

NAGALAND INFORMATION COMMISSION
Old Secretariat Complex,
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Nagaland, Kohima - 797001.
Tel: 0370-2291595, Fax: 0370-2291774, Website: www.nlsic.gov.in



No. NIC/Appeal-22/2013-14

Dated Kohima, the 22nd April, 2014.

Appellant: Shri. Vikheto Zhimomi, P.R. Hill Colony, Kohima, Nagaland,
Mobile No. 9615115300, 9089896123.

Respondent: 1. Registrar, Cooperative Societies & FAA, Nagaland, Kohima.
2. Joint Registrar of Cooperative Societies & PIO, Office of
the Registrar of Cooperative Societies, Nagaland, Kohima.
3. Executive Director/Senior Executive Officer, MARCOFED Ltd.,
Dimapur.

Public Authority: Registrar of Cooperative Societies, Nagaland, Kohima.

Date of hearing: 22.04.2014

Date of decision: 22.04.2014

Present:-

1. Shri. Zakahe Neikha, Joint Registrar of Cooperative Societies & PIO, Office of the Registrar of Cooperative Societies, Nagaland, Kohima.
2. Shri. T. V. Zhimo, Executive Director/Senior Executive Officer, MARCOFED Ltd., Dimapur.
3. Shri Vilasa Nakro, Executive Director, Office of the Registrar of Cooperative Societies, Nagaland, Kohima.
4. Shri. Vikheto Zhimomi, P.R. Hill Colony, Kohima, Nagaland, Mobile No. 9615115300, 9089896123.
5. Shri Pramo Sethi, J.T. Road, Dimapur, Nagaland, Ph. No.03862-232110.

Background of the case

The applicant, Shri. Vikheto Zhimomi, P.R. Hill Colony, Kohima had submitted a RTI application dated **13.09.2013** addressed to the PIO, Office of the Registrar of Cooperative Societies, A.G Road, Nagaland, Kohima, along with an application fee of Rs. 10/- in cash, seeking information on the following thirteen (13) queries:-

1. Latest revised citizen charter book of the Department may kindly be issued in Xerox copy.
2. Whether District Level Committee on revamping of cooperative societies constituted or not? If constituted, a copy of the same may be issued in Xerox copy for Dimapur & Kohima districts.

3. In which scheme of the Department direct cash transfer system is introduced? Please provide the name of the scheme.
4. Issue of application forms for various type of Department schemes are whether available throughout the year from the office of the Registrar of Cooperative Societies? Kindly provide us the information in detail alongwith the format of all application forms applicable for the year 2013-14.
5. Kindly provide us the Xerox copies of the list of non-functioning/defunct cooperative societies of each district of Nagaland from the year 2011 along with the loan granted and waived off (with Chairman & Secretary name also).
6. Kindly provide me the Xerox copies of the list of registration of new societies from each district of Nagaland from the month of April 2013 to till month along with the list of the scheme to which attached.
7. What is the source of revenue income in the Department? And how much state revenue earned by the Department in the year 2011, 2012 and in which subject matter? Please provide the information in year-wise.
8. What is the reason that the identification of the village under VGB Scheme never verify by the enforcement agency of your respective Department office (Dist.). Please clarify in detail.
9. What are the formalities being observed by the Department for appointment of transporter for implementation of VGB Scheme properly in every district in the subject matter of lifting food grains from FCI and carrying of food grains to the village for delivery purpose? Please provide the information in detail.
10. Kindly furnish Xerox copies of bill certified copy or submission of bill copy of transport of food grains under VGB in the last 10 (ten) years for clearance purpose.
11. Kindly issue Xerox copy of an agreement executed with the party or agency in respect of establishment of VGB by the MARCOFED during the current year (2013-14) and allocation of food grains subsequently there if any.
12. What are the criteria being followed for identification of villages to be covered under VGB Scheme. Please provide the information in detail.
13. Which are the schemes that would come under the purview of Cash Transfer Scheme? What is the progress report and when is it going to be launched in the state? Please supply the information in detail along with guideline copy of the Central Govt., if available, for your respective Department be issued in the Photostat copy.

The above RTI application dated 13.09.2013 was received by the public authority on the same day i.e. **13.09.2013** as evidenced by the photocopy of the above RTI application.

