

**NAGALAND INFORMATION COMMISSION**

**Old Secretariat Complex,**

**Post Box No. 148**

**Nagaland, Kohima - 797001.**

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No. NIC/Complaint-3/2014-15

Dated Kohima, the 16<sup>th</sup> September, 2014.

Complainant: Shri. Tsuktimeren,  
Chairman,  
Kichutip Ward,  
Mokokchung Town, Nagaland,  
Mobile No. 9856582291,  
C/o Sashiyanger,  
Surveyor,  
DNRE, Nagaland, Kohima

Respondents: 1. The Chief Engineer & First Appellate Authority,  
Power, Nagaland, Kohima.  
  
2. The Executive Engineer,  
Mokokchung Electrical Division,  
Mokokchung, Nagaland.

Public Authority: Power, Nagaland, Kohima.

Date of Hearing: 09.09.2014 (Tuesday) at 12:00 PM.

Date of Interim Decision: 16.09.2014.

Present:

1. Er. Imli Kumzuk Ao, Additional Chief Engineer, Power, Nagaland, Kohima represented the Chief Engineer & First Appellate Authority, Power, Nagaland.
2. Er. Moa Aier, Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung, Nagaland.
3. The applicant(now the complainant), Shri. Tsuktimeren, Chairman, Kichutip Ward, Mokokchung Town, Nagaland, Mobile No. 9856582291, C/o Sashiyanger, Surveyor, DNRE, Nagaland, Kohima.
4. Shri. Imti Longchar, Advocate, Kohima, Mobile No. 9436000489.
5. Shri. Sashi Imchen, Secretary, Kichutip Ward, Mokokchung, Nagaland, Mobile No. 9436215369.
6. Shri. I. Panger Kichu, Ex-Member, Kichutip Ward, Mokokchung, Nagaland, Mobile No. 9436607982.
7. Shri. Alemnnungsang, Member, Kichutip Ward, Mokokchung, Nagaland, Mobile No. 9615193033.
8. Shri. Sanglipong, Member, Kichutip Ward, Mokokchung, Nagaland, Mobile No. 9856363695.
9. Ms. Mongyung Konyak, Advocate, Kohima Mobile No. 9862593953.
10. Ms. Elizabeth Ezung, Advocate, Kohima Mobile No. 9436612592.
11. Ms. Mhayani Kikon, Advocate, Kohima Mobile No. 9856337015.

**FACT OF THE CASE:**

An applicant, Shri. Tsuktimeren, Chairman, Kichutip Ward, Mokokchung Town, Nagaland, Mobile No. 9856582291, C/o Sashiyanger, Surveyor, DNRE, Nagaland, Kohima had submitted an RTI application dated 12.03.2014 addressed to the Executive Engineer, Mokokchung Electrical Division, Mokokchung, Nagaland, stating that there are two transformer at Kichutip Ward, Mokokchung Town, from which 241 households are using electricity and from the same line another 140 households from the neighbouring wards are also using electricity, and all those households are metered from one single meter point. However, single electricity bill is served to only 241 households which had been paid from June, 2011 to October, 2013. And since the billing has been done from one single meter point for 381 households

(241+140), the applicant(now the complainant) desired to know the detail of the bill amount month-wise that has been paid by 140 households from 2011 to October, 2013.

The above RTI application dated 12.03.2014 was received by the Office of the Executive Engineer, Mokokchung Electrical Division, Mokokchung, Nagaland on the same day i.e. 12.03.2014 as evidenced on the body of the above RTI application. However, on not getting any response to his RTI application dated 12.03.2014 within the stipulated time frame, the applicant had submitted a reminder letter dated 03.06.2014 to the Executive Engineer, Mokokchung Electrical Division, Mokokchung, Nagaland requesting to furnish the information within one (1) week. The reminder letter was received by the SDO(TC), Electrical Division, Mokokchung, Nagaland on the same day i.e. 03.06.2014 as evidenced on the body of the above reminder letter.

On not getting any response or information in regard to his RTI application dated 12.03.2014 from the Office of the Executive Engineer, Mokokchung Electrical Division, Mokokchung, Nagaland, the applicant(now complainant) had submitted a complaint dated 07.07.2014 before this Commission.

And since there was neither any reply to his RTI application dated 12.03.2014 within the stipulated time frame of 30 days nor to his reminder letter dated 03.06.2014, the Commission had fixed for hearing the complaint, giving opportunity to the parties, on **9<sup>th</sup> September, 2014 (Tuesday) at 12:00 PM.**

### **OBSERVATIONS AND FINDINGS:**

The applicant(now complainant) was represented by Shri. Imti Longchar, Advocate, Kohima.

During the hearing on 09.09.2014, Er. Moa Aier, Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung submitted that the information sought by the above applicant (now complainant) was not with the public authority since his office maintains the bills for the wards as a whole and no individual ward-wise bills are maintained.

And since the information sought in the RTI application dated 12.03.2014 regarding the '*neighbouring wards*' refers to Aongza Ward in Mokokchung, Er. Moa Aier, Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung had, vide letter No. MEL/TB-53/305 dated **23.04.2014** written to the Chairman of Aongza UEMB (Urban Electricity Management Board), Mokokchung to furnish the details of '*bill amount month-wise that has been paid by 140 households from 2011 to October, 2013*' which are maintained by the Aongza UEMB for onward submission to the applicant. A copy of this letter was also endorsed to the Chairman of Aongza Ward, Mokokchung.

