

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

No./NIC/Compln-48/2010

Dated Kohima, the 11th August, 2010

Complainant : **Shri R. Paphino Ex-MLA, Kohima DCC
Office Congress Bhavan, Kohima.
Shri Sevotso Seyie, DCC Office,
Congress Bhavan, Kohima.**

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

Date of Hearing : **4.8.2010**
Present : **Shri R. Paphino, Complainant
Shri Sevotso Seyie, Complainant
Shri Visasolie Lhoungu, PIO**

Date of Decision : **11.8.2010**

Facts

The Commission received a complaint on 4.6.2010 from Shri R. Paphino and Shri Sevotso Seyie, D.C.C. Office, Congress Bhavan, Kohima under Section 18 of the Act stating that they had submitted application seeking information under RTI to the PIO cum Project Director, District Rural Development Agency, Kohima on 26.11.2009 but have not received information from the PIO, hence they were submitting complaint to the Commission.

Shri R. Paphino and Shri Sevotso Seyie had sought 2 items of information as follows.

1. Copies of all sanction orders (each scheme/project and names of the villages) sanctioned by the Project Director, DRDA, Kohima to BDOs of Kohima, Chiephobozou, Tseminyu & Jakhama Blocks respectively during 2007 – 2008 and 2008 – 2009.
2. Whether double/triple entry of same person in the job card list in the same village is permissible? If not, (i) whether action can be taken for such undesirable act and the person/s involved in committing such offence (ii) time frame for rectifying such anomaly.

They had submitted complaint to the Commission on 4.6.2010.

During the hearing on 4.8.2010 the PIO Shri V. Lhoungu submitted that he had misplaced the RTI application and hence has not furnished the information sought till date, whereas Shri Paphino stated that they had received part of the information. Hence the hearing was adjourned till 11.8.2010 for the parties to come with the proper information.

During the hearing on 11.8.2010, Shri R. Paphino stated that they had received response to their RTI application, that while the information furnished on item 2 was satisfactory, the information given by the PIO on item 1 is only list of Projects/schemes

and not the copies of all sanction orders sanctioned by Project Director, DRDA Kohima to BDOs Kohima, Chiephobozou, Tseminyu and Jakhama Blocks during 2007-08 and 2008 – 2009.

Shri V. Lhoungu PIO and Project Director, DRDA Kohima submitted that the file dealing with this RTI application is not traceable. He identified his signature on the photocopy of the RTI application of 25.11.2009, which was received by him on 26.11.2010 and endorsed to his office. He could not remember to have given information, but identified the reply given under his signature on 18.1.2010, when Photo copy of the same was produced by the complainants. He informed that neither receipt nor issue register of his office had shown anything about this RTI application and reply.

He submitted that the copies of the sanction orders sought at item No. 1 of the Application can be given.

DECISION

The Commission find that the information sought at item 1 of the application i.e. copies of the sanction orders have not be furnished.

The Commission direct the PIO to furnish the same to the applicant, free of cost, within 10 days from the date of pronouncement of this decision under intimation to the Commission.

The PIO has stated that the RTI application of 25.11.2009 and the office copy of his reply dated 18.1.2010 cannot be located as the entire file dealing with this application is not traceable. A Photocopy each of the RTI Application of 25.11.2009 with the PIO's signature of receipt dated 26.11.2009 and his reply dated 18.1.2010, as submitted by the complainants, are enclosed with this decision.

Pronounced in open proceedings today.

Copy be given to the parties.

Copy be sent to

1. Commissioner & 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

Under Secretary
Nagaland Information Commission
Kohima