

NAGALAND INFORMATION COMMISSION

Old Secretariat Complex,

Post Box No. 148

Nagaland, Kohima - 797001.

Tel: 0370-2291041, Fax: 0370-2291774, Website: www.nlsic.gov.in



No. NIC/Complaint-4/2014-15

Dated Kohima, the 25th February, 2015.

Complainant(s): 1) Shri. Vikuolie,
H/No. 165,
Lower Midland,
Kohima, Nagaland.
Mobile No. 9612878750

2) Shri. Rovi,
H/No, 210,
Lower Midland,
Kohima, Nagaland.
Mobile No. 9774647651

Respondent: Shri. Kevipodi Sophie,
Project Director & PIO,
DRDA,
Kohima, Nagaland.

Public Authority: Rural Development, Nagaland, Kohima.

Date of first hearing : 05.11.2014 at 1:30 PM.

Date of first Decision : 10.11.2014

Date of second hearing: 12.02.2015 at 1:30 PM.

Date of Final Decision: 25.02.2015.

Present:

1. Shri. Kevipodi Sophie, Project Director & PIO, DRDA, Kohima, Nagaland, Mobile No. 9436005096.
2. Smti. Rosenle Kath, DPO, DRDA, Mobile No. 9436015646.
3. Smti. T. Achila Quinker, DPO, DRDA, Mobile No. 9436009166.
4. Smti. Kevilhoubel-ü, BDO & APIO, DRDA, Sechü Zubza, Kohima, Nagaland, Mobile No. 9856217828.
5. The applicants(now complainants), Shri. Vikuolie, H/No. 165, Lower Midland, Kohima, Mobile No. 9612878750 and
6. Shri. Rovi, H/No, 210, Lower Midland, Kohima, Nagaland, Mobile No. 9774647651.
7. Shri. H. Mukam, Advocate, Upper A.G Colony, Kohima, Mobile No. 8974888785.
8. Shri. Kielie Nakhro, Advocate, Upper A.G Colony, Kohima, Mobile No. 8014214292.

FACT OF THE CASE

The Commission had, on 05.11.2014 at 1:30 PM. heard the Complaint dated 08.09.2014, submitted by two (2) applicants, Shri. Vikuolie, H/No. 165, Lower Midland, Kohima, Mobile No. 9612878750 and Shri. Rovi, H/No, 210, Lower Midland, Kohima, Nagaland, Mobile No. 9774647651, against the non receipt of any information or response from the PIO, DRDA, Kohima, Nagaland, Zubza Block, to their RTI application dated 16.06.2014.

The hearing was held with the following parties:-

1. Shri. Metsubo Jamir, Director & FAA, Rural Development, Nagaland, Kohima.
2. Shri. Kevipodi, Project Director & PIO, DRDA, Kohima, Nagaland.
3. Smti. Thungdeno Mozhui, Joint Director, Rural Development, Nagaland, Kohima.
4. Smti. Kevilhoubel-ü, BDO & APIO, DRDA, Kohima, Nagaland.
5. Smti. T. Achila Quinker, DPO, DRDA, Kohima, Nagaland.

6. Smti. Rosenle Kath, DPO, DRDA, Kohima, Nagaland.
7. The applicants(now complainants), Shri. Vikuolie, H/No. 165, Lower Midland, Kohima, Mobile No. 9612878750 and
8. Shri. Rovi, H/No, 210, Lower Midland, Kohima, Nagaland, Mobile No. 9774647651.

And after hearing the parties on 05.11.2014, the Commission had passed decision vide even No. dated **10.11.2014**.

And after the hearing on 05.11.2014, Shri. Kevipodi Sophie, Project Director & PIO, DRDA, Kohima, Nagaland had, vide letter No. DRDA/002/RTI/SEZ/2014-15/9-12 dated **07.11.2014** furnished the remaining information at **Sl. No. 2 and 3**, regarding the photographs of the works, Muster Roll and Verification Reports of the proposed and approved works under MGNREGA during the financial year 2013-14 to the applicant(now complainant).

In compliance to the decision of the Commission dated 10.11.2014, Shri. Kevipodi Sophie, Project Director & PIO, DRDA, Kohima, Nagaland had, vide letter No. DRDA/002/RTI/GEN-2/2014-15/30-34 dated 25.11.2014 informed that the information had already been furnished to the applicants(now complainants) on 07.11.2014.

