2008**

**Present : 1. Public Information Officer and Regional Transport Officer,  
Mokokchung, Nagaland.**

**2. Transport Commissioner and Appellate Authority.**

**The complainant is not present.**

**DECISION.**

The Commission on 6.2.2008 had directed the Public Information Officer (PIO) and District Transport Officer, Mokokchung to inquire as to who were the officials/staff responsible for delaying the furnishing of information sought and submit his report within 10 working days. The Public Information Officer has accordingly vide his letter of 13.2.08 informed that one LDA in the Office had received the RTI Application dated 25.8.2007 on 6.9.2007, but had set it aside for consultation which was recollected only on 30.1.2008. He also reported that the fee of Rs. 10/- about which there was confusion has been deposited under appropriate Head of Account into Government Treasury on 11.2.2008. The Public Information Office (PIO) and Regional Transport Officer (RTO) also informed that as directed, their Office has been sensitized and staff advised to deal with RTI application.

The Transport Commissioner and Appellate Authority, as directed, has issued Office Memorandum dated 7.2.2008 to the subordinate Heads of Offices to gear up the mechanism and sensitize their offices to deal with RTI Applications, copy of which is submitted to us today. The Commission records its appreciation that the Department is being sensitized, even at this late stage.

The Commission observe that the RTI Application from Shri Md. Joynal Uddin dated 23.8.2007 having been received in the office of the Public Information Officer & District Transport Officer, Mokokchung on 6.9.2007, the information should have been made available within 30 days, i.e. by 6.10.2007, as per provision of Section 7 (1) of RTI Act 2005. The information sought was furnished only on 1.2.2008 to the applicant. Thus there was a delay of 117 days, from 7.10.2007 to 31.1.2008.

As per Section 20 of the RTI Act 2005, penalty is to be imposed at the rate of Rs. 250/- per each day of delay in furnishing the information without any reasonable cause, not exceeding Rs. 25,000.00.

The Public Information Officer (PIO) and Regional Transport Officer (RTO) of Mokokchung is therefore directed to show cause as to why he should not pay penalty for delay in furnishing the information sought for 117 days at the rate of Rs. 250/- per each day of delay not exceeding Rs. 25,000.00 on or before 12.3.2008 in writing/ or in person. He should also fix responsibility, if any official/staff, has contributed to the delay at his/her level.

Pronounced in open proceedings today 27.2.2008.

Copies be given to

1. The Parties.
2. The Secretary, Transport and Communication, Nagaland, Kohima.

Sd/-

**P. TALITEMJEN AO**

Chief information Commissioner,  
Nagaland

Sd/-

**REV.DR. W. PONGSING KONYAK**

State Information Commissioner,  
Nagaland

Sd/-

**DR. KUHOI K ZHIMOMI**

State Information Commissioner,  
Nagaland.

Authenticated

( **ADINO** )

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