

NAGALAND INFORMATION COMMISSION

Below Raj Bhavan, Officers' Hill Colony

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No.NIC/Appeal-4/ 2019-20. 954

Dated Kohima, the 10th December, 2019.

Appellant : Shri. N. Hanso,
Helipong village, Tuensang.

Respondent(s) : 1. Smti. Imnukshila Jamir,
Director and FAA,
Rural Development,
Nagaland, Kohima.
Mobile No.9436005289.
2. Shri.Tsalito Sangtam,
Project Director & PIO,
DRDA, Tuensang,
Mobile No.9436007133.
3. Shri. M. Takochungba,
BDO & APIO,
RD-Block, Sangsangyu, Tuensang.
Mobile No.8974752201

Public Authority : Directorate of Rural Development, Nagaland, Kohima.

Date of Hearing : 04.11.2019 at 12:00 Noon

Date of Decision : 10.12.2019

Present : 1. Smti. Imnukshila Jamir, Director and FAA, Rural Development,
Nagaland, Kohima, Mobile No.9436005289.
2. Shri.Tsalito Sangtam, Project Director & PIO, DRDA, Tuensang,
Mobile No.9436007133.
3. Shri. M. Takodungba, BDO & APIO, RD-Block, Sangsangyu,
Tuensang.Mobile No.8974752201
4. The applicant (now appellant), Shri. N. Hanso and his representative
Shri. L. Likhase Sangtam, Helipong village, Tuensang, Mobile
No.9612303592.

FACT OF THE CASE

An applicant, Shri. N. Hanso, had submitted an RTI application vide letter dated 18.03.2019 addressed to the PIO, DRDA, Tuensang, Nagaland along with an application fee of ₹10/-, seeking the following information:-

1. *How many days and amount have been sanctioned for the following job card holders under MGNREGA (Helipong village-Sangsangnyu Block Tuensang) since 2008 till date? Kindly furnish the details in year wise as per the job card holders.*

- NL-06-006-005-005/108 -Chumean
- NL-06-006-005-005/11 -Tochumong
- NL-06-006-005-005/111 -Mongko
- NL-06-006-005-005/113 -Lemba
- NL-06-006-005-005/12 -Yemtichuba
- NL-06-006-005-005/123 -Chomoso
- NL-06-006-005-005/13 -Joseph
- NL-06-006-005-005/133 -Khumchuba
- NL-06-006-005-005/134 -Wongto

- NL-06-006-005-005/135 -H. Phangyang
- NL-06-006-005-005/14 -Bentang
- NL-06-006-005-005/14 -Kaimang
- NL-06-006-005-005/16 -Wongtob
- NL-06-006-005-005/17 -Changsang
- NL-06-006-005-005/20 -Yanula
- NL-06-006-005-005/21 -Helimong
- NL-06-006-005-005/22 -Laktang
- NL-06-006-005-005/23 -Sopu
- NL-06-006-005-005/24 -Yanchuba
- NL-06-006-005-005/25 -Chumuso
- NL-06-006-005-005/26 -Yonching
- NL-06-006-005-005/27 -Toshimeren
- NL-06-006-005-005/28 -Chukangba
- NL-06-006-005-005/29 -Shilula
- NL-06-006-005-005/30 -Toshiba
- NL-06-006-005-005/33 -Ahoba
- NL-06-006-005-005/41 -Yansomong
- NL-06-006-005-005/42 -Akhang
- NL-06-006-005-005/43 -Mongko
- NL-06-006-005-005/49 -B. Ramchy
- NL-06-006-005-005/5 -Hanso
- NL-06-006-005-005/50 -Koiba
- NL-06-006-005-005/57 -Thanyemba
- NL-06-006-005-005/64 -Wongto
- NL-06-006-005-005/82 -Besoyemjong
- NL-06-006-005-005/83 -Thongjila
- NL-06-006-005-005/80 -Kaimang
- NL-06-006-005-005/87 -Wongto
- NL-06-006-005-005/88 -Bemjem
- NL-06-006-005-005/89 -Meshi

2. How many beneficiaries (household) are there in Helipong village, Sangsangnyu Block, Tuensang under Grant-in-Aid?
3. Since 2008-2019, how many amounts have been released under Grant-in-Aid? Kindly furnish the withdrawal date of the same.

On receipt of the RTI application dated 18.03.2019, Shri. Tsalito Sangtam, Project Director & PIO, DRDA, Tuensang, Nagaland had, vide letter No.DRDA/TSG/RTI-1(Pt-II) 2015-16 dated 23.04.2019 forwarded to the applicant, the reply given by Shri. M. Takochungba, BDO & APIO, Sangsangnyu, O/o the Block Development Officer, RD-Block, Sangsangnyu vide letter No.DRDB/SSYU/RTI-5/2016-17 dated 25.03.2019 to the Project Director & PIO, DRDA, Tuensang.

