

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

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**No. NIC/APPEAL-15/2022-23**

**Dated Kohima, the 20<sup>th</sup> July, 2022**

**Subject: Notice for Hearing on 04<sup>th</sup> August, 2022 (Thursday) at 12:30 P.M.**

WHEREAS, the Commission had received a second appeal dated **29/04/2021** from Shri. Bokuto Swu, Advocate, C/o Tovi Swu, Town Middle School, Half Nagarjan, Dimapur, Mb No- 6009135402, 8132039504 against unsatisfactory information furnished even after the first appeal hearing of the FAA to his Appeal dated **25/02/2021** which was submitted against non-response of the PIO, Office of the Chief Engineer, Public Health Engineering Department, Nagaland, Kohima to his RTI application dated **22/01/2021**.

AND WHEREAS, the applicant, Shri. Bokuto Swu, had submitted an RTI application dated **22/01/2021** along with an application fee of Rs. 10 (Ten) addressed to the PIO, Office of the Chief Engineer, Public Health Engineering Department, Nagaland, Kohima, seeking the following information mentioned below:

- 1) *How much amount of money has the department of PHE, Government of Nagaland received under Jal Jeevan Mission so far? Provide photocopy of sanctioned order(s) received by your department under JJM.*
- 2) *Did the department of Public Health Engineering advertise for supply of materials (Eg: Pipes) and construction of water pipes? If Yes, please provide photocopies of newspaper clippings of advertisements. If no, why?*
- 3) *Provide photocopies of work Orders for construction of water Tanks/ Water Sources and work orders for supply of materials for pipe connectivity.*
- 4) *How many water tanks have been constructed under JJM? Provide information on village wise breakup.*
- 5) *How many water tanks have been constructed under JJM so far? Provide list of villages where construction has been completed.*
- 6) *Provide detailed breakup of first phase, second phase etc. of how the project is targeted to be implemented.*
- 7) *How many houses are targeted to be connected with tap water facility under JJM? How many houses have already been connected? How many houses remain to be connected.*
- 8) *Who undertakes the work for connection of pipes to households?*
- 9) *What is the amount of money incurred on construction of water tank?*

AND WHEREAS, on receipt of the RTI application on **22/01/2021**, Er. P. Jakpou Khamniungan, Superintending Engineer & APIO had, vide letter **No.CE/PHE/RTI/2005** dated **08/02/2021** informed all the concerned Executive Engineers of all the Districts/ Division to furnish information for query No. 2-9 and the Accounts Officer (Chief Engineers Office) to furnish query No. 1 regarding JJM for the period 2019-20 & 2020-21(as on Jan 2021) latest by **22/02/2021** to office so as to scrutinise and furnish the information to the applicant within the stipulated time as per the RTI Act, 2005. Further, he informed that for query No. 2, the Executive Engineers may reply on the matter of construction of Water tanks and other related works; except for materials like pipes.

AND WHEREAS, on non-receipt of the information from the PIO, the applicant had submitted first appeal to the First Appellate Authority on **25/02/2021** stating that the PIO, Office of the Chief Engineer, Public Health Engineering Department, Nagaland, Kohima had failed to furnish the information within stipulated time as per the RTI, Act, 2005.

AND WHEREAS, on receipt of the First Appeal dated **25/02/2021**, the FAA had summoned the parties for First Appeal hearing on **23/03/2021**, and after hearing the parties i.e the applicants and the PIO/APIO concerned, the Chief Engineer & FAA had passed decision vide **No.CE/PHE/RTI/2005** dated **23/03/2021** wherein the FAA had requested the applicant to avail the department little more time and that all defaulting Division would be served notice on the matter. Both the parties agreed and the FAA had assured to furnish the complete information latest by **31/03/2021**.

AND WHEREAS, as decided during the first appeal hearing, the Superintending Engineer (P&T) & APIO had, vide letter **No.CE/PHE/RTI/2005** dated **31/03/2021** furnished the information to the applicant. He, further stated that on the matter of supply of materials such as steel pipes and water tanks,

those were procured through approved dealers of manufacturers as per Govt. approved rates and had enclosed a copy of Govt. approved rates.

AND WHEREAS, on not being satisfied with the information provided by the Superintending Engineer (P&T) & APIO as decided during the first appeal hearing on **23/03/2021**, the applicant (now appellant) had submitted Second Appeal dated **29/04/2021** to the Nagaland Information Commission.

AND WHEREAS, on receipt of the Second Appeal dated **29/04/2021**, the Commission had, vide letter **No.NIC/Gen/RTI-19/17(Vol-I)/1341** dated **28/06/2021** directed the Chief Engineer & FAA, PHED, Nagaland to furnish complete information as sought by the applicant within 45 (forty five) days from the date of receipt of its directive and to submit a action taken report to the Commission.

AND WHEREAS, in compliance to the Directive of the Commission dated **28/06/2021**, Er. Inashe Kiba, Addl. Chief Engineer & PIO had, vide letter **No.CE/PHE/RTI/2005/189** dated **24/08/2021** submitted that reply has been furnished to the applicant and that the reason why complete information could not be furnished within 45 (forty five) days was given in the hearing report and had enclosed copies of the hearing report and information furnished.

AND WHEREAS, since the Commission had received a copy of the hearing report dated **23/03/2021** and reply of Er. Inashe Kiba, Addl. Chief Engineer & PIO, PHED, Nagaland, Kohima vide letter **No.CE/PHE/RTI/2005** dated **24/08/2021** which was not convincing to the Commission, the Commission has decided to hear the above mentioned appeal giving opportunity of being heard to all the parties on **04<sup>th</sup> August, 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. Er. Repangyangba Longkumer, Chief Engineer & First Appellate Authority, PHED, Nagaland, Kohima-797001.
2. Er. Inashe Kiba, Addl. Chief Engineer & PIO, Office of the Chief Engineer, PHED, Nagaland, Kohima-797001.
3. Er. P. Jakpou Khamniungan, Superintending Engineer & APIO, Office of the Chief Engineer, PHED, Nagaland, Kohima-797001.
4. The applicant (now appellant), Shri. Bokuto Swu, Advocate, C/o Tovi Swu, Town Middle School, Half Nagarjan, Dimapur, Mb No- 6009135402, 813203950

Sd/- **I.MEYIONEN JAMIR**  
Chief Information Commissioner  
**Dated Kohima, the 20<sup>th</sup> July, 2022**

**No. NIC/APPEAL-15/2022-23**

Copy to:

1. The PS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. Er. Repangyangba Longkumer, Chief Engineer & First Appellate Authority, PHED, Nagaland, Kohima-797001.
3. Er. Inashe Kiba, Addl. Chief Engineer & PIO, Office of the Chief Engineer, PHED, Nagaland, Kohima-797001.
4. Er. P. Jakpou Khamniungan, Superintending Engineer & APIO, Office of the Chief Engineer, PHED, Nagaland, Kohima-797001.
5. The applicant (now appellant), Shri. Bokuto Swu, Advocate, C/o Tovi Swu, Town Middle School, Half Nagarjan, Dimapur, Mb No- 6009135402, 8132039504.
6. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
7. Office Copy.

**(WORHONTHUNG EZUNG)**  
Deputy Secretary  
Nagaland Information Commission