

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-12/2014-15

Dated Kohima, the 21st March, 2015.

Complainant: Shri. Medokul Sophie, Ex- MLA,
General Secretary (Admn),
NPCC,
Congress Bhavan,
Kohima, Mobile No. 9436000177.

Respondent: The Project Director,
Nagaland Health Project (World Bank),
Directorate of Health & Family Welfare,
Nagaland, Kohima.

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

Date of Hearing : 12.03.2015 (Thursday) at 11:00 AM.

Date of Decision : 21.03.2015

Present:

1. Dr. (Mrs) N. L. Changkija, Managing Director/ Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima, Mobile No. 9436001614.
2. Dr. Yankho Lotha, Additional Director & PIO, Directorate of Health & Family Welfare, Nagaland, Kohima, Mobile No. 9436432438.
3. The applicant(now complainant), Shri. Medokul Sophie, Ex- MLA, General Secretary (Admn), NPCC, Congress Bhavan, Kohima, Mobile No. 9436000177 did not appear for the hearing. However, the following representatives on his behalf appeared for the hearing:-
 - i. Shri. Anguto Sophie, Daklane, Near Rengma Church, Kohima, Mobile No. 8794504107;
 - ii. Shri. Kevisvevo Sophie, Daklane, Kohima, Mobile No. 9612605232; and
 - iii. Shri. Vizero Kin, Raj Bhavan, Kohima, Mobile No. 9402815749.

FACT OF THE CASE:

An applicant, Shri. Medokul Sophie, Ex- MLA, General Secretary (Admn), NPCC, Congress Bhavan, Kohima, Mobile No. 9436000177 had filed a RTI application dated 17.11.2014 addressed to the PIO, Directorate of Health & Family Welfare, Nagaland, Kohima alongwith the prescribed application fee of Rs. 10/- (Rupees ten only) in cash, seeking copy of the following information of the selected candidates relating to the advertisement No. DHFW/WB/PMU/HR/2014-15 for the post of Procurement Officer and the examination and interview held on 12th November, 2014:-

- i. Qualification Certificates*
- ii. Work Experience Certificates*
- iii. Answer sheet of all the candidates who appeared for the exam.*
- iv. Total marks scored.*

On receipt of the above RTI application dated 17.11.2014, on the same day i.e. 17.11.2014, the Additional Director & PIO, Directorate of Health & Family Welfare, Nagaland, Kohima had, vide letter No. DHFW-19/RTI/55/2014-15 dated Nov. 2014 transferred it to the Mission Director, National Health Mission (NHM), Directorate of Health & Family Welfare, Nagaland, Kohima requesting to furnish the information directly to the applicant and under

intimation to his section. A copy of the above letter re-directing the RTI application was also endorsed to the applicant.

And on receipt of the above RTI application dated 17.11.2014 transferred by the Additional Director & PIO, Directorate of Health & Family Welfare, Nagaland, Kohima, the Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima had, vide letter No. DHFW/WB/NHP/RTI/2014-15 dated 11.12.2014 furnished the information to the applicant as follows:-

- i. The Qualification and Work Certificates for query Nos. 1 and 2 of the selected candidate has been duly verified by competent authority and is summarised in the attachment.*
- ii. The Answer sheet of all the candidates has been duly examined as part of the selection process and are submitted in original to the World Bank for verification as per the requirement. As this item falls under RTI Act, clause 8(j), it could not be shared.*
- iii. Total marks scored has been published in the Nagaland State Health Department's website and attached for reference.*
Further, the link to the website where the information relating to the selection process is available was given.

On receipt of the information from the Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima, the applicant (now complainant) submitted a complaint dated 19.12.2014 before this Commission stating that he was not satisfied with the information so received as the information provided was **incomplete**.

The Commission has decided to hear the complaint, giving opportunity to the parties, on **25th February, 2015 (Wednesday) at 11:00 AM.** 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 11:00 AM 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 11:00 AM** vide it's letter of even No. dated 04.03.2015.

OBSERVATIONS AND FINDINGS:

During the hearing, the applicant (now complainant) had submitted an Authorisation Letter dated 11.03.2015 authorising Shri. Anguto Sophie to represent the complaint case on his behalf.

The Commission appreciates the prompt action of Dr. Yankho Lotha, Additional Director & PIO, Directorate of Health & Family Welfare, Nagaland, Kohima by transferring the RTI application dated 17.11.2014 on the same day i.e. 17.11.2014 to the Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima to furnish the information to the applicant since the matter was relating to the Nagaland Health Project (World Bank), and with a copy to the applicant.

The Commission also observed that on receipt of the RTI application dated 17.11.2014 transferred by Dr. Yankho Lotha, Additional Director & PIO, Directorate of Health & Family Welfare, Nagaland, Kohima, Dr. (Mrs) N. L. Changkija, Managing Director/ Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima had furnished the information to the applicant within the 30 days time limit.

