

NAGALAND INFORMATION COMMISSION
Old Secretariat Complex
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Nagaland, Kohima – 797001.
Tel: 0370-2291041, Fax: 0370-2291774, Website www.nlsic.gov.in



No. NIC/ Appeal-11/2016-17

Dated Kohima, the 24th November, 2016.

Appellant : Shri. Ashok Kumar Lalmunidevi Gupta,
A-301, New Apoorva Apartment,
Chankya Chowk, Virat Nagar,
Virar (West),
Maharashtra Pin: 401303,
Mobile No. 9967958084, 07208516144,
e-mail: next2ask@gmail.com.

Respondent(s) : (i) Director-cum-Registrar & First Appellate Authority,
The Global Open University Nagaland,
Sodzulhou Village, P.O – ARTC, NH-39,
Dimapur, Nagaland – 797115.

(ii) The AAO & PIO,
The Global Open University Nagaland,
Sodzulhou Village, P.O – ARTC, NH-39,
Dimapur, Nagaland – 797115.

Public Authority : The Global Open University Nagaland,
Sodzulhou Village, P.O – ARTC, NH-39,
Dimapur, Nagaland – 797115.

Date of Hearing : 27.10.2016 at 2:00 P.M
Date of Decision : 24.11.2016

Present:

1. Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9436070457.
2. Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9774418461.

The applicant (now appellant), Shri. Ashok Kumar Lalmunidevi Gupta, A-301, New Apoorva Apartment, Chankya Chowk, Virat Nagar, Virar (West), Pin: 401303, Maharashtra, Mobile No. 9967958084, e-mail: next2ask@gmail.com did not appear.

FACTS OF THE CASE

The applicant, Shri. Ashok Kumar Lalmunidevi Gupta had submitted an RTI application dated 16.04.2016 along with the prescribed application fee of Rs. 10/- paid through Demand Draft addressed to the State Public Information Officer, The Global Open University, Nagaland stating that on having taken admission to M.Sc (Forensic Science) Distance Learning course on 10.11.2015 with Enrolment No. TGOU(N)/PG/82/FCS/2015J he had paid Rs. 24,125/- through Demand Draft No. 038969,

however, since he had not received the study materials and the assignment topics, he had sought the following information:-

- 1) *The reason for delay in sending me the study materials and assignment topics as per records.*
- 2) *The name and designation of officers responsible for the delay.*
- 3) *The tentative date by when the study materials and assignment topics will be provided to me.*
- 4) *Suppose University sends, study Materials and Assignment Topics after 15 days, there is very less time remains for June 2016 exam. Question is why should I suffer, mistake made by other?*
- 5) *Even after lots of Emails, SMSs and Speed Post letter, University hadn't sent a Single Reply, and made me depressed, who shall be responsible for such psychological impact on mind? I am loosing 1 year because of careless attitude of University.*

As submitted by the applicant in his second appeal, the RTI application was received by the Public Authority on 21.04.2016 which was sent by Registered Post bearing No. RK166427826IN dated 16.04.2016.

On not getting any reply to his RTI application from the PIO, The Global Open University, Nagaland within the stipulated time frame of 30 (thirty) days, the applicant had submitted a first appeal dated 06.07.2016 addressed to the Director/Registrar & FAA, The Global Open University, Nagaland by Registered Post bearing No. RK336029199IN dated 06.07.2016.

On not getting any response from the Director/Registrar & FAA, The Global Open University, Nagaland to his first appeal dated 06.07.2016; the applicant had preferred a second appeal dated 03.09.2016 before this Commission. In his second appeal, the applicant had stated that he had received the study material in the month of April 2016, but the assignment topics have not been received till date.

The Commission has decided to hear the Appeal, giving opportunity to all the parties on **27th October, 2016 (Friday) at 2:00 P.M** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima**. The Commission had also directed all the concerned parties to bring the files and relevant documents in question for scrutiny, on the above date and time for hearing.

OBSERVATIONS AND FINDINGS

The applicant (now the appellant), Shri. Ashok Kumar Lalmunidevi Gupta, did not appear for the hearing and there was no information to the Commission regarding his absence.

The appeal was heard in the presence of the Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority and Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland.

During the hearing, Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority submitted that he had vide letter No. GOUN/2-14/16/B dated 14.09.2016 informed the applicant (now appellant) that the study materials had been dispatched by the University on 11.08.2016, and a copy of the above letter was produced before the Commission.

However, the Commission observed that the applicant (now appellant) had in his second appeal stated that he had received the study materials in April 2016 whereas the Assignment topics were not received. Further, it was observed that as stated by the applicant (now appellant) in his second appeal, due to non receipt of the study materials or Assignment topics, it was not possible for him to prepare for the exams in June 2016.

The Commission had scrutinized the information provided to the applicant (now appellant) and observed that except for the query No.3 of the RTI application no other information sought by the applicant (now appellant) was furnished which may not satisfy the applicant (now appellant).

The Commission also viewed seriously the callousness of the PIO in not taking the above RTI matter seriously resulting in huge delay, thus attracting maximum penalty.

DECISION

On the above observations and findings, the Commission decided that:

1. Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland shall furnish the information to the applicant (now appellant) on the remaining four queries of the RTI application dated 16.04.2016 within **30 (thirty) days** from the date of issue of this decision, with a copy to this Commission.
2. On receipt of the information by the applicant (now appellant), the PIO shall confirm satisfaction or non-satisfaction of the information furnished to the applicant (now appellant) and submit a copy to this Commission.
3. The PIO shall submit the date of the receipt of the RTI application dated 16.04.2016 within **30 (thirty) days** from the date of issue of this decision.

The case will be heard again on receipt of the above compliances which shall be notified at a later date.

Decision pronounced in the presence of only the respondents on 27.10.2016.

Copy to:-

1. Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9436070457.
2. Shri. Keluozie Kesiezie, Assistant Administrative Officer & PIO, The Global Open University Nagaland, Sodzulhou Village, P.O – ARTC, NH-39, Dimapur, Nagaland – 797115, Mobile No. 9774418461.
3. The applicant(now appellant), Shri. Ashok Kumar Lalmunidevi Gupta, A-301, New Apoorva Apartment, Chankya Chowk, Virat Nagar, Virar (West), Pin: 401303, Maharashtra, Mobile No. 9967958084, e-mail: next2ask@gmail.com
4. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
5. Office Copy.

Sd/-

TOSHI AIER, IAS (Retd.)
Chief Information Commissioner

Sd/-

CHANBEMO LOTH
State Information Commissioner

Authenticated true copy:

(WORHONTHUNG EZUNG)
Secretary