

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

No. NIC/Compln-62/2011/

Dated Kohima, the 12th January , 2011

Complainant : **Shri Achilo Thong,
President, Educated Unemployed
Union, Nagaland.**

**Shri Ezanbemo Erui,
General Secretary, Educated
Unemployed Union, Nagaland.**

Respondent : **Department of Tourism,
Public Authority** **Office of the Director,
Tourism, Nagaland, Kohima.**

Date of Hearing - **12.1.2011**

Present : **Shri K.T. Thomas, PIO and Joint Director, Tourism.**

The complainants are absent.

Facts

The Commission received a Complaint from Shri Achilo Thong, President and Shri Ezanbemo Erui, General Secretary of E.U.U.N., Kohima on 3.12.2010 under section 18 (1) (c) of the RTI Act 2005 stating that they had submitted RTI Application seeking certain information under RTI on 18.10.2010 addressed to the Public Information Officer Directorate of Tourism, Nagaland, Kohima but information has not been received though the prescribed 30 days expired on 18.11.2010, hence they submit complaint to the Commission.

During the hearing on 12.1.2011, Shri K.T. Thomas, PIO and Joint Director of Tourism stated that the RTI application from the complainants was received on 18.10.2010. They had come to the Department 2 times earlier asking for financial assistance for training of unemployed youth, but he had informed them that Tourism was a professionalized field and that they (Department) have no scheme for training of unemployed Youth. Thereafter they submitted RTI application seeking information. The Department was busy for the Horn Bill Festival and hence they were requested to wait for a while, sometime during 20 to 30 November, 2010, which the applicants agreed to. He stated that during the first week of January, 2011, their Office telephoned 2 times to the applicants to come and collect the information. The General Secretary Shri Ezanbemo Erui had replied that he was out of station, hence they would send someone to collect the same. The information has not been collected nor furnished till today.

As the complainants are not present, no statement can be taken from them.

The Commission observe that the information sought in RTI application of 18.10.2010 has still not been furnished though the prescribed 30 days expired on 18.11.2010 and there is a delay from 19.11.2010. As per section 20 of the RTI Act 2005, a penalty @ Rs. 250/- for each day of delay, subject to maximum of Rs. 25,000.00 is imposeable on the PIO for delay in furnishing information sought without reasonable cause.

DECISION

The Commission direct that the information sought should be furnished to the applicants within 10 (ten) days from the pronouncement of this decision under intimation to the Commission.

The PIO Shri K.T. Thomas is directed to show cause as to why he should not pay penalty at the rate of Rs. 250.00 for each day of delay, subject to a maximum of Rs. 25,000.00, from 19.11.2010 to the date on which the information is actually furnished to the applicants, within 10 (ten) days from the date of pronouncement of this decision.

Pronounced in open proceedings today 12.1.2011

Copy be given to the parties.

Copy be sent to

1. Commissioner & Secretary, Tourism, Nagaland, Kohima.
2. Director, Tourism, 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