

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

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No. NIC/COMPLAINT-5/2022-23

Dated Kohima, the 13<sup>th</sup> Feb, 2023

**Subject: Closing Order of Complaint Case.**

WHEREAS, the Commission had on **23.08.2022 at 11.30 A.M.** heard the Complaint dated **04.03.2021 (received on 05.03.2021)** submitted by Shri. L. Doji Tsinger, Convenor, UNESCO Club Kiphire, Kiphire District - 798611, Nagaland, *M/No. 9436616825*.

2. AND WHEREAS, after the hearing held on **23.08.2022 at 11.30 A.M.**, the Commission had passed decision vide even No. dated **29.08.2022** and issued Show Cause Notice to Smti. Nyempo Wallim, Deputy Secretary, Labour & Employment Department, Nagaland, Kohima (the then ADC & PIO, O/o the Deputy Commissioner, Kiphire) vide even No. dated **29.09.2022** to submit written explanation to the Commission as to why, under Section 20 (1) of the RTI Act, 2005 penalty for an amount of Rs. 25,000/- should not be imposed on her for contributing to the delay in furnishing the information to the applicant (now complainant).

3. AND WHEREAS, in compliance to the Show Cause Notice of even No. dated **29.09.2022**, Smti. Nyempo Wallim, Deputy Secretary, Labour & Employment Department, Nagaland, Kohima (the then ADC & PIO, O/o the Deputy Commissioner, Kiphire) had, vide letter **dated 15.09.2022** submitted written explanation to the Commission with request to consider her prayer.

4. AND WHEREAS, the Commission had examined the reply to the Show Cause Notice and in view of the Covid Pandemic during 2020 and Bye-Election to the 60-Pungro-Kiphire on **03.11.2020** where the respondent served as Returning Officer and the extremely volatile situation as the United Sangtam Likhum Pumju (USLP), the apex Sangtam Tribal Organization demanded the removal of the then Deputy Commissioner, Kiphire, the Commission took a lenient view and condoned the delay for **40 (forty) days** and penalty under Section 20 (1) of the RTI Act, 2005 for only **60 (sixty) days @ Rs.250/-** per day of delay amounting to **Rs. 15,000/- (fifteen thousand only)** has been imposed on the then PIO vide Order of even No. dated **14.10.2022**.

5. AND WHEREAS, in reference to the Order of even No. dated **14.10.2022**, Smti. Nyempo Wallim, Deputy Secretary, Labour & Employment Department, Nagaland, Kohima (the then ADC & PIO, O/o the Deputy Commissioner, Kiphire) had, vide letter dated **17.11.2022 (received on 21.11.2022)** submitted another representation to the Commission with a request to consider and condone the delay.

6. AND WHEREAS, in reference to the representation dated **17.11.2022**, the Commission had, vide letter of even No. dated **09.12.2022** conveyed to the then PIO that its Order of even No. dated **14.10.2022** stands and directed her to deposit the penalty amount of **Rs.15,000/- (fifteen thousand only) within 15 (fifteen) days**.

7. AND WHEREAS, in compliance to the Commission's Order of even No. dated **14.10.2022**, Smti. Nyempo Wallim, Deputy Secretary, Labour & Employment Department, Nagaland, Kohima (the then ADC & PIO, O/o the Deputy Commissioner, Kiphire) had vide letter No. **NIL** dated **20.01 2023** submitted the Treasury Challan (in original) vide Challan **No. 12 dated 19.01.2023** for the penalty amount of **Rs. 15,000/-** imposed on her for contributing to the delay in furnishing the information to the applicant (now complainant).

8. AND WHEREAS, since the compliance to the decision and Show Cause Notice of the Commission of even No. dated **14.10.2022** have been received, and that the applicant (now complainant) had also expressed his satisfaction of the information so furnished during the hearing, the Commission has now decided to close the Complaint case.

NOW THEREFORE, it is notified to all the parties that this Complaint case is hereby declared as **closed**.

1. Shri. T. Wati Aier, Deputy Commissioner & FAA, Kiphire - 798611, Nagaland.
2. Smti. Nyempo Wallim, Deputy Secretary, Labour & Employment Department, Nagaland, Kohima (the then ADC & PIO, O/o the Deputy Commissioner, Kiphire).
3. Shri. James Khullu Tikhir, SDO (C) HQ & APIO, O/o the Deputy Commissioner, Kiphire – 798611, Nagaland.
4. The applicant (now complainant), Shri. L. Doji Tsinger, Convenor, UNESCO Club Kiphire, Kiphire District - 798611, Nagaland, *M/No. 9436616825*.

Sd/-

**I. MEYIONEN JAMIR**

Chief Information Commissioner

**Dated Kohima, the 13<sup>th</sup> Feb, 2023**

**No. NIC/COMPLAINT-5/2022-23**

Copy to:-

1. PS to the Chief Information Commissioner for kind information of the CIC.
2. Shri. T. Wati Aier, Deputy Commissioner & FAA, Kiphire - 798611, Nagaland.
3. Smti. Nyempo Wallim, Deputy Secretary, Labour & Employment Department, Nagaland, Kohima (the then ADC & PIO, O/o the Deputy Commissioner, Kiphire, Nagaland).
4. Shri. James Khullu Tikhir, SDO (C) HQ & APIO, O/o the Deputy Commissioner, Kiphire – 798611, Nagaland.
5. The applicant (now complainant), Shri. L. Doji Tsinger, Convenor, UNESCO Club Kiphire, Kiphire District - 798611, Nagaland, *M/No. 9436616825*.
6. The Accounts Officer, Nagaland Information Commission for information.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website.
8. Office Copy.

**(WORHONTHUNG EZUNG)**

Deputy Secretary

Nagaland Information Commission