

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

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**No. NIC/APPEAL-13/2022-23**

**Dated Kohima, the 16<sup>th</sup> July, 2022**

**Subject: Notice for Hearing on 28<sup>th</sup> July, 2022 (Thursday) at 01:00 P.M.**

WHEREAS, the Commission had on **27/11/2020** received a second appeal dated **14/11/2020** addressed to the State CIC, Nagaland, Kohima from 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 **28/09/2020** which was submitted against incomplete information furnished by the PIO, Project Director, District Rural Development Agency, Dimapur to their RTI application dated **24/08/2020**.

AND WHEREAS, the applicants Shri. Abi, Shri. Aki and Shri. Ruovi, had submitted an RTI application dated **24.08.2020** 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 implementation of the following scheme work under MGNREGA works in respect of Purana Bazar Village and Nagarjan Village during 2016-17, 2017-18, 2018-19, 2019-20:-

***Name of works:***

1. *Farm pond.*
  2. *Construction of individual ring well.*
  3. *Construction of toilet.*
  4. *Construction of irrigation channel.*
  5. *Plantation.*
  6. *Water conservation and harvesting.*
  7. *Retaining wall.*
  8. *Piggery.*
  9. *Construction of composite pits.*
  10. *Road side plantation.*
- a) *Whether the MGNREGA Scheme works mentioned above are carried out in individual lands? If yes, provide the name of the recipient of the scheme work of Purana Bazar Village and Nagarjan Village.*
- b) *Provide the total cost of each of the work (mentioned above) under MGNREGA.*
- c) *Whether the scheme works are constructed at community property? If yes, kindly provide the location of the area where the work was carried out.*
- d) *Who is the beneficiary of the MGNREGA schemes in case of the following:*
- I. *The person in whose property the work is taken up such as;*
    - i. *Farm pond.*
    - ii. *Construction of individual ring well.*
    - iii. *Construction of toilet.*
    - iv. *Construction of irrigation channel.*
    - v. *Plantation.*
    - vi. *Water conservation and harvesting.*
    - vii. *Retaining wall.*
    - viii. *Piggery.*
    - ix. *Construction of composite pits.*
  - OR
  - II. *The job card holder who works as daily wagers for construction of the work.*

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-09/2019** dated **24/08/2020** directed Smti. Sashirenla, Block Development Officer & APIO, RD Block, Chumukedima, to furnish the requisite information.

AND WHEREAS, on receipt of the above directive, the Block Development Officer & APIO, RD Block, Chumukedima had, vide letter **No.BDO/CHUMU/RTI-09/2019** dated **27/08/2020** written to PIO for the cost of information amounting to Rs. 3710/- (Three thousand and ten) only to be incurred in furnishing the RTI replies.

AND WHEREAS, the Project Director & PIO had, vide letter No.DRDA/DMR/ESTT-19/RTI-09/2020 dated 4/09/2020 informed the applicants to deposit an amount of Rs. 3710/- (Rupees three thousand seven hundred and ten) only as cost of information.

AND WHEREAS, on receipt of the cost of information amounting to Rs. 3710/- (Rupees three thousand seven hundred and ten) only vide Receipt **No.26** dated **05/09/2020** from the applicants, the Block Development Officer & APIO, RD Block, Chumukedima had, vide letter **No.BDO/CHUMU/RTI-1/2013-14** dated **09/09/2020** submitted the copies of RTI reply to the Project Director & PIO, DRDA, Dimapur.

AND WHEREAS, on receipt of the above information the Project Director & PIO, DRDA, Dimapur had, vide letter **NO.DRDA/DMR/ESTT-19/RTI-09/2020** dated **10/09/2020** furnished the above RTI replies to the applicants.

AND WHEREAS, on receipt of the information from the PIO, the applicants had submitted first appeal to the First Appellate Authority on **28/09/2020** stating the reasons and grounds of first appeal as below:-

1. **Reply to query A:** *Names of the beneficiaries/ names of the recipient of scheme work under MGNREGA of Nagarjan village & Purana village are not given.*
2. **Reply to query C:** *Location of the area where the works are carried out in the case of community property are not given.*
3. **Reply to query D:** *The reply to this query is misleading and incorrect.*

AND WHEREAS, on receipt of the First Appeal dated **28/09/2020**, 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**.

AND WHEREAS, on not getting any response from the FAA to their First Appeal the applicants had submitted Second Appeal dated **14/11/2020** to the Nagaland Information Commission.

AND WHEREAS, on receipt of the Second Appeal dated **14/11/2020**, the Commission had, vide letter **No.NIC/Gen/RTI-19/17(Vol-II)/1325** dated **13/05/2021** directed the Director & FAA, Rural Development, Nagaland to furnish complete information within 30 (Thirty) days.

AND WHEREAS, since there was no compliance by the FAA to the above directive of the Commission even after a lapse of 9(Nine) months 20(Twenty) days, the Commission has issued a reminder letter **No.NIC/Gen/RTI-19/17(Vol-I)/1498** dated **03/03/2022** to submit action taken report within **2(Two) weeks** from the date of receipt of its directive.

AND WHEREAS, in compliance to the Directive of the Commission dated **03.03.2022**, the Director & FAA had vide letter **No.DRD/ME/RTI-AA-10/2020-21** dated **04/03/2022** submitted the decision on the first appeal which was held on **09.12.2020**.

AND WHEREAS, on receipt of the above decision of the FAA on 21.03.2022, 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 01:00 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. The Addl. Director & PIO, Directorate of Rural Development, Nagaland, Kohima-797001.
3. Shri. H. Atokhe Aye, Former Project Director & PIO, DRDA, Dimapur - 798612.
4. Shri. Kethosituo Sekhose, Present Project Director & PIO, DRDA, Dimapur – 798612.
5. Smti. Sashirenla, APIO & BDO, RD Block, Chumukidema.
6. The applicants (now appellants), Shri. Abi, Shri. Aki and Shri. Ruovi, *M/No. 7630899734*, C/o. Kuda 'B' Sub-post Office, Nagarjan.

Sd/-

**L.MEYIONEN JAMIR**

Chief Information Commissioner

**Dated Kohima, the 16<sup>th</sup> July, 2022**

**No. NIC/APPEAL-13/2022-23**

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. The Addl. Director & PIO, Directorate of Rural Development, Nagaland, Kohima-797001.
4. Shri. H. Atokhe Aye, Former Project Director & PIO, DRDA, Dimapur - 798612.
5. Shri. Kethosituo Sekhose, Present Project Director & PIO, DRDA, Dimapur – 798612.
6. Smti. Sashirenla, APIO & BDO, RD Block, Chumukidema.
7. The applicants (now appellants), Shri. Abi, Shri. Aki and Shri. T. Ruovi, *M/No. 7630899734*, C/o. Kuda 'B' Sub-post Office, Nagarjan.
8. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
9. Office Copy.

**(WORHONTHUNG EZUNG)**

Deputy Secretary

Nagaland Information Commission