

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-14/2014-15

Dated Kohima, the 9th April, 2015.

Complainant: Shri. Kevingol,
LRSO,
Directorate of Land Records & Survey,
Nagaland, Dimapur.
Mobile No. 9436414955.

Respondent: The concerned PIO,
Directorate of Land Records & Survey,
Nagaland, Dimapur -797112.

Public Authority: Directorate of Land Records & Survey,
Nagaland, Dimapur -797112.

Date of Hearing : 07.04.2015 at 1:30 PM.

Date of Interim Decision : 09.04.2015

Present:

1. The applicant(now complainant), Shri. Kevingol, LRSO, Directorate of Land Records & Survey, Dimapur, Nagaland, Mobile No. 9436414955.

The concerned PIO, Directorate of Land Records & Survey, Nagaland, Dimapur **did not appear** for the hearing.

FACT OF THE CASE:

An applicant, Shri. Kevingol, LRSO, Directorate of Land Records & Survey, Dimapur, Nagaland, Mobile No. 9436414955 had, alongwith another co-applicant, Shri. Merenkaba, LRSO, Zunheboto filed an RTI application dated 02.12.2014 addressed to the Right to Information Officer, Land Records & Survey Department, Dimapur, Nagaland stating that the Government of Nagaland had promoted Shri. Razu-o Dozo, LRSO, Phek to the post of Assistant Director, Land Records & Survey, Dimapur through backdoor promotion and superseded three(3) senior Land Records & Survey Officers vide Government letter No. LR/1-29/87 (Pt)/508 dated Kohima the 30th Sept. 2014, and had sought the following photocopies of the service documents of Shri. Razu-o Dozo which were required by the court so as to justify their case in the competent court:-

- i. Appointment Order with related documents;*
- ii. Promotion Orders and retrospective orders; and*
- iii. Joining Report/Charge Sheets.*

There was no mention of any payment of the prescribed application fee of Rs. 10/- (Rupees ten only) nor any record regarding proof of payment enclosed by the applicant.

On not getting any information from the Directorate of Land Records & Survey, Dimapur, Nagaland to his RTI application dated 02.12.2014 within the stipulated time frame of 30 days, the applicant, Shri. Kevingol, LRSO, Directorate of Land Records & Survey, Dimapur, Nagaland, Mobile No. 9436414955 had preferred a complaint dated 18.02.2015 before this Commission. The above applicant(now complainant) had also, in his complaint stated that the office had on **16.01.2015** received his RTI application dated 02.12.2014 which was submitted on **09.12.2014** and had enclosed a photocopy of the Receipt Register wherein his RTI application dated 02.12.2014 was received by the office on 16.01.2015 was recorded. Further, a copy of Speed Post No. EE430206874IN dated **02.03.2015** addressed to Kevingol, Dimapur from the Director, Kohima was also enclosed.

The Commission has decided to hear the complaint, giving opportunity to the parties, on **7th April, 2015 (Tuesday) at 1:30 PM** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima**. The Commission had also directed the parties **to bring the files and relevant documents** in question for scrutiny on the above date and time for hearing.

OBSERVATIONS AND FINDINGS:

As per the tracking records from the website, the Notice for hearing dated 25.03.2015 which was sent to the concerned PIO, Directorate of Land Records & Survey, Nagaland, Dimapur vide Speed Post No. EE430098551IN dated 25.03.2015 was delivered on **26.03.2015**. However, the Commission did not receive any prior information from the concerned PIO, Directorate of Land Records & Survey, Nagaland, Dimapur for not appearing before the Commission for the hearing.

The Commission observed that there was no mention of any payment of the prescribed application fee of Rs. 10/- (Rupees ten only) nor any record regarding proof of payment enclosed by the applicant in his complaint to the Commission.

During the hearing, the Commission enquired from the applicant(now complainant) regarding the copy of receipt of Speed Post No. EE430206874IN dated 02.03.2015 addressed to Kevingol, Dimapur from the Director, Kohima which was enclosed in his complaint to the Commission.

In response, the applicant(now complainant) submitted that since he did not enclose the application fee of Rs. 10/- earlier in his RTI application, he had sent the prescribed application fee amounting to a total amount of Rs. 10.00 vide two (2) IPOs bearing No. 14C 442041 dated 26.03.2015 for Rs. 5.00 and 14C 442042 dated 26.03.2015 for Rs. 5.00 to the public authority by Speed Post No. EE430206874IN dated 02.03.2015. However, due to clerical error, the receipt was wrongly printed as addressed 'to Kevingol, Dimapur from the Director, Kohima', instead of 'to the Director, Land Records & Survey, Dimapur from Kevingol'.

Further, the applicant(now complainant) had submitted that since the postal receipt of the Speed Post No. EE430206874IN dated 02.03.2015 was printed wrongly, he had again sent the photocopies of the above two (2) IPOs paid for the application fee by Speed Post No.

EE430098335IN dated 26.03.2015 addressed to the Director, Land Records & Survey, Dimapur from Kevingol. And photocopies of the receipt of the Speed Post No. EE430098335IN dated 26.03.2015 and the two (2) IPOs bearing No. 14C 442041 dated 26.03.2015 for Rs. 5.00 and 14C 442042 dated 26.03.2015 for Rs. 5.00 were produced before the Commission.

INTERIM DECISION

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

1. since the Commission did not receive any prior information from the concerned PIO, Directorate of Land Records & Survey, Nagaland, Dimapur for not appearing before the Commission for the hearing though the Notice for hearing dated 25.03.2015 was delivered on 26.03.2015, the Commission serves an **explanation call** to the concerned PIO, Directorate of Land Records & Survey, Nagaland, Dimapur for failure to appear for the hearing on 07.04.2015 at 1:30 PM.

2. since the concerned PIO, Directorate of Land Records & Survey, Nagaland, Dimapur did not appear before the Commission for the hearing, the Commission reserves its judgment/decision for the next hearing. And in order to give opportunity of being heard of the concerned PIO, the Commission notifies that the next hearing shall be held on **28th April, 2015 (Tuesday) at 12:00 PM** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima.**

Complaint heard and Interim Decision pronounced on this day, the 07.04.2015.

Copy be given to the parties:

1. The concerned PIO, Directorate of Land Records & Survey, Dimapur, Nagaland-797112.
2. The applicant(now complainant), Shri. Kevingol, LRSO, Directorate of Land Records & Survey, Dimapur, Nagaland, Mobile No. 9436414955.
3. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
4. Office Copy.

(BUKCHEM PHOM)
State Information Commissioner,
Nagaland.