

NAGALAND INFORMATION COMMISSION

AGRI FARM COLONY, LANE-6, H/NO. AFC/578

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Nagaland, Kohima-797001

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No. NIC/Appeal-2/2021-22

Dated Kohima, the 23rd August, 2021.

- Appellants : i) Shri. Thingkeli Sangtam
Kohima, M/No. 7005273521
ii) Shri. Aso Naga
Kohima, M/No. 8014896443
iii) Shri. Athrong Naga
Kohima, M/No. 8974155311
- Respondents : i) The Addl. Director & PIO, Directorate of Rural Development, Nagaland, Kohima.
(ii) The Joint Director & APIO, Directorate of Rural Development, Nagaland, Kohima.
- Public Authority : Directorate of Rural Development, Nagaland, Kohima.
- Date of Hearing : **11.08.2021.**
- Date of Decision : **23.08.2021.**
- Present:
- Smti. Liboni Humtsoe, Director & FAA, Directorate of Rural Development, Kohima, Nagaland.
 - Smti. Azenuo Pienyii, Addl. Director & PIO, Directorate of Rural Development, Nagaland, Kohima.
 - Shri. K. Neibou Sekhose, Joint Director & APIO, Directorate of Rural Development, Nagaland, Kohima.
 - The applicant (now appellant), Shri. Thingkeli Sangtam.
 - The applicant (now appellant), Shri. Aso Naga.
 - The applicant (now appellant), Shri. Athrong Naga.

FACT OF THE CASE

The applicants (now appellants), Shri. Thingkeli Sangtam, Shri. Aso Naga and Shri. Athrong Naga had submitted an RTI application vide letter No. NIL dated **29.01.2021** addressed to the PIO, Directorate of Rural Development, Nagaland, Kohima along with an application fee of Rs. 10/- received by the respondents on 02.02.2021 seeking the following information;

- Detail information of fund sanctions during 2019-2020 under MGNREGA from Central Government Ministry of Rural Development to the State of Nagaland including sanction order;*
- Detail information of fund distributed for Director, District and Block Level including cash payment receipt. Utilization Certificate and sanction order as per year wise (sequence) under the above mentioned fund;*
- No. of working days fund release under MGNREGA for the year 2019 to 2020 with detail sanction order and UC (Utilization Certificate).*

On receipt of the above mentioned RTI application, Smti. Liboni Humtsoe, Addl. Director & PIO had vide letter **NO.DRD/ME/RTI-24/2019-20** dated **26.02.2021** furnished the information as sought to the applicants (now appellants), Shri.Thingkeli Sangtam, Shri. Aso Naga and Shri. Athrong Naga. However, on not being satisfied, the applicants had vide letter **No. NIL** dated **24.03.2021** submitted the First Appeal for certain clarifications addressed to the First Appellate Authority, Directorate of Rural Development, Nagaland, Kohima.

In response to the First Appeal dated **24.03.2021**, Smti. Liboni Humtsoe, Director & FAA issued **Notice for Hearing vide Letter No. DRD/ME/RTI AA-10/2020-21 dated 22.04.2021 to be heard on 30.04.2021 (Friday) at 12:00 PM** at the Director's Office, Directorate of rural Development. Accordingly, after hearing the parties i.e., the applicants (now appellants) and the PIO/APIO concerned, the FAA had vide Order **NO.DRD/RTI-AA-10/2020-21** dated **30.04.2021** passed the decision/order stating that, reasons for furnishing incomplete information was due to oversight while compiling besides other reasons and directed the respondents to furnish the information **within 15 (fifteen) days i.e. on or before 15th May, 2021**.

On receipt of the Second Appeal from the applicants (now appellants) vide letter No. NIL dated NIL received by the Commission on **05.05.2021** with request for intervention, the Commission had decided to hear the above mentioned appeal giving opportunity of being heard to all the parties on **11th August, 2021 (Wednesday) at 1:00 P.M. in the Hearing Room of Nagaland Information Commission, Agri-farm Colony, Lane-6, H/No. AFC/578, Nagaland, Kohima**.

OBSERVATIONS AND FINDINGS

The applicants (now appellants), Shri. Thingkeli Sangtam, Shri. Aso Naga and Shri. Athrong Naga appeared for the hearing. The concerned FAA came for the hearing but had to leave suddenly due to health reasons. The FAA was represented by Smti. Azenuo Pienyii, Addl. Director & PIO, Directorate of Rural Development, Nagaland, Kohima and Shri. K. Neibou Sekhose, Joint Director & APIO, Directorate of Rural Development, Nagaland, Kohima.

During the hearing, the Commission discussed the matter in seriatim of the information sought for as per their RTI application. Referring to the **query No. 1** of the RTI application, the Commission asked the applicants (now appellants) whether they have received the information or not, the applicants (now appellants) replied that they had received all the information however, the soft copy on the CD for Aghunaqa Block (under Dimapur District) and Zunheboto District was not readable. In response to that, the PIO handed over the hard copy of the same to the applicants (now appellants) during the hearing and they were satisfied. Regarding **query No. 2**, the applicants (now appellants) replied that they had received the information and are satisfied. Finally, the Commission referring to the **query No. 3** of the RTI application asked the applicants (now appellants), and they replied that they have received the information only for the year 2020 and information for the year 2019 was not furnished. In response to that, the PIO handed over the information for the year 2019 to the applicants (now appellants) and they expressed their satisfaction.

The Commission has therefore come to the conclusion that all the three information sought by the applicants (now appellants) have been furnished and the applicants (now appellants) are satisfied except for the utilization of the balance amount of Rs. 276,40,48,468.00/- (Rupees two hundred seventy six crore forty lakh forty eight thousand four hundred sixty eight) only. The PIO explained that the fund comes in instalment wise and that they are yet to receive the 2nd instalment. The Commission observed that, **information regarding utilization of the balance amount which was sanctioned during 2020-2021 was not furnished as claimed by the applicants (now appellants) in their second appeal to the Commission**, is not a part of information sought in their RTI application and cannot be entertained. However, the applicants (now appellants) are free to file an RTI application afresh if so desired.

DECISION

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

Since the applicants (now appellants) has now confirmed their satisfaction to all the information furnished to them as sought for from the respondent, the Commission declared the appeal case **closed**.

Decision pronounced in the presence of both the parties on **11.08.2021**.

Copy be given to:-

1. Smti. Liboni Humtsoe, Director & FAA, Directorate of Rural Development, Kohima, Nagaland.
2. Smti. Azenuo Pienyii, Addl. Director & PIO, Directorate of Rural Development, Nagaland, Kohima.
3. Shri. K. Neibou Sekhose, Joint Director & APIO, Directorate of Rural Development, Nagaland, Kohima.
4. The applicants (now appellants), Shri. Thingkeli Sangtam & Party, Kohima, M/No. 7005273521 / 8014896443 / 8974155311.
5. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's website and Notice Board.
6. Office Copy.

Sd/-
KEVIZATUO MIACHIEO
State Information Commissioner

Sd/-
G. H. RAMLIA
State Information Commissioner

Authenticated true copy:-

(OBANGLA JAMIR)
Secretary
Nagaland Information Commission