Shri. Aliyangba, Chairman of Aongza UEMB, Mokokchung had vide letter No. Nil dated **21.05.2014** replied to the Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung that the month-wise bill amount from 2011 to October, 2013 paid by those 140 households were recorded and calculated from the cut points maintained for the purpose, and had requested the PIO to refer his official records.

Not satisfied with the reply since the Chairman of Aongza Ward, Mokokchung did not provide the required details, the Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung had again, vide letter No. MEL/TB-7/20 dated **05.06.2014** written to the Chairman of Aongza UEMB, Mokokchung clarifying that the UEMB(Urban Electricity Management Board) maintains the detailed records and that the Department maintains only the records of the monthly SPM (Single Point Metering) billed and paid amount. The PIO had also enclosed a **format** for **103 households** requesting the Chairman of Aongza UEMB, Mokokchung to furnish the month-wise details as requested for onward submission to the applicant. A copy of this letter was also endorsed to the Chairman of Kichutip Ward and the Chairman of Aongza Ward.

Meanwhile, the Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung had, vide letter No. MEL/TB-53 dated **02.06.2014** informed the applicant, Shri. Tsuktimeren, Chairman, Kichutip Ward, Mokokchung Town that the requisite information was being sought from the Aongza Ward as the concerned Ward UEMB maintains the payment

details of the 140 households, and that the information was awaited. The PIO also clarified that Kichutip Ward which comprises of about 241 households is supplied through 2 transformers located within Kichutip and one incoming LT feeder from the power house at Salangtem. There are 5 Nos. of point meters to Aongza feeding about 140 households at Aongza from these transformers. Also as per the 'Model Rules and Additional Conditions of Supply, 2004 Part-II, 5(i)', billing is calculated on a SPM (Single Point Metering) basis by deducting from originating ward/areas (Kichutip in this case) as determined by the cut-point meters and added to the bill of the ward/areas(Aongza in this case). Thus, each SPM bill served to a UEMB is for energy consumed confined within that ward only. Moreover, he added that there are 37 Nos. of such similar cut-points across the various Wards/UEMBs in Mokokchung town.

The Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung had also, vide letter No. MEL/TB-53/58 dated 26.08.2014 informed the Commission of the above action taken and the correspondences and clarified that the allegations of the applicant(now complainant) that '*the billing has been done from one single meter point for 381 households (241+140)*', **was not correct** as the inter-ward bills are bifurcated based on inter-ward boundary meters. The PIO also submitted that he had explained to the applicant a number of times including demonstration at site on joint inspection. Further, while verifying the number of consumers as claimed by the applicant(now the complainant), the total number of consumers in Aongza Ward part supplied from the said transformer was found to be **103 Nos. and not 140 Nos.** Furthermore, the monthly consumer bills and payment details within the UEMBs are maintained by the concerned UEMBs.

Again, the Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung had, vide letter No. MEL/TB-53/60 dated 08.09.2014 informed the Commission that on receipt of the information on 05.09.2014, regarding the requisite consumer payment details from the Aongza Ward UEMB vide its letter dated 31.08.2014, the information was forwarded to the applicant (now complainant) on **08.09.2014**.

During the hearing, the Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung furnished the information sought by the applicant stating that the information was not under him for which it took so long in corresponding with the Aongza Ward UEMB to get the information.

And on the direction of the Commission, the applicant, after having availed the permitted time in going through the details of the information he received during the hearing, stated that he was **not satisfied** with the information so received as it contained only 123 consumers whereas the information sought was for the 140 actual number of consumers/households.

The Commission also pointed out that the **format** given by the Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung vide letter No. MEL/TB-7/20 dated **05.06.2014** to the Chairman of Aongza UEMB, Mokokchung to furnish the month-wise details was for **103 households**, however, the information furnished by the Aongza Ward was for **123 households**, and whereas the applicant (now complainant) claimed in his RTI application dated 12.03.2014 was for **140 households**.

Er. Moa Aier, Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung clarified that the Department had switched over to a new system from the old system **in 2011** and during the transition period some under billings might have occurred, and that he had simply furnished the information whatever the Aongza Ward had forwarded to him.

### **INTERIM DECISION**

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

1. The PIO shall furnish the correct information to the applicant(now the complainant) and with a copy to this Commission within **two (2) months** from the date of receipt of this Interim Decision.

2. The applicant shall also authenticate the number of 140 consumers with the support of appropriate/competent records as evidence in the next hearing, which shall be intimated later.

This complaint case shall be declared closed only after compliance to the above decision of the Commission is received.

Complaint heard in the presence of all parties present on 09.09.2014.

Copy be given to the parties:

1. Er. Imli Kumzuk Ao, Additional Chief Engineer, Power, Nagaland, Kohima represented the Chief Engineer & First Appellate Authority, Power, Nagaland.
2. Er. Moa Aier, Executive Engineer & PIO, Mokokchung Electrical Division, Mokokchung, Nagaland.
3. The applicant(now the complainant), Shri. Tsuktimeren, Chairman, Kichutip Ward, Mokokchung Town, Nagaland, Mobile No. 9856582291, C/o Sashiyanger, Surveyor, DNRE, Nagaland, Kohima.
4. Shri. Imti Longchar, Advocate, Kohima, Mobile No. 9436000489.
5. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's website.
6. Office Copy.

**Sd/-**  
**(BUKCHEM PHOM)**  
State Information Commissioner,  
Nagaland.

Authenticated by:-

**(SOYIMNA AIER KOZA)**  
Secretary