

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-9/2016-17

Dated Kohima, the 26th September, 2016.

Appellant: Shri. S. Lepzung Jamir,
Managing Director (NESMS) and Social Activist,
Tuli, Mokokchung, Nagaland,
Mobile No. 8413946471,
email: nesmstuli@gmail.com.

Respondents : 1) The Principal Director & FAA,
Health and Family Welfare,
Nagaland, Kohima.

2) Dr. Yankho Lotha,
Mission Director & PIO,
National Health Mission,
Directorate of Health and Family Welfare,
Nagaland, Kohima.

Public Authority : Directorate of Health and Family Welfare, Nagaland, Kohima.

Date of Hearing : 08.09.2016 at 12:00 P.M

Date of Decision : 26.09.2016.

Present:

1. Dr. L. Watikala, Principal Director & FAA, Health and Family Welfare, Nagaland, Kohima, Mobile No. 9436431574.
2. Dr. Yankho Lotha, Mission Director & PIO, National Health Mission, Health and Family Welfare, Nagaland, Kohima, Mobile No. 9436432438.
3. Dr. Joel Koza, Deputy Director, Directorate of Health and Family Welfare, Nagaland, Kohima, Mobile No. 9436078219.
4. Shri. S.Lepzung Jamir, Managing Director (NESMS) and Social Activist, Tuli, Mokokchung, Nagaland, Mobile No. 8413946471, email: nesmstuli@gmail.com.
5. Shri. Moatsungba Meren, Field Worker, NESMS.

FACTS OF THE CASE

An applicant, Shri. S. Lepzung Jamir, Managing Director (NESMS) and Social Activist, Tuli, Mokokchung, Nagaland, Mobile No. 8413946471, email: nesmstuli@gmail.com had submitted an RTI application dated 15.04.2016 alongwith an application fee of Rs 10/- (Rupees ten only) addressed to the PIO, National Health and Rural Mission (NRHM), Nagaland, Kohima seeking the following information:

- i. Incumbency list of ANM, GNM, Lab Technician and such other post which are lying in the entire Community Health Centres (CHC), Sub Centres and District Hospitals from Grade I-Grade-IV. And kindly show the present strength of Lab Technician appointed under NRHM in the entire CHC of Nagaland.
- ii. Detail list of various post appointed under NRHM through Departmental Examination conducted by the concern department NRHM and I want a copy of the Advertisement No. published in the Daily Newspaper and backdoor appointment done by NRHM from January 2014 to till to date from (Grade-II to Grade-IV).
- iii. Detail list of fund sanction by the state and central Govt. for NRHM for various purposes by showing withdrawal certificate obtain from Civil Deposit i.e. finance Department or directly from the Ministry. Provide the detail utilisation certificate

of the fund released in the district wise of Nagaland. And provide detail fund available after utilisation.

The above RTI application dated 15.04.2016 was received by the Public Authority on the same date i.e. 15.04.2016 as evidenced on the body of the application.

On not getting any response to the RTI application from the PIO within the stipulated time period of 30 (thirty) days, the applicant had preferred a first appeal dated 16.06.2016 before the First Appellate Authority, Directorate of Health and Family Welfare, Nagaland, Kohima. The above first appeal was received by the Public Authority on the same date i.e. 16.06.2016 as evidenced on the body of the first appeal letter.

The Mission Director and PIO, National Health Mission, Nagaland, Kohima had, vide No. NRHM/NL-15/37/Part-C/2015-16/9603 dated 17.06.2016 furnished the information to the applicant only after the submission of the first appeal dated 16.06.2016.

On receipt of the above information from the Mission Director & PIO, National Health Mission, on 18.06.2016, the applicant (now appellant) had submitted a second appeal dated 12.07.2016 to the Commission stating that the information was not satisfied as the information provided were totally false and not according to the queries asked in the RTI application.

The Commission had decided to hear the appeal, giving opportunity to all the parties on **8th September, 2016 (Thursday) at 11:00 A.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

During the hearing, the applicant (now appellant), Shri. S. Lepzung Jamir had submitted that he was not satisfied with the following information furnished to him.

Query No. 1. The applicant (now appellant) deposed that he was satisfied with the incumbency list of ANM and GNM, however, the present strength/list of the Laboratory Technicians under NRHM was not furnished.

Dr. Yankho Lotha, Mission Director & PIO, National Health Mission, Health and Family Welfare, Nagaland, Kohima stated that the present strength of Lab Technician appointed under NRHM in the entire CHC of Nagaland had already been furnished; however, the applicant submitted that the information was not received.

Query No. 2. The applicant (now appellant) submitted that the detail list of various post appointed under NRHM through Departmental Examination conducted by the concerned Department i.e. NRHM had been furnished, however the advertisements published in the daily newspapers for appointment against various posts under NRHM and also the list of employees of Grade-II to Grade-IV from January 2014 till date were not furnished to him.

Query No. 3. The applicant (now appellant) submitted that the list of funds sanctioned by the State and Central Govt. for NRHM for various purposes were received, however, the Utilization Certificates of funds released under NRHM were not furnished to him.

During the hearing, Dr. Joel Koza, Deputy Director, NHM, Directorate of Health and Family Welfare, Nagaland, Kohima submitted that the information furnished in reply to query No. 3 was an extract from the Tally software used by the National Rural Health Mission, District Health Society for the financial management. The Deputy Director, further submitted that the audit reports were also done through the software.

The Commission observed that there was delay of **34 (Thirty four) days** in furnishing the information by the PIO for which penalty is attracted, however, this will be taken up in the next hearing.

DECISION

The Commission had heard the depositions made by the parties and on the above observations and findings, directs the PIO to furnish the following information to the applicant (now appellant) **within two (2) weeks** from the date of issue of this decision and with a copy to this Commission:

1. the present strength of the Laboratory Technicians with the list of appointments made under NRHM in the entire CHC in Nagaland State.
2. a copy of the advertisement in the daily Newspapers if any, for appointment in various posts under NRHM and also the list of appointments made without advertisement under NRHM from Grade-II to Grade-IV from January 2014 till date.
3. the Utilization Certificates (UC) under NRHM for fund release including the extracts from the Tally software as stated by the Deputy Director, NHM, Directorate of Health and Family Welfare, Nagaland, Kohima.

On receipt of the above compliances, the Commission shall hear the case again in the next hearing which shall be notified later.

Decision pronounced in presence of all the parties present on 08.09.2016.

Copy to:

1. Dr. L. Watikala, Principal Director & FAA, Health and Family Welfare, Nagaland, Kohima, Mobile No. 9436431574.
2. Dr. Yankho Lotha, Mission Director & PIO, National Health Mission, Health and Family Welfare, Nagaland, Kohima, Mobile No. 9436432438.
3. Dr. Joel Koza, Deputy Director, Directorate of Health and Family Welfare, Nagaland, Kohima, Mobile No. 9436078219.
4. Shri. S.Lepzung Jamir, Managing Director (NESMS) and Social Activist, Tuli, Mokokchung, Nagaland, Mobile No. 8413946471, email: nesmstuli@gmail.com.
5. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
6. Office Copy.

Sd/-

TOSHI AIER, IAS (Retd.)
Chief Information Commissioner

Sd/-

CHANBEMO LOTHIA
State Information Commissioner

Authenticated true copy:-

(WORHONTHUNG EZUNG)
Secretary