

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

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No. NIC/APPEAL-35/2022-23

1954

Dated Kohima, the 27th April, 2023

Appellants

- : i) Shri. Lovito S Zhimomi and
ii) Shri. Puloto I Achumi

Respondents

- : (i) Smti. Liboni Humtsoe,
Director & First Appellate Authority,
Directorate of Rural Development,
Nagaland, Kohima-797001.

- (ii) Smti. Azenuo Pienyu
Addl. Director & PIO,
Directorate of Rural Development,
Nagaland, Kohima-797001.

- (iii) Shri. K. Neibou Sekhose,
Joint Director & APIO,
Directorate of Rural Development,
Nagaland, Kohima-797001.

Public Authority

- : Directorate of Rural Development, Nagaland, Kohima-797001.

Date of first hearing

- : 23.11.2022 at 12:30 PM.

Date of first Decision

- : 05.12.2022.

Date of second hearing

- : 19.04.2023 at 12:30 PM.

Date of second Decision

- : 27.04.2023.

Present:

1. Smti. Azenuo Pienyu, former Addl. Director & PIO (now Director & FAA), Directorate of Rural Development, Nagaland, Kohima, Mobile No. 9436001443.
2. Smti. Vihasanuo, Deputy Director, Directorate of Rural Development, Nagaland, Kohima, Mobile No. 9402489782.
3. Shri. Hamdok M. Konyak, RDO & APIO, Directorate of Rural Development, Nagaland, Kohima, Mobile No. 8413002024.
4. Shri. Simon Mhaleo Kulnu, BAPO(Technical), Directorate of Rural Development, Nagaland, Kohima, Mobile No. 8575566797.
5. Shri. Imlisanen Aier, RDO, Directorate of Rural Development, Nagaland, Kohima, Mobile No. 8731914610.
6. Smti. Akhrienuo Zehol, BAPO, Directorate of Rural Development, Nagaland, Kohima, Mobile No. 8414098171.
7. One of the applicants (now appellants), Shri. Puloto I Achumi, K. Hollohon Colony, Dimapur, Mobile No. 700960261.

The following did not appear for the hearing:-

8. Smti. Liboni Humtsoe, former Director & FAA (now retired), Directorate of Rural Development, Nagaland, Kohima, Mobile No. 8413825319.
9. Shri. K. Neibou Sekhose, former Joint Director & APIO (now retired), Directorate of Rural Development, Nagaland, Kohima, Mobile No. 9436000365.
10. One of the applicants (now appellants), Shri. Lovito S Zhimomi, K. Hollohon Colony, Dimapur, Mobile No. 6009744633.

FACT OF THE CASE

The Commission had, on 23.11.2022 at 12:30 PM, heard the Second Appeal dated 25.10.2022 submitted by Shri. Lovito S. Zhimomi, and Shri. Puloto I. Achumi, Mb. No. 7005960261, against the Directorate of Rural Development, Nagaland, Kohima and passed its decision vide even No. dated 05.12.2022.

In compliance to **decision No. 01** of the Commission dated 05.12.2022, Smti. Liboni Humtsoe, Director & FAA, Directorate of Rural Development, Nagaland, Kohima had, vide letter No. DRD.RTI-AA-11/2021-22 dated 19.12.2022, submitted in writing, the explanation regarding PFMS and the hosting on the National Informatics Centre website to the applicants (now appellants) and with a copy to the Commission.

Also, in compliance to **decision No. 02** of the Commission dated 05.12.2022, the applicants (now appellants) had once again, vide letter dated **03.01.2023**, submitted to the Commission, stating that the information furnished by the PIO was **non-satisfactory** as the department is repeatedly making the same excuse without any valid reason regarding the PFMS under eGram Swaraj.

And in compliance to **decision No. 03** of the Commission dated 05.12.2022, Smti. Liboni Humtsoe, Director & FAA, Directorate of Rural Development, Nagaland, Kohima had, vide letter No. DRD/RTI-AA-11/2021-22 dated 21.12.2022, forwarded to the Commission a copy of Treasury Challan No. 16 dated 21.12.2022 regarding the payment of penalty for an amount of Rs. 14,750/- only which was imposed on Shri. K. Neibou Sekhose, Joint Director & APIO, Directorate of Rural Development, Nagaland, Kohima for contributing to the delay in furnishing the information to the applicants without reasonable cause.

Since the applicants (now appellants) were still not satisfied, the Commission has decided to hear the appeal again, giving opportunity of being heard to both the parties on **19th April, 2023 (Wednesday) at 12:30 PM** in the Hearing Room of Nagaland Information Commission, Agri-farm Colony, Lane-6, H/No. AFC/578, Nagaland, Kohima and directed the following parties 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 etc.

1. The Director & FAA, Directorate of Rural Development, Nagaland, Kohima.
2. The Addl. Director & PIO, Directorate of Rural Development, Nagaland, Kohima.
3. The applicants (now appellants), Shri. Lovito S. Zhimomi, and Shri. Puloto I. Achumi, Mobile No. 7005960261.