On receipt of the information and in compliance to the decision of the Commission dated 10.11.2014, the applicants(now complainants) had submitted to the Commission vide letter dated NIL and which was received by the Commission on 25.11.2014, stating that on thorough examination of the information so received, they were **not satisfied** with the reply since:-

1. Job Cards were not furnished.
2. there were no signatures of the Job Card holders in some master rolls;
3. photographs relating to LAPD and MGNREGA were incomplete.

The Commission has decided to hear the complaint, giving opportunity to the parties, on **10th February, 2015 (Tuesday) at 1:30 PM** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima**.

However, due to the sudden hospitalisation of the State Information Commissioner, the proposed hearing on 10.02.2015 was postponed to 12.02.2015 vide this Commission's letter of even No. dated 10.02.2015.

OBSERVATIONS AND FINDINGS:

Since the complaint case pertains to the DRDA, Zubza Block, Kohima, the Commission had notified only the PIO concerned of the DRDA, Zubza Block, Kohima and the applicants(now complainants) to appear before the Commission for the second hearing on 12.02.2015.

Query No. 1:

During the first hearing held on 05.11.2014 at 1:30 PM., the Director & FAA, Rural Development, Nagaland, Kohima submitted that Job Cards are distributed to the people/holders and hence they are not under the custody of the office or the Department. However, since the Department maintains **Muster Rolls** of the Job Card holders which are available and can be given, Shri. Kevipodi Sophie, Project Director & PIO, DRDA, Kohima, Nagaland had, vide letter No. DRDA/002/RTI/SEZ/2014-15/9-12 dated **07.11.2014** furnished the Muster Rolls.

However, since the applicant(now complainant) had, vide letter dated NIL complained that there were no signatures of the Job Card holders in some muster rolls, during the hearing held on 12.02.2015 at 1:30 PM, Shri. Kevipodi, Project Director & PIO, DRDA, Kohima, Nagaland submitted that since earlier there were no signatures of some beneficiaries or Job Card holders in some of the muster rolls, the beneficiaries/holders and those who received the funds on behalf of the holders were located and their signatures appended/obtained. And after having appended the signatures, he had, vide letter No. DRDA/002/RTI/SEZ/2012-13/46-48 dated 12.01.2015 furnished the Master Rolls with the signatures duly appended by the beneficiaries. A copy was also produced before the Commission during the hearing.

The Commission allowed the applicants(now complainants) to verify and check the Muster Rolls with the signatures appended by the beneficiaries produced by the PIO during the hearing. And after having verified and checked the signatures in the Muster Rolls, the applicants(now complainants) submitted **satisfaction** with the information so received.

Query No. 2:

Since the applicants(now complainants) had earlier complained that the photographs of the works relating to LAPD and MGNREGA so received were incomplete, the PIO submitted that he had already furnished all the photographs whatever available in the office. However, during the hearing, the applicants(now complainants) alleged that the photographs of the works so received were morphed and photoshoped.

The Commission observed that the RTI Act, 2005 is a tool to access information from the public authorities and as long as furnishing of information is concerned, the PIO had already furnished whatever available in the office. However, since the Commission is not a court of arbitration, the applicants(now complainants) is free to approach other appropriate platforms.

The applicants(now complainants) agreed with the Commission and submitted **satisfaction**.

Query No. 3:

During the hearing, the applicants(now complainants) submitted **satisfaction** with the information regarding Verification Reports of the proposed and approved works under MGNREGA during the financial year 2013-14 furnished by the PIO earlier on 07.11.2014.

DECISION:

On the above observations and findings, the Commission decided that since the applicants(now complainants) had submitted **satisfaction** with the information furnished by the PIO and also with the submission of the PIO during the hearing, this complaint case is declared **closed**.

Decision pronounced in presence of all parties present on 12.02.2015.

Copy be given to:-

1. The Director & FAA, Rural Development, Nagaland, Kohima.
2. Shri. Kevipodi, Project Director & PIO, DRDA, Kohima, Nagaland.
3. The applicants(now complainants), Shri. Vikuolie, H/No. 165, Lower Midland, Kohima, Mobile No. 9612878750 and
4. Shri. Rovi, H/No, 210, Lower Midland, Kohima, Nagaland, Mobile No. 9774647651.
5. The Computer Programmer, Nagaland Information Commission for uploading on the website.
6. Office Copy.

Sd/-

BUKCHEM PHOM

State Information Commissioner,
Nagaland.

Authenticated by:-

(WORHONTHUNG EZUNG)

Under Secretary
Nagaland Information Commission