

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

No./NIC/Compln-47/2010

Dated Kohima, the 11<sup>th</sup> August, 2010

**Complainant** : **Shri Prasielie Pienyu, DCC Office  
Congress Bhavan, Kohima.**

**Respondent  
Public Authority** : **Department of Rural Development,  
Nagaland, Office of the Project Director,  
District Rural Development Agency,  
Kohima, Nagaland.**

**Date of Hearing** - **4.8.2010**  
**Present** - **Shri V.Lhoungu, PIO  
Shri Prasielie Pienyü  
Shri R. Paphino**

**Date of Decision** - **11.8.2010**

**Facts**

The Commission received a complaint under section 18 of the Act on 4.6.2010 from Shri Prasielie Pienyü, DCC Office Congress Bhavan, Kohima stating that he had submitted RTI application on 15.10.2009 to the PIO and Project Director, District Rural Development Agency Kohima but that the PIO had given him incorrect and misleading information, hence he was submitting complaint to the Commission. Shri Prasielie had sought 4 items of information in his RTI application of 15.10.2009 as follows:

1. Furnish the relaxation copy of Government of India for use of machineries to complete the works in difficult areas as contented by the APIOs of Kohima District.
2. Furnish the muster rolls of all projects being taken up in all the villages in Kohima (2007 – 08 & 2008 – 09)
3. Furnish the Social audit record copies of all the villages in Kohima District (2007-08 & 2008-09) submitted to the Government.
4. Whether CONVERGENCE provision is carried out in Kohima District for works/schemes in the villages in 2007-08 & 2008 – 09 ? If so,
  - i) Furnish the name of works and villages under which Convergence programs were covered and amount incurred (each work)
  - ii) Furnish the total expenditure incurred under Convergence provision (2007-08 and 2008 – 09) in Kohima District.
  - iii) Cite the reasons that prompted application of Convergence provision under NREGA rules.

He has submitted complaint to the Commission on 4.6.2010 stating that the information given to him by the PIO on 24.11.2010 are incorrect and misleading.

During the hearing on 4.8.2010 Shri Paphino, Complainant, stated that the PIO had not furnished the information at item 1 of the RTI application, i.e. the copy of the Government of India relaxation order for use of machineries till date. He informed that they have decided not to pursue for the muster rolls sought at item No 2 of the application as those

are too voluminous. He said that the Social Audit report copies of all the villages furnished by the PIO in response to item No. 3 of the application are all of the same pattern, devoid of the details prescribed in the NREGA guideline, like record of public meetings in the village, minutes with signature of attendance and financial expenditure records. Hence they want the information in full. He stated that they are satisfied with the information furnished by the PIO in response to item No. 4 (i) (ii) (iii) of the application.

The PIO, Shri Visasolie Lhoungu, submitted that he has not received the relaxation copy of Government of India for use of machineries to complete the works in difficult areas from the Government, hence he had not furnished the same . He had not pursued the same from State Government. He also submitted that the proforma for Social Audit record was supplied by the State Government, as Government of India had wanted the reports to be submitted in that form. He explained that the prescribed procedure and requirements of documents as per NREGA guideline has been made known to the villages and directions have been issued to every village to adhere to these guidelines. He informed that the minutes of the village meetings kept by the villages can be furnished if sought.

### **DECISION**

The Commission find that the information sought at item 1 of the RTI application i.e. the relaxation copy of Government of India for use of machineries to complete the works in difficult areas as contented by the APIOs of Kohima District has not been furnished.

The Commission direct the PIO to furnish the same within 10 days from the date of pronouncement of this decision, and confirm the same to the Commission.

Pronounced in open proceeding today.

Copy be sent to

1. Commissioner and Secretary, Rural Development, Nagaland, Kohima.
2. Director, Rural Development, 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

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