

NAGALAND INFORMATION COMMISSION

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

Nagaland: Kohima-797001

Email: cic.nagaland@gmail.com | Website: www.nlsic.nagaland.gov.in



No. NIC/APPEAL-28/2022-23

Dated Kohima, the 22nd September, 2022

Subject: Notice for Hearing on 19th October, 2022 (Wednesday) at 12:30 Noon.

WHEREAS, the Commission had on **07.03.2022** received a Second Appeal dated **NIL** from **Shri. Toito Sumi, M.No. 8837374545**, and **Shri. Kahovi Rochill, M.No. 7005326368**, against non-satisfaction of the decision of the FAA, Directorate of Social Welfare, Nagaland to their First Appeal dated **28.06.2022** which was submitted against the incomplete information furnished by the PIO to their RTI application dated **NIL**.

AND WHEREAS, the applicants had submitted an RTI application dated **NIL** along with application fee of **Rs. 10/- only** to the PIO, Directorate of Social Welfare, Nagaland requesting the following information pertaining to the period from 2019 till date as below:-

1. *Food items delivery report produced/ carried out by all the enterprises namely:-*
 - a. *MS Abhinav food product.*
 - b. *Ponthungo Enterprises.*
 - c. *Surho Tribal Welfare Society.*
 - d. *Continential Milkos India.*
 - e. *M/S Roushena Odyuo LTD.*
 - f. *Yetovi Enterprises.*

Received report signed by the concern SK(Store Keeper) of all blocks specifically District of Dimapur and Zunheboto.

2. *Repair and renovation of Anganwadi houses in all the Districts of Nagaland/ extension of Anganwadi houses in all districts of Nagaland.*
 - a. *Give in abstract the breakup of funds district wise.*
 - b. *Completion certificate of all the completed Anganwadi houses signed by the units council chairman and the implementation officers.*

AND WHEREAS, on receipt of the RTI application on **05.10.2021**, **Shri. K. Wango Langsym**, APIO, Directorate of Social Welfare, Nagaland had, vide letter **No.SW/RTI/2021/1645** dated **09.11.2021** furnished the information to the applicant.

AND WHEREAS, on not being satisfied with the information furnished by the APIO, the applicants had submitted a First Appeal dated **NIL** to the Director & FAA, Directorate of Social Welfare, Nagaland, which was received by the office on **10.11.2021**.

AND WHEREAS, on receipt of the first appeal, **Shri. Michael Zaren**, Director & FAA had, vide letter **No.SW/RTI/2021/1288** dated **15.12.2021** passed his decision disposing the application as below:-

1. *That the department had directed all the blocks to submit necessary information as sought by letter dated 08/10/2021 and to further submit within 10 days. However till date no further information has received.*
2. *The Department hereby mentioned that by letter dated 10/11/2021, information with regard to renovation of Anganwadi Centers has been provided, however, the applicants has denied to receive the said information stating that the information is incomplete.*

3. *Therefore, with the above mentioned, the Department is unable to suffice the required information at this stage. Hence, in this regard the FAA is of the considerate opinion that if not satisfied, the concern applicants may kindly take necessary steps to approach the appropriate higher authority as per RTI Act, 2005.*

AND WHEREAS, on being dissatisfied with the decision of the FAA, the applicants had submitted a Second Appeal dated ***NIL*** which was received by the Commission on ***07.03.2022***.

AND WHEREAS, on receipt of the Second Appeal, the Commission had, vide letter ***No.NIC/Gen/RTI-19/17 /1536*** dated ***28.04.2022*** directed the Director & FAA, Directorate of Social Welfare, Nagaland to hear the first appeal afresh ***within 45 (forty five) days*** and to submit a copy of its decision to the Commission.

AND WHEREAS, in compliance to the Commission's directive, ***Smti. Tosheli Zhimomi***, Director & FAA, Directorate of Social Welfare, Nagaland had heard the First Appeal on ***16.06.2022*** at ***11:00 A.M***, and had passed decision vide ***No. SW/RTI/NIC/2022/327*** dated ***16.06.2022*** wherein the PIO was directed to furnish all the necessary information free of cost on or before ***24.06.2022***. The applicants were also directed to submit satisfaction or non-satisfaction report ***within 10 days*** from the date of receipt of the information.