However, on receipt of the above information furnished by Shri. Tsalito Sangtam, Project Director & PIO, DRDA, Tuensang, Nagaland, the applicant had, vide letter dated 06.06.2019 submitted a first appeal to the First Appellate Authority, Directorate of Rural Development, Nagaland, Kohima stating that out of three queries, the **1st query was unsatisfactory and incomplete.**

On receipt of the first appeal dated 06.06.2019 on 10.06.2019, Shri. Imlimeren Jamir, Director & FAA, Rural Development, Nagaland, Kohima had **heard the first appeal** on 19.06.2019 at 12:00 Noon in the Directorate of Rural Development and after hearing, passed decision vide No.DRD/RTI-AA-9/2018-19 dated 19.06.2019 stating that the Department cannot help the Helipong village since it was not a recognised village. Further, he directed the PIO and the party to first prioritize their interest in village recognition, only after which separate fund allocation would be given to the village and help them bring development in their village from the department's end.

On not being satisfied with the above decision of the Director & FAA, the applicant (now appellant) had, vide letter dated 22.08.2019 submitted second appeal before the Commission stating that the matter has nothing to do with the village recognition as the information sought was furnishable.

And, since the applicant (now appellant) was neither not satisfied with the information on Query No.1 furnished by the PIO nor with the decision of the Director & FAA, the Commission has decided to hear the appeal case giving opportunity of being heard to all the parties on 4th November, 2019 (Monday) at 12:00 Noon in the Hearing Room of Nagaland Information Commission, below Raj Bhavan, Officers' Hill Colony, Nagaland, Kohima and had also notified to bring the files and relevant documents in question for scrutiny, on the above date and time for hearing:-

1. Shri. Imlimeren Jamir, Director & FAA, Rural Development, Nagaland, Kohima.
2. Shri. Tsalito Sangtam, Project Director & PIO, DRDA, Tuensang, Nagaland.
3. Shri. M. Takochungba, BDO & APIO, RD-Block, Sangsangyu, Tuensang.
4. The applicant (now appellant), Shri. N. Hanso, Helipong village, Tuensang, Nagaland.

OBSERVATIONS AND FINDINGS

The applicant (now appellant) reconfirmed that out of the three (3) queries he sought from the PIO, he was satisfied with the information furnished to him for the Query Nos. 2 & 3, however, he was not satisfied with the information furnished for query No.1. The Commission proceeded with the hearing since the applicant (now appellant) was not satisfied with the decision of the FAA on the incomplete information relating to Query No.1 furnished by the Project Director & PIO, DRDA, Tuensang.

During the hearing, on the query raised by the Commission for failure to furnish the information relating to query No.1 i.e. Job Card holders of Helipong Village, Shri.Tsalito Sangtam, Project Director & PIO, DRDA, Tuensang submitted that since the required information are maintained by the BDO & APIO, the RTI application was transferred to him. The PIO further stated that the information on query No.1 was ready and had produced before the Commission. A copy of the information on query No.1 was also handed over to the applicant (now appellant).

The Commission observed that since Job Cards have been allotted, the decision of the Director & FAA to first prioritised their interest in village recognition after which funds will be given is not tenable.

The Commission further observed that the information sought under query No.1 is very specific and if the mention Job Card Nos. of Helipong Village are genuine, why the Public Authority fail to furnish the information sought.

On perusal of the records, the Commission observed that on receipt of the RTI application dated 18.03.2019, the PIO had, vide letter No. DRD/TSG/RTI-1(PT-11) 2015-16 dated 18.03.2019 transferred the above RTI application to the BDO & APIO, Sangsangyu. On receipt of the above letter, the BDO & PIO had furnished the information to the Project Director & PIO on 25.03.2019, who had forwarded to the applicant on 23.04.2019.

DECISION

1. Since the date of receipt of the RTI application dated 18.03.2019 was not known, the Project Director & PIO, Tuensang and BDO & APIO, Sangsangyu are directed to furnish the date of receipt of the RTI application.
2. Since a copy of the information sought at query No.1 has been received by the applicant (now appellant) during the hearing, he is directed to furnish his satisfaction or non-satisfaction to the Commission within ten (10) days.

Decision pronounced in the presence of both the parties on 04.11.2019 at 12:00 P.M.

Copy be given to:-

1. Smti. Imnukshila Jamir, Director and FAA, Rural Development, Nagaland, Kohima, Mobile No.9436005289.
2. Shri.Tsalito Sangtam, Project Director & PIO, DRDA, Tuensang, Mobile No.9436007133.
3. Shri. M. Takochungba, BDO & APIO, RD-Block, Sangsangyu, Tuensang, Mobile No.8974752201.
4. The applicant (now appellant), Shri. N. Hanso and his representative, Shri. L. Likhase, Helipong village, Tuensang, Mobile No.9612303592.
5. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's website and Notice Board.
6. Office Copy.

Sd/-

CHANBEMO LOTHIA
Chief Information Commissioner

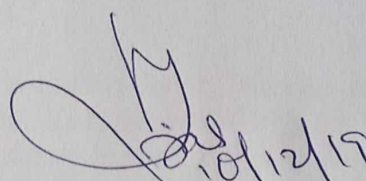
Sd/-

G.H. RAMLIA
State Information Commissioner

Sd/-

KEVIZATUO MIACHIEO
State Information Commissioner

Authenticated true copy:-


(OBANGLA JAMIR)
Secretary