OBSERVATIONS AND FINDINGS:

During the hearing, one of the applicants (now appellants), Shri. Puloto I. Achumi who had appeared for the hearing stated that he was not satisfied with the following explanation given by the public authority vide letter No. DRD.RTI-AA-11/2021-22 dated 19.12.2022 regarding the PFMS and the hosting on the National Informatics Centre website, which was in compliance to the first decision of the Commission dated 05.12.2022:-

"since the data of the TLB on the PFMS portal is yet to be synced with the latest data on the Local Government Directory (LGD) and also that the name of the villages used by the Census, Home Department and the LGD differs, the RD (Nodal Department) was assigned to compile report of the data mismatch and to submit to the Steering Committee for further necessary action. Further, the RD department is not able to proceed with the PFMS. Since the NIC website is not maintained by the RD, login credentials are not available with the RD."

Shri. Simon Mhaleo Kulnu, BAPO(Technical), clarified that during the Fifteenth Finance Commission, when the *eGram Swaraj* was started, there were 52 RD Blocks in Nagaland, and with the increase of the RD Blocks to 74 and the districts to 15, the mapping of villages are to be reflected under the new blocks and the data of Traditional Local Bodies (TLB) on PFMS to be synced with the data on the Local Government Directory (LGD) in order to onboard the *eGram Swaraj* as the *eGram Swaraj* application has to be integrated with the PFMS Portal. However, since the mapping of villages are still reflected under the old blocks, there were lots of mismatched data in the PFMS and unless the Ministry of Panchayati Raj make compatible or revamp the functionalities of the *eGram Swaraj* for TLBs, the Rural Development department cannot onboard the *eGram Swaraj* and the PFMS.

The applicant(now appellant) had produced a copy of the LGD issued to 83 blocks, but the public authority clarified that there are only 74 blocks in the State.

Smti. Azenuo Pienyu, Director & FAA, Rural Development also stated that the department desire to implement but due to the technical issues explained above, the PFMS cannot be in operation. She further stated that the department had written to the State government to take up the matter with the Ministry of Panchayati Raj to resolve the issue faced by the State on PFMS, however, no confirmation or approval has been received till date. She assured that once the issues are resolved, the work can be implemented within a few days.

The FAA also informed the Fifteenth Finance Commission is projected for five (5) years, but funds was received for only 2 years i.e. from 2020-21 and 2021-22 and that funds are being transferred directly to the VDB accounts. However, fund for 2022-23 is yet to receive.

The Commission observed that the PFMS transaction records sought by the applicants are not available and hence could not be furnished since the PFMS could not be operational on the technical issues as explained by the public authority. Efforts have also been made in taking up with the government to resolve the issues, and the FAA had also assured that once the issues are resolved, the work can be implemented within a few days. The Commission felt that since sufficient explanation had been given, no further direction is required and hence dismissed the appeal. However, for the satisfaction of the applicants(now appellants), copies of correspondence letters between the Rural Development, the State government and the Ministry of Panchayati Raj may be furnished.

DECISION

On the above observations, since sufficient explanation and clarification have been given by the public authority, the Commission find no further hearing or explanation is required and therefore dismissed the appeal and declared the case as **closed**.

Decision pronounced in the presence of both the parties on 19.04.2023 at 12:30 PM.

Copies be given to:-

1. Smti. Azenuo Pienyu, Director & FAA (former Addl. Director & PIO), Directorate of Rural Development, Nagaland, Kohima, Mobile No. 9436001443.
2. Smti. Vihesanuo, Deputy Director, Directorate of Rural Development, Nagaland, Kohima, Mobile No. 9402489782.
3. Shri. Hamdok M. Konyak, RDO & APIO, Directorate of Rural Development, Nagaland, Kohima, Mobile No. 8413002024.
4. Shri. Simon Mhaleo Kulnu, BAPO(Technical), Directorate of Rural Development, Nagaland, Kohima, Mobile No. 8575566797.
5. The Computer Programmer, Nagaland Information Commission for uploading on the website.
6. The applicants (now appellants), Shri. Lovito S Zhimomi, K. Hollohon Colony, Dimapur, Mobile No. 6009744633 and Shri. Puloto I Achumi, K. Hollohon Colony, Dimapur, Mobile No. 700960261.
7. Office Copy.

Sd/-

L MEYIONEN JAMIR
Chief Information Commissioner

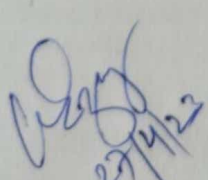
Sd/-

NOSAZOL CHARLES
State Information Commissioner

Sd/-

T. KEKONGCHIM YIMKHIUNG
State Information Commissioner

Authenticated true copy:


(Worhonthung Ezung)
Deputy Secretary