

**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-3/2013-14      Dated Kohima, the 6<sup>th</sup> November, 2013

Appellant:                    Shri Shokvulo Khing, Sendenyu village, PO/PS  
   Tseminyu, M.Phone No.9856261959, 9612382100

Respondent:                1. Chief Engineer, PHE Department, Nagaland,  
   Kohima.  
   2. Addl. CE, EE, PHE, Rural Division, Kohima.

Public Authority: Public Health Engineering Department, Nagaland, Kohima.  
Date of hearing:    06.11.2013

Present:

1. Er Kevisekho Kruse, CE & First Appellate Authority, PHED Nagaland, Kohima.
2. Er. J. Walter Longchar, Addl. CE & PIO, Office of the CE, PHED, Nagaland, Kohima.
3. Er. P. Jakpon Kilunger, EE, PHE, Rural Division, Kohima.
1. Shri Shokvulo Khing, Sendenyu village, PO/PS Tseminyu, Nagaland.

**FACTS OF THE CASE**

1. A RTI application dated 26.4.13 was filed by Shokvulo Khing addressed to the PIO (RTI), WATSAN Department of Public Health Engineering, Office of the Chief Engineer, Kohima, alongwith prescribed fees paid in cash requesting for information on WATSAN, Department of Public Health Engineering on the following points:-

- i) Total amount sanctioned to **Sendenyu** village for maintaining of WATSAN from 2007 till date.
- ii) Material allotted to Sendenyu village under WATSAN from 2007.

2. The application along with the prescribed fee was received in the office of the Chief Engineer, PHE, Nagaland, Kohima, vide Receipt No. 740 dated 26.04.2013.

3. The Addl. CE & PIO, Office of the Chief Engineer, PHED, Nagaland, Kohima, had vide letter dated 30.04.2013 furnished information to the applicant as follows:-

- (a) No amount was sanctioned for Sendenyu village during 2007 nor till date to WATSAN Sendenyu village. However, an amount of Rs.1.6905 lakhs was sanctioned to WATSAN Sendenyu New during 2005-06.
- (b) No materials were issued to WATSAN Sendenyu village during 2007 till date.

The applicant, however, submits that the information so furnished was wrong and misleading since in response to another RTI application dated 28.05.2013, the Executive Engineer, PHE, Rural Division, Kohima, had provided some information to the applicant which is contrary to the reply of the Addl. CE & PIO, Office of the Chief Engineer, PHED, Nagaland, Kohima and hence he preferred a complaint before the Nagaland Information Commission.

### **OBSERVATIONS**

The Addl. CE & PIO in the office of the Chief Engineer, PHED vide his letter No.CE/PHE/RTI/2006/49 dated 30.04.2013 had furnished reply as under:-

- (a) No amount was sanctioned for Sendenyu village during 2007, or till date to WATSAN Sendenyu village. However, an amount of Rs.1.6905 lakhs was sanction to WATSAN Sendenyu (New) during 2005-06.
- (b) No materials were issued to WATSAN, Sendenyu village during 2007 nor till date.

The CE, PHE & Addl. CE (PHE) clarified that the information sought by the complainant pertains to Sendenyu village which is NOT included in the Records of PHE Department. They further clarified that only Sendenyu (Old) and Sendenyu (New) village are recorded in the books of the PHE Department for sanction of funds for which details have been furnished by the EE, PHE Rural Division, Kohima.

### **ORDER**

Since the complainant has NOT challenged the statement of the CE (PHE) and the Addl. CE (PHE) has furnished his reply on 30.4.13 clearly

stating that no funds or materials were ever issued against **Sendenyu village**, the Commission concludes that since Sendenyu village does not exist in the records/book of the PHE Department, there is no question of funds or materials being issued to the village. This being the position, the complaint filed by Shokvulo Khing does not have valid grounds and is therefore dismissed and case closed.

Decision pronounced in presence of all concerned.

Copies be given to the:-

1. Er Kevisekho Kruse, CE & First Appellate Authority, PHED Nagaland, Kohima.
2. Er. J. Walter Longchar, Addl. CE & PIO, Office of the CE, PHED, Nagaland, Kohima.
3. Er. P. Jakpon Kilunger, EE, PHE, Rural Division, Kohima.
4. Shri Shokvulo Khing, Sendenyu village, PO/PS Tseminyu, Nagaland.

**(LALHUMA) IAS (Retd)**  
Chief Information Commissioner  
Nagaland Information Commission

**(BUKCHEM PHOM)**  
State Information Commissioner,  
Nagaland, Kohima