

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

No. NIC/Compln-59/2010/

Dated Kohima, the 16th December, 2010.

Complainant : Shri Holuvi Shohe
Phishumi (Village)
V.K. Town.
Zunheboto, Nagaland.
Ph. 9856726372.

Respondent : Department of Works & Housing Nagaland
Public Authority : Office of the Chief Engineer, (Road & Bridges)
PWD Nagaland, Kohima.

Date of Hearing - 16.12.2010

Present -(1) Shri D. Mero, Public Information Officer
& C.E. (R&B) PWD

(2) Shri Hotovi Shohe, Phishumi Village V.K.
Town, Nagaland.

Facts

The Commission received a complaint from Shri Holuvi Shohe Phishumi (Village) V.K. Town, Nagaland under Section 18 of the RTI Act 2005 on 9.11.2010, stating that he had submitted RTI application on 17.9.2010 seeking information relating to improvement of Roads at Akuluto SDO (Civil) Hq addressed to the Public Information Officer, Office of the Engineer (R & B) PWD, Nagaland Kohima but that the PIO had not furnished him the information sought, hence he was submitting complaint for necessary action.

During the hearing on 16.12.2010, the PIO and CE PWD (R&B), Shri D.Mero stated that he had brought the details of the information sought by the Applicant to the Commission today.

The Commission direct that the information be furnished to the applicant/ Complainant today.

The Commission observe that the RTI application seeking information was received by the PIO on 17.9.2010 and the prescribed 30 (thirty) days expired on

16.10.2010 whereas the information is furnished on 16.12.2010 during the hearing. Hence there was a delay of 60 (sixty) days ie from 17.10.2010 to 15.12.2010.

As per Section 20 of the RTI Act 2005, a penalty of Rs. 250/- Per each day of delay, subject to a maximum of Rs 25,000.00, is imposable of the PIO for the delay in furnishing the information without reasonable cause.

DECISION

The Commission therefore direct Shri D.Mero, P.I.O. and C.E. (B&B) PWD, Nagaland to show cause of to why he should not pay penalty of Rs 250/-per day for 60 days (w.e.f. 17.10.2010 to 15.12.2010) subject to maximum of Rs. 25,000.00 for delay in furnishing the information sought, within 10 (Ten) working days for the date of pronouncement of this decision.

Pronounced in open proceedings today.

Copies be given to the Parties.

Copy be sent to:

1. The Commissioner and Secretary (W&H) Nagaland Kohima..
2. The Engineer in Chief PWD 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

Deputy Secretary
Nagaland Information Commission
Kohima