

NAGALAND INFORMATION COMMISSION

Agri-Farm Colony, Lane-6, H/No. AFC-578

Nagaland, Kohima-797001

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No. NIC/Appeal-16/2022-23

Dated Kohima, the 22nd August, 2022

Appellant : Shri. Bovito Naga.
Mobile No. 8131902119.

Respondents : (i) Er. Repangyangba Longkhumer,
Chief Engineer & First Appellate Authority,
PHED,
Nagaland, Kohima-797001.

(ii) Er. Vikeduolie
Executive Engineer & PIO,
PHED (Rural Division),
Dimapur, Nagaland-797112.

Public Authority : PHED, Nagaland, Kohima.

Date of hearing : 04/08/2022 at 12:00 Noon.

Date of Decision : 22/08/2022

Present:

1. Er. Repangyangba Longkhumer, Chief Engineer & FAA, PHED, Nagaland, Kohima-797001.
2. Er. Vikeduolie, Addl. Executive Engineer & PIO, PHED (Rural Division), Dimapur, Nagaland.
3. Shri. Bovito Naga, M/No. 8131902119.

FACT OF THE CASE

Shri. Bovito Naga had submitted an RTI application dated **25.08.2021** along with application fee of Rs. 10/- only to the PIO, PHED (Rural Division), Dimapur, Nagaland, seeking the following information:

1. *How much funds has your office received for Waste Management and Swach Bharat during the year 2018 to 2021 under rural areas?*
2. *How much has your office spent in regard to Swach Bharat and Waste Management? Kindly provide in details the fund involved under rural areas from 2018 to 2021.*
3. *Kindly provide the detail location of where the incinerators have been constructed under Dimapur District and the funds involved till the completion of the construction for every location in details under rural areas.*
4. *How much fund has your department used during the IEC campaign? Kindly provide the overall expenditure in detail and specify the fund involved per IEC Campaign from the initial stage of the project till 2021 under rural areas.*
5. *How much fund has the Department used during the 100 days campaign to provide pipe water supply in ANGANWADI Centers and schools? Kindly provide the detail specific location of where the campaign took place under rural areas.*
6. *How much fund has your office received from the financial year 2016 till date under SLWM and CSC Scheme? Kindly provide in detail how the fund has been utilized from 2016 till date under rural areas.*
7. *Kindly provide the detail location of where the waste collection bins have been constructed under Dimapur District and the funds involved till the completion of the construction for every location in detail under rural areas.*
8. *Kindly provide the detail location of where the drains have been constructed under Dimapur District and the funds involved till the completion of the construction for every location in details under rural areas.*
9. *Kindly provide the detail location of where the community sanitary complex had been constructed under Dimapur District and the funds involved till the completion of the construction of every location in details under rural areas.*

On receipt of the above RTI application, the PIO, PHED (Rural Division), Dimapur had vide letter **No. EE/PHE/R/DMR/RTI/2014-15/223** dated **23.09.2021** furnished the information on 8 queries out of 9 queries sought by the applicant.

On receipt of the information, the applicant had filed first appeal to the Chief Engineer & FAA, PHED, Nagaland, Kohima vide letter dated **24.09.2021** stating that *the information furnished had lots of anomalies and discrepancies in implementing the scheme* and had also requested for joint inspection of the projects undertaken.

On receipt of the first appeal of the applicant (now appellant), the FAA had after hearing the appeal with the appellant and concerned officials on **28.10.2021** passed decision vide **No. CE/PHE/RTI/2005/50** dated **01.11.2021** wherein the applicant had expressed his discontentment and displeasure on the findings after conducting spot verifications of the designated project areas under the schemes and for which, the FAA had acknowledged the applicant's grievances and requests and had assured that the requisite information will be furnished on or before **12.11.2021**.

As assured by the FAA, the Executive Engineer & PIO, PHED (Rural Division), Dimapur had, vide letter **No. EE/PHE/R/DMR/RTI/2014-15/320** dated **11.11.2021** furnished the following information sought to the applicant:

1. *Vouchers of IEC Report.*
2. *Completion Reports and photos of CSC.*
3. *Completion Reports and photos of SLWM.*
4. *Vouchers of IHHL Report.*

The applicant, being dissatisfied with the information furnished by the PIO, had filed Second Appeal dated **16.11.2021** to the Commission stating that the information furnished was incomplete and misleading once again.