In response to the above RTI application dated 13.09.2013, Shri. Zakahe Neikha, Joint Registrar of Cooperative Societies & PIO, Office of the Registrar of Cooperative Societies, Nagaland, Kohima had, vide letter No. CE-125/2013-14/3613-15 dated **10.10.2013** furnished the information to the applicant along with information pertaining to Query Nos. 3, 8, 9, 10, 11 and 12 which was received from Shri. **T. V. Zhimo, Senior Executive Officer**, MARCOFED Ltd. Dimapur vide letter No. NLF/VGB/2009-10/2973-74 dated 07.10.2013.

On not being satisfied with the information furnished by the Joint Registrar of Cooperative Societies & PIO, Office of the Registrar of Cooperative Societies, Nagaland, Kohima, with regard to Query Nos. 8, 9 and 10, the applicant had filed first appeal dated **19.11.2013** before the Registrar & FAA, Cooperative Societies, Nagaland, Kohima.

The above first appeal dated **19.11.2013** was received by the public authority on 22.11.2013 as evidenced by the photocopy of the above first appeal.

The Joint Registrar of Cooperative Societies & PIO, Office of the Registrar of Cooperative Societies, Nagaland, Kohima had **forwarded the first appeal dated 19.11.2013 to the Managing Director**, Nagaland State Cooperative Marketing and Consumers Federation (MARCOFED) Ltd. Dimapur, since the specified queries (8, 9 and 10) pertained to the MARCOFED Office and with a request to submit detailed information query-wise for onward submission to the applicant by **13.12.2013**.

On receipt of the information pertaining to Query Nos. 8, 9 and 10, from Shri. T. V. Zhimo, Executive Director, MARCOFED Ltd. Dimapur vide letter No. NLF/VGB/2009-10/3086-87 dated 09.12.2013, Smti. T. Imkonglemla Longkumer, Registrar of Cooperative Societies & FAA, Nagaland, Kohima had, vide letter No. CE-125/2013-14/290-92 dated **21.01.2014 furnished the information to the applicant (now appellant)**.

On being not satisfied with the information so furnished by the Registrar of Cooperative Societies & FAA, Nagaland, Kohima, vide letter No. CE-125/2013-14/290-92 dated 21.01.2014, the applicant (now appellant) had preferred second appeal before this Commission on 03.03.2014, stating that he was still not satisfied with the information pertaining to Query **Nos. 8, 9 and 10**.

The Commission found the grounds of the complaint to be tenable and admitted the appeal and fixed hearing on **22nd April, 2014 (Tuesday) at 1:00 PM**, in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima**.

The following concerned were directed to appear before this Commission and **also to bring the files and relevant documents** in question for scrutiny, on the above date and time for hearing:-

1. Smti. T. Imkonglemla Longkumer, Registrar of Cooperative Societies & FAA, Nagaland, Kohima.
2. Shri. Zakahe Neikha, Joint Registrar of Cooperative Societies & PIO, Office of the Registrar of Cooperative Societies, Nagaland, Kohima.
3. Shri. T. V. Zhimo, Executive Director/Senior Executive Officer, MARCOFED Ltd., Dimapur.
4. Shri. Vikheto Zhimomi, P.R.
Hill Colony, Kohima, Nagaland, Mobile No. 9615115300,
9089896123.

Observation

Out of the 13 queries raised by the applicant Vikheto Zhimomi, the concerned PIO and officials of MARCOFED who are dealing with most of the issues raised have replied to the queries without undue delay.

The appellant in the first appeal filed before the RCS and FAA of the Cooperation Department and in the second appeal filed before the Nagaland Information Commission, has

cited the ground for filing the first and second appeals namely, that their replies to query Nos. 8, 9 and 10 were **not satisfactory** and furnished in a **twisted form**.

