

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

No. NIC/Appel-14/2008

Dated Kohima, the 15th October, 2008

Appellant : **Shri Nillo Achumi,
C/o Dy. S.P.,
Legal Cell Branch
PHQ Office, Nagaland
Kohima - 797001**

Respondent : **Department of Power,
Nagaland, Kohima.**
Public Authority

DATE OF HEARING - **03.09.2008**
DATE OF DECISION - **15.10.2008**

Present - **Shri Nillo Achumi
PIO and Executive Engineer Power, Kohima.
Appellate Authority and Deputy Chief Engineer,
Office of the Chief Engineer (Power), Nagaland, Kohima.**

Facts.

The Commission received an appeal dated 30.7.2008 under section 19 of the RTI Act 2005 from Shri Nillo Achumi stating that not satisfied with the information given to him in reply to his RTI Application dated 29.4.2008 addressed to PIO, Electrical Office, Pughoboto, he had preferred Appeal to the Appellate Authority & Deputy Chief Engineer (Power) on 29.6.2008. The Appellate Authority & Deputy Chief Engineer (Power) only made an endorsement on the body of the application to E.E. and “ex-officio PIO” Kohima and asked the appellant to take the application to PIO himself. He received information from the E.E. but is not satisfied as the undated reply of the E.E. has not given yearly details asked for at Sl. No. 3 of his application, hence he appealed to the Commission to look into the matter.

During the hearing, the Appellate Authority & Deputy Chief Engineer (Power) submitted that there is no PIO nor APIO at Pughoboto, but a metre reader received the RTI application and some information was given by the Office. The first appeal he had endorsed to Executive Engineer (Power) and PIO Kohima.

Shri Nillo Achumi stated that he was not aware that there was neither PIO nor APIO (Power Department) at Pughoboto. However he received some information from the S.D.O. (Power), unsatisfied with which he had preferred appeal to the Appellate Authority. & Deputy Chief Engineer (Power), who only endorsed on the body of the appeal to PIO & Executive

Engineer (Power) Kohima. He is not satisfied with the incomplete information given by the PIO hence preferred appeal to the Commission.

The Commission on perusal of the documents submitted by the appellant find that in respect of Sl. No. 3 of the information sought, the yearly details of the funds allotted have not been furnished and hence the information needs to be complete.

DECISION.

The Commission therefore direct that the PIO and E.E (Power) Kohima should furnish the full information as sought vide the Original RTI Application of Shri Nillo Achumi dated 29.4.2008 received at Electrical Office, Pughoboto on same date, as per provisions of the RTI Act 2005.

The Commission observe that the Appellate Authority and Deputy Chief Engineer (Power) has not given his decision/direction on the appeal but simply endorsed on the application as on any other normal papers. The appeals preferred to Appellate Authorities are to be formally examined and formal decisions and directions are to be issued.

The Department is also advised to carefully consider implementing Section 5 (b) of the Act designating PIOs & APIOs at appropriate places.

Pronounced in open proceedings today.

Copies of this be given to the parties

Copy be given to

1. Commissioner & Secretary Power, Nagaland, Kohima.
2. Chief Engineer, Power, 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.