

NAGALAND INFORMATION COMMISSION

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No.NIC/Appeal-11/2016-17.

Dated Kohima, the 2nd August, 2018.

Sub: Closing Order of Appeal Case.

WHEREAS, under section 19 of the RTI Act, 2005 and in accordance to the Nagaland State Information Commission (Appeal Procedure) Rules, 2005, the Commission had, on three occasions on 27.10.2016 at 2:00 P.M, 22.09.2017 at 1:30 P.M and 15.02.2018 at 1:00 PM heard the second appeal dated 03.09.2016 submitted by Shri. Ashok Kumar Lalmunidevi Gupta, A-301, New Apoorva Apartment, Chankya Chowk, Virta Nagar, Virar next2ask@gmail.com against the non-response of the PIO, The Global Open University Nagaland, Dimapur to his RTI application dated 16.04.2016 and his subsequent first appeal dated 06.07.2016 submitted to the Director-cum-Registrar & First Appellate Authority, The Global Open University, Nagaland, Dimapur.

AND WHEREAS, after the hearings on 27.10.2016 at 2:00 P.M, 22.09.2017 at 1:30 P.M and 15.02.2018 at 1:00 PM, the Commission had passed decisions of even No. dated 24.11.2016, 03.10.2017 and 20.02.2018 respectively.

AND WHEREAS, in compliance to the **Point No.1** of the above third decision dated 20.02.2018, Dr. Imotemsu Ao Director-cum-Registrar & FAA, The Global Open University Nagaland had, vide letter No.GOUN/2-14/16/B VOL-I dated 09.03.2018 wrote to the applicant (now appellant) for confirmation of satisfaction or non-satisfaction of the information so furnished on or before 09.04.2018, failing which the information furnished shall be considered as satisfied.

AND WHEREAS, in compliance to the **Point No.2**, the Commission had, vide letter No.GOUN/2-14/16/B VOL-1/42 dated 23.02.2018 received the explanation for failing to appear in the hearing on 15.02.2018 at 1:00 P.M from the Vice Chancellor. However, the Commission did not accept the above explanation since the Vice Chancellor had submitted on behalf of the Director & FAA and not by the Director & FAA himself to whom the explanation was served.

AND WHEREAS, since the explanation letter submitted above by the Vice Chancellor could not be accepted by the Commission, the Commission had, vide letter of even No. dated 10.04.2018 directed the Director-cum-Registrar & FAA to submit an explanation letter for failure to appear for hearing on 15.02.2018 at 1:00 P.M within 2 (Two) weeks from the date of receipt of the directive.

AND WHEREAS, again on not getting any compliance to Point No.2 despite of giving 2 (Two) weeks time, the Commission had, vide letter of even No. dated 18.06.2018 directed the Director & FAA, The Global Open University, Nagaland to submit an explanation for failure to appear before the Commission for the hearing on 15.02.2018 at 1:00 P.M, within 15 (Fifteen) days from the date of receipt of the directive.

AND WHEREAS, on not getting any compliance to **Point No.3** of the decision, the Commission, had vide letter of even No. dated 10.04.2018 directed the PIO to deposit the imposed penalty amount of ` 25,000/- within 2 (Two) weeks from the date of receipt of the directive.

AND WHEREAS, the PIO, The Global Open University, Nagaland had, vide letter No.GOUN/2-14/B VOL-I/19 dated 18.04.2018 stated that he had complied with Point No.3 of the decision of the Commission. However, since the Commission did not receive the compliance, the Commission had, vide letter of even No. dated 18.06.2018 again directed the PIO, The Global Open University, Nagaland to resubmit the compliance within 15 (Fifteen) days from the date of receipt of the directive.

AND WHEREAS, in compliance to the above directive of the Commission, the PIO, The Global Open University Nagaland had, vide letter No.GOUN/2-14/16/B VOL-II/271 dated 02.07.2018 informed that the University had complied with Point No.3 of the decision of the Commission vide letter No. GOUN/2-14/16/B VOL-I/110 dated 11.04.2018 and No.GOUN/2-14/16/B VOL-I/119 dated 18.04.2018, and a copy of the Treasury Challan No.9 dated 09.04.2018 for an amount of ` 25,000/- towards payment of penalty imposed on him (the PIO) was enclosed.

AND WHEREAS, in the above compliance dated 02.07.2018 submitted by the PIO, a copy of a letter No.No.GOUN/2-14/16/B VOL-I/104 dated 02.04.2018 wherein Dr.Imotemsu Ao, Director & FAA, submitted his reply to the explanation for his failure to attend the hearing on 15.02.2018 in compliance to point No.2 of the decision of the Commission dated 20.02.2018 was found enclosed.

AND WHEREAS, since all the above compliances of Point No.1, 2 & 3 have been received from the Public Authority, the Commission has decided to close the appeal case.

NOW THEREFORE, it is notified to all the parties that this appeal case is hereby declared as **closed**. Therefore

1. Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland.
2. Shri. Keluozie Kesiezie, Asst. Administrative Officer & PIO, The Global Open University Nagaland.
3. The applicant (now appellant), Shri. Ashok Kumar Lalmunidevi Gupta.

Sd/-
CHANBEMO LOTHIA
Chief Information Commissioner

No.NIC/Appeal-11/2016-17.

Dated Kohima, the 2nd August, 2018.

Copy to.

1. The PPS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The PA to the State Information Commissioner (K), Nagaland Information Commission for kind information of the SIC (K).
3. The PA to the State Information Commissioner (R), Nagaland Information Commission for kind information of the SIC (R).
4. Dr. Imotemsu Ao, Director-cum-Registrar & First Appellate Authority, The Global Open University Nagaland, Sodzulhou Village, P.O ARTC, Dimapur, Nagaland.797115, Mobile No. 9436079457.
5. Shri. Keluozie Kesiezie, Asst. Administrative Officer & PIO, The Global Open University Nagaland, Sodzulhou Village, P.O ARTC, Dimapur-797115, Nagaland , Mobile No. 9774418461.
6. 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, 07208516144, e-mail: next2ask@gmail.com.
7. The Consultant (Accounts), Nagaland Information Commission for information.
8. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's Website and Notice Board.
9. Office Copy.

(WORHONTHUNG EZUNG)
Secretary