

**NAGALAND INFORMATION COMMISSION**  
**AGRI-FARM COLONY, LANE-6, H/NO. AFC-578**  
**NAGALAND, KOHIMA-797001**

**Email: [cic.nagaland@gmail.com](mailto:cic.nagaland@gmail.com) | Website: [www.nlsic.nagaland.gov.in](http://www.nlsic.nagaland.gov.in)**



**No. NIC/APPEAL-11/2022-23**

**Dated Kohima, the 18<sup>th</sup> July, 2022**

**Subject: Notice for Hearing on 28<sup>th</sup> July, 2022 (Thursday) at 12:30 P.M.**

WHEREAS, the Commission had on **26/10/2020** received a second appeal dated NIL addressed to the State CIC, Nagaland, Kohima from Shri. Nei-u, Shri. Abi, Shri. Aki and Shri. Ruovi, *M/No. 7630899734*, C/o. Kuda 'B' Sub-post Office, Nagarjan against the non-response of the FAA to their Appeal dated **13/08/2020** which was submitted for unreasonable cost of information charged by the PIO, Project Director, District Rural Development Agency, Dimapur in response to their RTI application dated **7/06/2020**.

AND WHEREAS, the applicants, Shri. Nei-u, Shri. Abi, Shri. Aki and Shri. Ruovi, had submitted an RTI application dated **07/06/2020** along with an application fee of Rs. 10 (Ten) addressed to the PIO, Project Director, District Rural Development Agency, Dimapur, Nagaland, seeking the following information Regarding work carried out under MGNREGA during 2016-17, 2017-18 in respect of RD, Block, Chumukedima.

*Provide village wise fund allocation and name of the beneficiaries may be given under the following scheme and project. (Phase I, II, III)*

- i. Farm pond.*
- ii. Construction of individual ring well.*
- iii. Construction of toilet.*
- iv. Construction of irrigation channel.*
- v. Plantation.*
- vi. Water conservation.*
- vii. Piggery project.*
- viii. Construction of composite pits.*

AND WHEREAS, on receipt of the RTI application, Shri. H. Atokhe Aye, NCS, Project Director & PIO, DRDA, Dimapur had, vide letter No.DRDA/DMR/ESTT-19/RTI-09/2020 dated 16/07/2020 informed the applicants to deposit an amount of Rs. 10,029/- (Rupees Ten thousand and twenty nine) only as cost of information received from Block Development Officer & APIO, RD Block, Chumukidema vide letter No.BDO/CHUMU/RTI-09/2019 dated 10/07/2020.

AND WHEREAS, on receipt of the cost of information amounting to Rs. 10,029/- (Rupees Ten thousand and twenty nine) only vide Receipt No.NIL dated **21/07/2020** from the applicants, the Project Director & PIO, DRDA, Dimapur had, vide letter **NO.DRDA/DMR/ESTT-19/RTI-09/2020** dated **07/08/2020** furnished the above RTI replies to the applicants.

AND WHEREAS, on receipt of the information, the applicants had submitted first appeal dated 13/08/2020 stating that an amount of Rs. 10,029/- (Rupees Ten thousand and twenty nine) only was paid towards cost of information, however there were only 2502 pages which was unreasonable.

AND WHEREAS, on receipt of the First Appeal dated **13/08/2020**, the FAA had summoned the parties for First Appeal hearing on **09/12/2020**, and after hearing the parties i.e the applicants and the PIO/APIO concerned, the Director & FAA had passed decision vide **No.DRD/RTI-AA-9/2018-19** dated **09/12/2020** wherein the PIO, DRDA, Dimapur was directed to refund the excess amount charged and to furnish complete information on or before **31/01/2021**.

ANDWHEREAS, on not getting any response from the FAA to their First Appeal the applicants (now appellants) had submitted Second Appeal dated **26/10/2020** to the Nagaland Information Commission.

ANDWHEREAS, on receipt of the Second Appeal dated **26/10/2020**, the Commission had, vide letter **No.NIC/Gen/RTI-19/17** dated **09/11/2020** directed the Director & FAA, Rural Development, Nagaland to charge the fees following section 7 (1) & (5) of the RTI Act, 2005 and to submit action taken report to the Commission.

AND WHEREAS, in compliance to the Directive of the Commission dated **09/11/2020**, the Director & FAA had, vide letter **No.DRD/ME/RTI-AA-11/2021-22** dated **30/05/2022** informed that the excess fee charged for information cost has been refunded and complete information has been refunded to the applicants as submitted by the Block Development Officer, Chumukidema, and had enclosed copy of the decision on the first appeal which was held on **09.12.2020**.

AND WHEREAS, since the Commission is not satisfied and convinced with the above decision/order of the FAA, the Commission has decided to hear the above mentioned appeal giving opportunity of being heard to all the parties on **28<sup>th</sup> July, 2022 (Thursday) at 12:30 P.M in the Hearing Room of Nagaland Information Commission, Agri-farm Colony, Lane-6, H/No. AFC/578, Nagaland, Kohima.**

NOW THEREFORE, the following parties are directed to appear before this Commission and **also to bring the files and relevant documents** in question for scrutiny on the above date and time for hearing. The following under mentioned officials are requested to attend the hearing with preventive measures such as wearing of face mask and social distancing etc.

1. The Director & First Appellate Authority, Directorate of Rural Development, Nagaland, Kohima-797001.
2. Shri. H. Atokhe Aye, Former Project Director & PIO, DRDA, Dimapur - 798612.
3. Shri. KethosituoSekhose, Present Project Director & PIO, DRDA, Dimapur – 798612.
4. Smti. Sashirenla, APIO & BDO, RD Block, Chumukidema.
5. The applicants (now appellants), Shri. Nei-u, Shri. Abi, Shri. Aki and Shri. Ruovi, M/No. 7630899734, C/o. Kuda 'B' Sub-post Office, Nagarjan.

Sd/-

**I.MEYIONEN JAMIR**

Chief Information Commissioner

**Dated Kohima, the 18<sup>th</sup> July, 2022**

**No. NIC/APPEAL-11/2022-23**

Copy to:

1. The PS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The Director & First Appellate Authority, Directorate of Rural Development, Nagaland, Kohima-797001.
3. Shri. H. Atokhe Aye, Former Project Director & PIO, DRDA, Dimapur - 798612.
4. Shri. KethosituoSekhose, Present Project Director & PIO, DRDA, Dimapur – 798612.
5. Smti. Sashirenla, APIO & BDO, RD Block, Chumukidema.
6. The applicants (now appellants), Shri. Nei-u, Shri. Abi, Shri. Aki and Shri. T. Ruovi, M/No. 7630899734, C/o. Kuda 'B' Sub-post Office, Nagarjan.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
8. Office Copy.

**(WORHONTHUNG EZUNG)**

Deputy Secretary

Nagaland Information Commission