

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-4/2014-15

Dated Kohima, the 10th November, 2014.

Complainant(s): 1) Shri. Vikuolie,
H/No. 165,
Lower Midland,
Kohima, Nagaland.
Mobile No. 9612878750

2) Shri. Rovi,
H/No, 210,
Lower Midland,
Kohima, Nagaland.
Mobile No. 9774647651

Respondent(s): 1) The Director & FAA,
Rural Development,
Nagaland, Kohima.

2) The concerned PIO,
DRDA,
Zubza Block.
Kohima, Nagaland.

Public Authority: Rural Development, Nagaland, Kohima.

Date of hearing: 05.11.2014 at 1:30 PM.

Date of Decision: 10.11.2014

Present:

1. Shri. Metsubo Jamir, Director & FAA, Rural Development, Nagaland, Kohima.
2. Shri. Kevipodi, Project Director & PIO, DRDA, Kohima, Nagaland.
3. Smti. Thungdeno Mozhui, Joint Director, Rural Development, Nagaland, Kohima.
4. Smti. Kevilhoubey-ü, BDO & APIO, DRDA, Kohima, Nagaland.
5. Smti. T. Achila Quinker, DPO, DRDA, Kohima, Nagaland.
6. Smti. Rosenle Kath, DPO, DRDA, Kohima, Nagaland.
7. The applicants(now complainants), Shri. Vikuolie, H/No. 165, Lower Midland, Kohima, Mobile No. 9612878750 and
8. Shri. Rovi, H/No, 210, Lower Midland, Kohima, Nagaland, Mobile No. 9774647651.

FACT OF THE CASE

An applicant, Shri. Vikuolie, H/No. 165, Lower Midland, Kohima, Mobile No. 9612878750 had submitted an RTI application dated 16.06.2014, addressed to the PIO, DRDA, Kohima, Nagaland, Zubza Block, alongwith the prescribed fee of Rs. 10/- paid in cash requesting for a Certified True Copies of the following information:-

1. Job card used for the proposed and approved works under MGNREGA during the financial year 2013-14.
2. Photograph of the works obtained by the Department in respect of the proposed and approved works under MGNREGA during the financial year 2013-14.
3. Verification Reports of the proposed and approved works under MGNREGA during the financial year 2013-14.

The above RTI application dated 16.06.2014 was received by the public authority on the same day i.e. on 16.06.2014 as evidenced on the body of the copy of the above RTI application.

However, since there was no reply to the above RTI application dated 16.06.2014 from the concerned PIO within the stipulated time frame of 30 days, the applicant, Shri. Vikuolie alongwith Shri. Rovi had submitted a complaint dated 08.09.2014 before this Commission stating that they did not receive any information or response from the PIO, DRDA, Kohima, Nagaland, Zubza Block, to their RTI application dated 16.06.2014.

And the Commission had decided to hear the complaint, giving opportunity to the parties, on **5th November, 2014 (Wednesday) at 1:30 PM** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima.**

OBSERVATIONS AND FINDINGS:

During the hearing held on 05.11.2014 at 1:30 PM, Shri. Metsubo Jamir, Director & FAA, Rural Development, Nagaland, Kohima informed that the First Appellate Authority (FAA) for MGNREGA is the Commissioner & Secretary, Department of Rural Development, Nagaland, Kohima.

The RTI application on 16.06.2014 was received on 16.06.2014 when Smti. Thungdeno Mozhui, now Joint Director, Rural Development, Nagaland, Kohima was the Project Director & PIO, DRDA, Kohima, and Smti. Rosenle Kath, now DPO, DRDA was the BDO & APIO, DRDA, Kohima. On receipt of the RTI application on 16.06.2014, Smti. Thungdeno Mozhui, the then Project Director & PIO, DRDA, Kohima had, vide letter No. DRDA/002/RTI/SEZ/2012-13/32 dated 20.06.2014 forwarded it to the BDO & APIO, Sechu-Zubza Block under DRDA, Kohima to furnish the information and with a copy to the applicant(now complainant). A copy of the above letter dated 20.06.2014 was also produced before the Commission.

The applicant(now complainant) submitted that though he did received the letter dated 20.06.2014 of the then Project Director & PIO, DRDA, Kohima, he did not receive any information.

The Director & FAA, Rural Development, Nagaland, Kohima submitted that Job Cards are distributed to the people/holders and hence they are not under the custody of the office or the Department. However, since the Department maintains Muster Rolls of the Job Card holders, they are available and hence can be given.

The Commission also maintained that since Job Cards are not maintained or available with the office or the Department, the Job Cards cannot be furnished to the applicant(now complainant).

The public authority submitted that due to the transfer, posting and promotion of officers in the Department, the information could not be furnished on time. The Commission accepted the submission of the public authority about the reasons for the delay in furnishing the information. However, the Commission opined that the public authority could have informed the applicant(now complainant) about the reasons for the delay in furnishing the information.

During the hearing, the public authority informed that the remaining information at **Sl. No. 2 and 3**, regarding photographs of the works and Verification Reports of the proposed and approved works under MGNREGA during the financial year 2013-14 were ready to be furnished to the applicant(now complainant).

The Commission observed that since the reasons for the delay in furnishing the information was explained and justifiable, and that the then PIO had also acted on time by forwarding the RTI application to the concerned BDO, Sechu-Zubza Block, no penalty was attracted. However, now since the 30 days time had lapsed, the remaining information at **Sl. No. 2 and 3** of the RTI application dated 16.06.2014 shall be given to the applicant(now complainant) **free of cost**.

DECISION:

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

1. Shri. Kevipodi, the present and new Project Director & PIO, DRDA, Kohima, Nagaland shall furnish the remaining information at **Sl. No. 2 and 3**, regarding photographs of the works and Verification Reports of the proposed and approved works under MGNREGA during the financial year 2013-14 to the applicant(now complainant) **free of cost** and **within one (1) week** from the date of receipt of this Commission's Decision, with a copy to this Commission.
2. The applicant(now complainant) shall, on receipt of the above information from the present and new Project Director & PIO, DRDA, Kohima, Nagaland, submit to the Commission about satisfaction or non-satisfaction of the information so received **within one (1) week** from the date of receipt of the information.

This complaint case shall be closed only after compliance to this Commission's Decision is received.

Decision pronounced in presence of all parties present on 05.11.2014.

Copy be given to:-

1. The Director & FAA, Rural Development, Nagaland, Kohima.
2. Shri. Kevipodi, Project Director & PIO, DRDA, Kohima, Nagaland.
3. Smti. Kevilhoubey-ü, BDO & APIO, DRDA, Kohima, Nagaland.
4. The applicants(now complainants), Shri. Vikuolie, H/No. 165, Lower Midland, Kohima, Mobile No. 9612878750 and
5. Shri. Rovi, H/No, 210, Lower Midland, Kohima, Nagaland, Mobile No. 9774647651
6. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
7. Office Copy.

Sd/-
KEVININO P. MERU
Chief Information Commissioner,
Nagaland.

Authenticated by:-

(SOYIMNA AIER KOZA)
Secretary