

**NAGALAND INFORMATION COMMISSION
OLD SECRETARIAT COMPLEX
POST BOX NO.148
NAGALAND: KOHIMA -797001**

No.NIC/Appeal-23/2011-12/

Dated Kohima, the 23rd May 2012

Appellant: Mr Amar Jeet Singh, S/o Arvind Kumar, Village – Guatiya Batti Wali, Majra Pindari Ashok, Tehsil & Thana-Bahedi, District-Bareilly, Uttar Pradesh-243201.

Respondent: Director, Global Open University, Tinpati Junction, Kohima Campus, Nagaland-797001.

Public Authority: Directorate of Global Open University, Tinpati Junction, Kohima Campus, Nagaland-797001.

Date of hearing: 23.05.2012

Date of final decision: 23.05.2012

Present:

1. Dr. Imotemsu Ao, Director & First Appellate Authority, The Global Open University, Tinpati Junction, Kohima Campus, Nagaland- 797001.
2. Ms Avinuo Kire, Asst. Admn. Officer & PIO, The Global Open University, Tinpati Junction, Kohima Campus, Nagaland-797001.

The appellant Amar Jeet Singh applied for leave of absence on health grounds.

Fact of the case

The applicant Amar Jeet Singh filed an RTI application on **23.09.11** to the PIO, Global Open University which was posted to the PIO on **30.09.2011**. The application was written in Hindi.

The PIO, Global Open University had received this application through the Dimapur office of Global Open University on 3.10.11. Since the application was written in Hindi and information sought was available in the Delhi office of the Global Open University, the PIO forwarded the application to their Delhi Office on **3.10.11 itself by EMAIL**.

Ms. Bandana Singh, Facilitation Officer of Global Open University, Delhi furnished the information to the applicant on 24th October, 2011. However, the Commission observed that this information should have been forwarded by the PIO Ms. Avinuo Kire who received the application and not by Ms. Bandana Singh, Facilitation Officer of Delhi office.

The applicant has stated that he had not received any response from the PIO to his application filed on 23.09.2011 and posted on 30.9.11.

On the plea of non receipt of the information sought for from PIO, GOU, Nagaland, Shri Amar Jeet Singh filed an appeal before the First Appellate Authority of the Global Open University on **12.12.2011**. However, the address of the First Appellate Authority in the application in the appeal filed by Shri Amar Jeet Singh to the First Appellate Authority was shown Dimapur Headquarters, PO Box No.797112 whereas the First Appellate Authority sits in the Kohima office of the Global Open University.

The First Appellate Authority of the Global Open University Dr. Imotemsu Ao stated that he had not received any appeal filed by the applicant. According to him it may be due to the fact that the address given by the appellant in his appeal letter was shown as Dimapur and not Kohima where the First Appellate Authority sits.

The Commission advised the FAA to check with the Dimapur office of Global Open University to ascertain whether the appeal filed by Shri Amar Jeet Singh before the First Appellate Authority on 12.12.2011 has been received at all in Dimapur office of the Global Open University.

The Commission also informed the FAA and PIO, GOU, Nagaland that they should also ascertain whether the applicant has received the information forwarded to the appellant Amar Jeet Singh by Ms. Bandana Singh, Facilitation Officer, GOU, Nagaland.

The Commission had admitted the appeal of the petitioner Amar Jeet Singh on the ground alleged by Shri Amar Jeet Singh that neither PIO nor the FAA had taken any action on the application and appeal filed by him.

The Commission agrees that the allegation of the applicant that the PIO of GOU, Nagaland has not forwarded the information to the applicant to be only **partially true**. This is because reply/information sought by Shri Amar Jeet Singh on 48 points was furnished by Ms Bandana Singh, Facilitation Officer, GOU, New Delhi and not by the concerned PIO Ms Avinuo Kire. However, records show that Ms Avinuo Kire, Assistant Administrative Officer of GOU, Kohima & PIO subsequently forwarded the information earlier sent by Ms Bandana Singh to Shri Amar Jeet Singh vide No.GOUK/ADM/1-4/06/Vol-II/246 dated 12.04.2012. This is proof enough that the allegation of the petitioner that PIO had not furnished any information is unfounded. However, Commission directs that Global Open University, Nagaland furnishes evidence of having **posted** the replies to the appellant on **two occasions**.

Regarding no decision being made by the FAA of GOU, the Commission is of the view that the FAA's statement that he had not received any appeal letter from the petitioner since his appeal was addressed to Dimapur office whereas he is posted and stationed in Kohima campus of GOU is tenable. The benefit of doubt is given to the FAA, GOU, Nagaland, Kohima as the address of the appeal filed by the appellant indicated Dimapur and Postal Pin Code No. 797112 is Dimapur Postal Pin Code.

Decision

Considering the above facts of the case and considering that the information sought by the petitioner has been furnished on two occasions to Shri Amar Jeet Singh and the FAA, Global Open University, Nagaland, Kohima office has not received the appeal letter filed on 12.12.11 and the grounds for appeal are not found to be tenable since information sought has been furnished, the appeal case is dismissed.

Decision made in the presence of all present on this day the 23rd May, 2012.

Copy be given to all concerned:-

1. Dr. Imotemsu Ao, Director & First Appellate Authority, The Global Open University, Tinpati Junction, Kohima Campus, Nagaland-797001.
2. Ms Avinuo Kire, Asst. Admn. Officer & PIO, The Global Open University, Tinpati Junction, Kohima Campus, Nagaland-797001.
3. Mr Amar Jeet Singh, S/o Arvind Kumar, Village – Guatiya Batti Wali, Majra Pindari Ashok, Tehsil & Thana-Bahedi, District-Bareilly, Uttar Pradesh-243201.

Sd/-

Lalhuma IAS (Rtd)
Chief Information Commissioner,
Nagaland, Kohima

Sd/-

Kevinino P.Meru
State Information Commissioner,
Nagaland, Kohima.

Authenticated by

Secretary
Nagaland Information Commission