

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-10/2014-15

Dated Kohima, the 20th March, 2015.

Complainant: Shri. Renjamomo Yanthan,
Chairman of Makharung Village Council,
P.O. Baghty,
Wokha district,
Nagaland,
Mobile No. 9612993617

Respondents: 1. The District Education Officer & PIO,
Wokha, Nagaland.

2. The Assistant District Co-ordinator,
SSA, District Mission Authority,
Office of the District Education Officer,
Wokha, Nagaland.

Public Authority : Office of the District Education Officer,
Wokha, Nagaland.

Date of Hearing : 12.03.2015 (Thursday) at 2:30 PM.

Date of Decision : 20.03.2015

Present:

1. Shri. N. Marius Lotha, District Education Officer & PIO, Wokha, Nagaland, Mobile No. 9436076907.
2. Shri. P. Zubenthung Humtsoe, Assistant District Co-ordinator, SSA, Office of the District Education Officer, Wokha, Nagaland, Mobile No. 9436442638
3. The applicant(now complainant), Shri. Renjamomo Yanthan, Chairman of Makharung Village Council, P.O. Baghty, Wokha district, Nagaland, Mobile No. 9612993617.

FACT OF THE CASE:

An applicant, Shri. Renjamomo Yanthan, Chairman of Makharung Village Council, P.O. Baghty, Wokha district, Nagaland, Mobile No. 9612993617 had filed a RTI application dated NIL addressed to the District Education Officer & PIO, Wokha, Nagaland, alongwith the prescribed application fee of Rs. 10/- (Rupees ten only) paid vide IPO No. 14C 447388 for Rs. 5.00 and 14C 447389 for Rs. 5.00, seeking the following information:-

- i. *Kindly furnish in photocopy of the estimate prepared for the ongoing L. P School building construction in Makharung Village.*
- ii. *Kindly furnish total amount of the cost of construction allotted by the Govt.*
- iii. *Kindly furnish the total amount already released for the construction to the committee.*
- iv. *Kindly furnish the type of construction i.e. RCC, half RCC etc. and the No. of rooms and its size to be constructed as per the specification in the Work Order.*
- v. *Kindly furnish a copy of the Work Order.*
- vi. *Kindly furnish a photocopy of the purchase of the land for the building construction.*

On receipt of the RTI application dated NIL by the public authority on 26.11.2014, the above RTI application was endorsed/redirected to the ADC, SSA on the same date i.e. 26.11.2014. A copy of the receipt was also enclosed.

Since there was no reply to the above RTI application dated NIL from the concerned PIO within the stipulated time frame of 30 days, the applicant(now complainant) had submitted a complaint dated NIL before this Commission alongwith a total amount of Rs. 10/- (Rupees ten only) vide IPO No. 14C 447855 for Rs. 5.00 and 14C 447856 for Rs. 5.00, stating that there was no response from the District Education Officer & PIO, Wokha, Nagaland within the stipulated time frame of 30 days from the date of receipt on 26.11.2014 to his RTI application dated NIL.

The Commission has decided to hear the complaint, giving opportunity to the parties, on **25th February, 2015 (Wednesday) at 2:30 PM.** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima.**

However, due to some unavoidable circumstances, the Commission had, vide it's letter of even No. dated 20.02.2015 postponed the hearing scheduled on **25th February, 2015 (Wednesday) at 2:30 PM to a later date** and informed the parties that the new date for hearing shall be intimated later.

The Commission had now rescheduled the hearing on **12th March, 2015 (Thursday) at 2:30 PM** vide it's letter of even No. dated 04.03.2015.

OBSERVATIONS AND FINDINGS:

During the hearing on 12.03.2015 at 2:30 PM, Shri. P. Zubenthung Humtsoe, Assistant District Co-ordinator, SSA, District Mission Authority, Wokha, Nagaland had submitted that the RTI application dated NIL was received by the SSA, District Mission Authority(DMA), Wokha only on **08.12.2014** which was transferred by the Office of the DEO, Wokha on **26.11.2014**.

And on receipt of the RTI application dated NIL on **08.12.2014** transferred from the Office of the District Education Officer, Wokha, Nagaland, Shri. N. Marius Lotha, District Education Officer & PIO, Wokha, Nagaland who is also the Member Secretary of SSA(DMA), Wokha had, vide letter No. DEOW/SSA-5/2003-04 dated **12.12.2014** furnished the information to the applicant(now complainant). A copy of the information so furnished was also produced before the Commission.

The applicant (now complainant) had, vide letter dated 19.02.2015, submitted that since he stays at Makharung Village, he had authorised and entrusted his daughter, Ms. R. Arhoni Yanthan who stays at Wokha to receive the information on his behalf. And accordingly, his daughter, Ms. R. Arhoni Yanthan had received the information on **15.12.2014**. However, due to communication gap between his daughter and himself, the information was not received on time and for which he had filed complaint before this Commission. Now that since he had received the information and is **satisfied** with the information so received, he now withdrew his complaint against the Office of the District Education Officer, Wokha, Nagaland.

The Commission appreciated that on receipt of the RTI application dated NIL transferred from the Office of the District Education Officer, Wokha, Nagaland, the SSA(DMA), Office of the District Education Officer, Wokha, Nagaland had promptly furnished the information to the applicant(now complainant) within the 30 days time limit under the RTI Act, 2005. And since the information was furnished within the 30 days time limit, the Commission observed that penalty is not attracted.

The Commission, however, cautioned the applicant(now complainant) to take RTI matters seriously and should not withdraw his complaint after the Commission issue notice for hearing.

DECISION

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

1. since the applicant(now complainant) had received the information and is **satisfied** with the information so received, the complaint is hereby declared **closed**.

2. since there is no fee for filing complaints or second appeals before this Commission, the total amount of Rs. 10/- (Rupees ten only) paid vide IPO No. 14C 447855 for Rs. 5.00 and 14C 447856 for Rs. 5.00 is hereby returned to the applicant(now complainant).

Complaint heard in the presence of all parties present on 12.03.2015.

Copy be given to the parties:

1. Shri. N. Marius Lotha, District Education Officer & PIO, Wokha, Nagaland, Mobile No. 9436076907.
2. Shri. P. Zubenthung Humtsoe, Assistant District Co-ordinator, SSA, Office of the District Education Officer, Wokha, Nagaland, Mobile No. 9436442638
3. The applicant(now complainant), Shri. Renjamomo Yanthan, Chairman of Makharung Village Council, P.O. Baghty, Wokha district, Nagaland, Mobile No. 9612993617. The IPOs No. 14C 447855 for Rs. 5.00 and 14C 447856 for Rs. 5.00 is hereby returned to him.
4. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
5. Office Copy.

Sd/-
(KEVININO P. MERU)
Chief Information Commissioner

Authenticated true copy:-

(WORHONTHUNG EZUNG)
Under Secretary