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

No. NIC/Compln-26/2008/409			Dated Kohima, the 13 <sup>th</sup> May, 2009
Complainant			Mr. V.Vinito Choppy, President, Consumer Society, Dimapur- 797112, Nagaland.
Respondent Public Authority			Department of Legal Metrology & Consumer Protection, Government of Kohima, Nagaland .
Date of Hearing	_	25.3.20	009
Date of Decision	-	25.3.20	009
Date of Decision on reply to			
Show Cause Notice	-	13.5.20	009
<ul> <li>Present - 1. Mr. Kezhokhoto Savi, President, NVCO for the Complainant.</li> <li>2. Smt. P. Asosa Ana, Deputy Secretary, Representing PIO</li> </ul>			

## **Facts**

During the hearing on 25.3.2009 and decision issued, Shri. Ramongo Lotha, PIO and Additional Secretary Legal Metrology and Consumer Protection Department, Government of Nagaland was directed to show cause within 10 days as to why he should not pay penalty @ Rs. 250/- per each day of delay for 104 days i.e w.e.f 11.12.2008 to 24.3.2009 for delay in furnishing information sought by applicant Shri. Vinito Choppy, subject to a maximum of Rs. 25,000.00 as per section 20 of the RTI Act 2005

Shri Ramango Lotha PIO submitted his reply to the show cause notice on 27.3.2009. He has submitted that the RTI application of Shi. Vinito Choppy was received on 10.11.2008, endorsed to Dy. Secretary of the Food & Civil Supplies, and Legal Metrology and Consumer Protection, who is also APIO, who in turn wrote to the Directorate (Addl. Controller, Legal Metrology & Consumer Protection) on 21.11.2008 asking for the documents & information/ Materials related to the information sought. He stated in his reply that the

concerned file was put up to him only on 20.3.2009 and that the information was received only on 23.3.2009, which was furnished to applicant on 25.3.2009.

In view of the above submissions, before any further action, the Commission decides to direct Shri Ramongo Lotha PIO, who is the Additional Secretary to the Government in the Department, to inquire for the delay and negligence among the officials of the Department both in the Secretariat and Directorate as to who had delayed and neglected at each level that had contributed for failure to furnish information sought with the prescribed period of 30 days from receipt of the RTI application dated 10.11.2008 i.e. by 10.12.2008, and fix responsibility on each of the officials, specifying days of delay at each level by name. The report should be submitted to the Commission within 10 working days from the pronouncement of this decision.

Pronounced in open proceedings today, 13.5.2009.

Copies be given to the Parties. Copy be sent to

- 1. The Secretary, Department of Legal Metrology and Consumer Protection, Nagaland, Kohima.
- 2. Controller, Directorate of Legal Metrology and Consumer Protection, 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 me

Under Secretary Nagaland Information Commission Kohima