AND WHEREAS, in compliance to the directive of the FAA, ***Smti. Nokcharenla Longchar***, PIO, Directorate of Social Welfare, Nagaland had, vide letter ***No.SW/RTI/NIC/2022/270*** dated ***23.06.2022*** furnished the necessary information free of cost to the applicants as given below: -

*As per the appellate sitting held on 16/06/2022 and direction to the PIO to provide the information sought on or before 24.06.2022, the requisite information with regard to reports signed by the Store Keeper of all the blocks specifically Dimapur and Zunheboto is hereby furnish and annexed as **ANNEXURE-1.***

*That with regard to query No. 2 on repair and renovation list of 212 Anganwadi centres, the list is hereby annexed as **ANNEXURE-2.***

That with regard to the fund allocation, a sum of Rs. 1,80,000/- has been allotted to each Anganwadi centres uniformly for the repair and renovation.

That with regard to the completion certificate, the renovation of the houses are still going on and therefore the Department is unable to provide the completion certificate.

AND WHEREAS, on receipt of the information furnished by the PIO, the applicants had submitted a letter dated ***NIL*** to the FAA stating that the information furnished was fabricated, incomplete, and unsatisfactory.

AND WHEREAS, on receipt of the above letter on ***28.06.2022***, the Director & FAA had again, vide ***No. SW/RTI/Appeal/2021/434*** dated ***07.07.2022*** notified for another hearing on ***11.07.2022*** at ***12:00 Noon***.

AND WHEREAS, after the hearing on ***11.07.2022***, the Director & FAA had passed decision vide ***No. SW/RTI/NIC/2022/456*** dated ***11.07.2022*** stating that since the applicants had directly obtained a document from the suppliers and made a submission that they were seeking information pertaining to foods items consignment challan produced by all the enterprises, the PIO was directed to furnish the necessary documents within ***20 days***. The applicants were also directed to submit satisfaction or non-satisfaction report ***within 10 days*** from the date of receipt of the information.

AND WHEREAS, in compliance to the above directive dated **11.07.2022** of the FAA, the PIO had, vide letter **No.SW/RTI/APPEAL/2021/577 dated 03.08.2022** furnished the necessary information to the applicants.

AND WHEREAS, on receipt of the information from the PIO, the applicants had submitted a letter dated **29.08.2022** to this Commission stating that the department had provided incomplete documents and not as per the work order.

AND WHEREAS, since the applicants (now appellants) were still not satisfied with the response of the Public Authority, the Commission has decided to hear the above mentioned second appeal giving opportunity of being heard to all the parties on **19th October, 2022 (Wednesday) at 12:30 Noon in the Hearing Room of the Nagaland Information Commission, Agri-Farm Colony, Lane-6, H/No. AFC/578, Nagaland, Kohima.**

NOW THEREFORE, it is notified that 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 with preventive measures such as wearing of face mask and social distancing:

1. Smti. Tosheli Zhimomi, Director & FAA, Directorate of Social Welfare, Nagaland, Kohima.
2. Smti. Nokcharenla Longchar, Addl. Director & PIO, Directorate of Social Welfare, Nagaland, Kohima.
3. Shri. K. Wango Langsym, APIO, Directorate of Social Welfare, Nagaland, Kohima.
4. The applicants (now appellants), Shri. Shri. Toito Sumi (M.No. 8837374545), and Shri. Kahovi Rochill (M.No. 7005326368).

Sd/- **I. MEYIONEN JAMIR**
Chief Information Commissioner
Nagaland

No. NIC/Appeal-28/2022-23

Dated Kohima, the 22nd September, 2022

Copy to:

1. The PS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. Smti. Tosheli Zhimomi, Director & FAA, Directorate of Social Welfare, Nagaland, Kohima.
3. Smti. Nokcharenla Longchar, Addl. Director & PIO, Directorate of Social Welfare, Nagaland, Kohima.
4. Shri. K. Wango Langsym, APIO, Directorate of Social Welfare, Nagaland, Kohima.
5. The applicants (now appellants), Shri. Shri. Toito Sumi (M.No. 8837374545), and Shri. Kahovi Rochill (M.No. 7005326368).
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