

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

No. NIC/Compln-62/2010/

Dated Kohima, the 2nd February 2011.

Complainant : Shri. Achilo Thong,
President, Educated Unemployed Union, Nagaland.
Ph. No. 9612169565

Shri. Ezanbemo Erui, General Secretary, Educated
Unemployed Union, Nagaland
Ph. No. 9615847679.

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

Date of Hearing - 12.1.2011

Date of Decision on reply to show cause - 2.2.2011

Present - Shri. Yangpongthung Kikon, Director, Tourism Nagaland
Shri K.T. Thomas, PIO & Jt. Director Tourism
Shri Achilo Thong, President, Educated Unemployed
Union, Nagaland
Shri. Ezanbemo Erui, General Secretary, Educated
Unemployed Union, Nagaland

The Commission in its decision dated 12.1.2011 directed Shri. K.T. Thomas PIO and Joint Director, Tourism, Nagaland to show cause as to why he should not pay penalty at the rate of Rs. 250/- per each day of delay, subject to maximum of Rs. 25,000.00 from 19.11.2010 to the date on which the information sought is furnished, within 10 days from the date of pronouncement of the decision on 12.1.2011.

Shri. K.T. Thomas PIO has accordingly submitted his reply to show cause on 19.1.2011, in which he submitted that the RTI application was received on 18.10.2010, due to preoccupation of the Department for Hornbill Festival (December 1-7, 2010), and Agri Expo thereafter and crash of hard disc of computer, the information sought could not be submitted and could be sent by registered post on 13.1.2011 only. He submitted that the delay was out of ignorance of the RTI provisions and requested that penalty may kindly not be imposed.

The Commission find that the reasons given in reply to show cause are not convincing as the information sought on 18.10.2010 could have been given much before Hornbill Festival, Agri Expo of December 2010.

Decision

The Commission therefore decides to impose penalty on Shri. K.T. Thomas, PIO under section 20 of the RTI Act 2005, at Rs. 250/- per each day of delay from 19.11.2010 to 11.1.2011- 54 days amounting to Rs. 13,500.00 for delay in furnishing information without reasonable cause.

He is directed to pay the amount by depositing it in the Government Treasury through Treasury Challan in favour of

**Consultant (Accounts)
Nagaland Information Commission**

Under

Head of Account '0070' - Other Administrative Services
Minor Head 800 - Other receipts, fines under RTI Act.

Quoting this order number, date, the name of the PIO and Department.

He may pay the penalty amount in 3 equal installment of **Rs. 4000.00** each followed by a last installments of **Rs. 1500/-**.

The first installment should be deposited latest by **4th March 2011** the second installment by **4th April 2011**, the third installment latest by **4th May 2011** and the last installment by **4th June 2011**.

One copy of the Treasury Challan showing deposit and receipt by the Treasury should be given to the Consultant (Accounts) of the Commission latest by **10th of each month of payment**.

Pronounced in open proceeding today.

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