After hearing the appellant who elaborated the grounds for dissatisfaction with the replies to query Nos. 8, 9 and 10; clarifications furnished by Shri T.V. Zhimo, Executive Director, MARCOFED Limited who was very conversant with the facts of the case, and after examination of the Utilization Certificates as well as the village wise Implementation Certificates produced before the Nagaland Information Commission, the following conclusions were arrived at:

Query No. 8 is **not strictly** speaking an application for information. It is, in fact, a request for clarification as to why the VGB scheme is not verified by the enforcement agencies at the time of identification of the villages under VGB scheme. The Executive Director, MARCOFED elaborately clarified the whole matters of how the VGB scheme is implemented. The Commission finds the clarification verbally furnished by Shri T.V. Zhimo, Executive Director (formerly Sr. Executive Officer), MARCOFED to be satisfactory and adequate. Hence, the Commission did not find any ground for issuing any orders on the subject matter raised in para 8 in view of the reasons given above.

On query No. 9, the appellant clarified that he simply wanted to know the **procedure** followed for appointment of transporters for lifting foodgrains from FCI and delivering the same to the identified villages under VGB scheme. The information has not been adequately furnished by the Public Authority concerned. It accepts the contention of the appellant that the formalities observed by the Public Authority for appointment of transporters for implementation of the VGB scheme has not been furnished by the Public Authority concerned. It is also observed that the implementation of the VGB scheme has been entrusted to MARCOFED and subsequently to M/s Jorlemp Enterprises. The appellant was apparently interested in obtaining information on procedures followed by M/s Jorlemp Enterprises in the appointment of transporters for implementing of VGB scheme. The Commission decided that Shri T.V. Zhimo, Senior Executive Officer (now the Executive Director) MARCOFED shall obtain this information asked for in query No. 9 from M/s Jorlemp Enterprises and furnish the same to the appellants with copy to NIC by 15.05.2014.

On query No.10, the appellant stated that the information furnished to query 10 was not satisfactory as only copies of MOUs signed between the MARCOFED and Sub-Agent M/s Jorlemp Enterprises for the years 2011, 2012 and 2013 and also copies of MOUs signed with M/s Eastern Enterprise for the year 2006 and 2010 were furnished. The information asked for namely, xerox copy bill or bill copy of transportation of foodgrains under VGB for the last 10 years is not furnished by the Public Authority.

Decision and orders

(i) The Commission finds that the query No. 8 is merely seeking a clarification which the Executive Director, MARCOFED has adequately clarified, hence no orders on this needs to be passed.

(ii) **Regarding query No.9**, the Executive Director, MARCOFED shall obtain the information from M/s Jorlemp Enterprises regarding the **formalities** observed for appointment of transporters for implementation of VGB scheme for the period that M/s Jorlemp Enterprises was involved in the implementation of VGB scheme. Similarly,

MARCOFED shall also furnish the utilization of transportation cost for implementation of VGB schemes during the period that the project was implemented by them. In future, Utilization Certificates shall also be countersigned by officials of Food and Civil Supplies Department as per the instructions issued by the Additional Director, Food & Civil Supplies vide letter NO.SPLY-6/9/2010 dated 10-07-2012.

(iii) On query No. 10, the information sought for by the appellant in his application shall be furnished to his satisfaction.

The whole exercise of complying to the orders of the Nagaland Information Commission in respect of query Nos. 9 and 10 shall be completed by 15th May, 2014.

On confirmation of receipt of information to query No. 9 and 10 by the appellants the case shall be declared **closed**.

Decision pronounced in presence of all concerned on 22.04.2014.

Copy be given to :-

1. Smti. T. Imkonglemla Longkumer, Registrar of Cooperative Societies & FAA, Nagaland, Kohima.
2. Shri. Zakahe Neikha, Joint Registrar of Cooperative Societies & PIO, Office of the Registrar of Cooperative Societies, Nagaland, Kohima.
3. Shri. T. V. Zhimo, Executive Director/Senior Executive Officer, MARCOFED Ltd., Dimapur.
4. Shri. Vikheto Zhimomi, P.R.
Hill Colony, Kohima, Nagaland, Mobile No. 9615115300,
9089896123.
5. The Computer Programmer, NIC for uploading on the NIC's website.

Sd/-

Lalhuma, IAS (Rtd)

Chief Information Commissioner,
Nagaland, Kohima

Sd/-

Kevinino P. Meru

State Information Commissioner,
Nagaland

Sd/-

Bukchem Phom

State Information Commissioner,
Nagaland.

Authenticated by

Secretary
Nagaland Information Commission