On receipt of the second appeal, the Commission had, vide letter **No. NIC/Gen/RTI-19/17(Vol-I)/1459** dated **03.02.2021**, directed the applicant (now appellant) to specify the areas of information furnished by the public authority on which he found dissatisfied for necessary action.

Since there was no compliance received till date, the Commission has decided to hear the above mentioned second appeal giving opportunity of being heard to all the parties on **4th August, 2022 (Thursday) at 12:00 P.M in the Hearing Room of the Nagaland Information Commission, Agri-Farm Colony, Lane-6, H/No. AFC/578, Nagaland, Kohima** and had 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.

1. Er. Repangyangba Longkumer, Chief Engineer & FAA, PHED, Nagaland, Kohima.
2. Er. Vikeduolie, Executive Engineer & PIO, PHED (Rural Division), Dimapur, Nagaland.
3. The applicant (now appellant), Shri. Bovito Naga, *M/No. 8131902119*.

OBSERVATIONS AND FINDINGS:

The applicant (now appellant), Shri. Bovito Naga stated that he had received the information from the PIO, however, he was not satisfied with the information provided for as there were lots of anomalies and discrepancies in implementing the schemes.

During the hearing, the applicant (now appellant) submitted for the following queries that:-

Query 1: There was no details expenditure and the photocopies of final bill for the 182 villages were not furnished to him.

Er. Vikeduolie, Executive Engineer & PIO, PHED (Rural Division), Dimapur, Nagaland clarified that he had furnished whatever information available regarding the funds provided for waste management and Swachh Bharat for the year 2018-2021.

The Commission clarified to the applicant that the reply furnished by the PIO was as per the RTI application and should not go beyond the original RTI application. Therefore, the applicant (now appellant) had confirmed his satisfaction to query 1.

Query 2: Satisfied since breakup of funds were given.

Query 3: Satisfied since no incinerators were constructed under Dimapur district.

Query 4: Satisfied since he had received from the PIO the details statement of funds received and expenditure under IEC & ADM charges since inception to date.

Query 5: Not satisfied since the department had not provided any information.

Er. Repangyangba Longkumer, Chief Engineer & FAA, PHED, Nagaland, Kohima clarified that the department had not received any such funds for the 100 days campaign to provide pipe water supply in ANGANWADI Centers and Schools, however, awareness campaign in school were conducted as it was only a campaign not a project or schemes to have water supply connection to ANGANWADI Centers and schools and the department had managed the campaign with own resources.

The applicant (now appellant), Shri. Bovito Naga had expressed his satisfaction with the above explanation.

Query 6: Satisfied since funds received village wise for CSC & SLWM Schemes were furnished.

Query 7: Satisfied since detailed list of place of construction of waste bin collection during 2018-2021 were furnished.

Query 8: Satisfied since list of Villages with location of CSC & Drainage and funds were furnished.

Query 9: Satisfied since list of Villages with location of CSC & Drainage and funds were furnished.

The Commission clarified to the applicant that as far as furnishing of information is concerned, the PIO had furnished all his RTI query, however, if the applicant desires additional information, he is free to file fresh RTI.

The Commission observed that there was no delay on the part of the public authority in furnishing the complete information to the applicant (now appellant), and hence no penalty was attracted.

DECISION

In view of the above submission and observations, since the applicant (now appellant) had expressed his satisfaction with the information furnished by the PIO, the Commission had decided to declare the appeal case **closed**.

Decision pronounced in the presence of both the parties on 04.08.2022 at 12:00 PM.

Copies be given to:

1. Er. Repangyangba Longkumer, Chief Engineer & FAA, PHED, Nagaland, Kohima.
2. Er. Vikeduolie, Executive Engineer & PIO, PHED (Rural Division), Dimapur, Nagaland.
3. The applicant (now appellant), Shri. Bovito Naga (Ph. No. 8131902119).
4. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
5. Office Copy.

Sd/-

I. MEYIONEN JAMIR
Chief Information Commissioner

Authenticated true copy:

(Worhonthung Ezung)
Deputy Secretary