During the hearing, the authorised representative of the applicant (now complainant), Shri. Anguto Sophie submitted that he was not satisfied with the information so received as the information provided was **incomplete** since he had received only the result of the Procurement Officer under Nagaland Health Project (World Bank) of the selected candidates alongwith their

marks obtained and ranks and the summary of the **details of the selected candidate**, Ms. R. C. Arenla Tzudir wherein the Educational Qualification and Experiences were mentioned.

During the hearing, Dr. (Mrs) N. L. Changkija, Managing Director/ Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima submitted that the **Applicant list for the post of Procurement Officer** wherein the educational qualifications, work experiences, years of experiences etc. of the candidates were mentioned was furnished, however since the applicant (now complainant) had not received, a copy was handed over to the applicant in the presence of the Commission.

Further, Dr. (Mrs) N. L. Changkija, Managing Director/ Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima, submitted that since the project is funded by the World Bank, the World Bank had set the question papers and even corrected the answer scripts, and basing on the total marks scored, the candidates were selected. However, on receipt of the RTI application seeking for the answer sheets, she had requested the answer sheets from the World Bank and produced before the Commission during the hearing.

However, on the enquiry by the Commission whether the consent of the selected candidate was sought or obtained, Dr. (Mrs) N. L. Changkija, Managing Director/ Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima submitted that the selected candidate, Ms. R. C. Arenla Tzudir had **verbally** agreed to show her Certificates and answer sheets but not to furnish them to the applicant.

The Commission allowed the authorised representative of the applicant (now complainant), Shri. Anguto Sophie to inspect the Qualification Certificate, Work Experience Certificates and the answer sheets of the selected candidate, Ms. R. C. Arenla Tzudir but did not allow to be furnished to the applicant as desired by the selected candidate.

And on scrutiny of the Educational Qualification Certificate, Work Experience Certificates and the answer sheets of the selected candidate, Ms. R. C. Arenla Tzudir during the hearing before the Commission, the authorised representative of the applicant (now complainant), Shri. Anguto Sophie submitted that he was satisfied with the Qualification Certificate, the marks scored and the Answer sheets of the above selected candidate. However, he submitted that the information provided was **incomplete** and hence not satisfied since the Work Experience Certificates submitted by the selected candidate were for (i) Assistant Accounts Officer, ICFAI from 2007 to Nov. 2010 and (ii) Administrative & Accounts Officer, State Training Resource Centre from Dec. 2010 to Dec. 2013 only, and that for Accounts Officer, CIHSRC from Jan. 2014 till date, there was only an Identity Card instead of Work Experience Certificate.

In response, Dr. (Mrs) N. L. Changkija, Managing Director/ Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima explained that Work Experience Certificate for Accounts Officer, CIHSRC from Jan. 2014 till date was not submitted by the candidate and hence could not be furnished since the selected candidate was still working as Accounts Officer in the CIHSRC at the time of applying the job/post. However, instead a copy of her Identity Card for Accounts Officer in the CIHSRC was submitted as a proof of document that the candidate was working in the CIHSRC. And whatever documents submitted by the candidates, the World Bank had accepted and basing on the scrutiny of the Educational Qualifications, Work Experience Certificates, marks scored and other documents submitted by the candidates, the World Bank had selected for the appointment.

Further, Dr. (Mrs) N. L. Changkija, Managing Director/ Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima submitted that as requested, whatever documents/information available had already been furnished to the applicant (now complainant) and that there was no malafide intention to hide any information.

The authorised representative of the applicant (now complainant), Shri. Anguto Sophie submitted satisfaction with the information furnished earlier and the explanation of the Managing Director/ Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima.

DECISION

On the above observations and findings, since all documents whatever available had already been furnished to the applicant (now complainant) within the 30 days time limit and that the authorised representative of the applicant (now complainant), Shri. Anguto Sophie had also submitted satisfaction with the information so furnished and the explanation of the Managing Director/ Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima, the Commission decided to declare the case **closed**.

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

Copy be given to the parties:

1. Dr. (Mrs) N. L. Changkija, Managing Director/ Project Director, Nagaland Health Project (World Bank), Directorate of Health & Family Welfare, Nagaland, Kohima, Mobile No. 9436001614.
2. Dr. Yankho Lotha, Additional Director & PIO, Directorate of Health & Family Welfare, Nagaland, Kohima, Mobile No. 9436432438.
3. The applicant(now complainant), Shri. Medokul Sophie, Ex- MLA, General Secretary (Admn), NPCC, Congress Bhavan, Kohima, Mobile No. 9436000177.
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

Sd/-

BUKCHEM PHOM
State Information Commissioner

Authenticated true copy:-

(WORHONTHUNG EZUNG)
Under Secretary