

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-6/2021-22

1677

Dated Kohima, the 16th August, 2022

Appellants

- : i) Shri. Akashei Sumi,
Mobile No. 8837369415, and
ii) Shri. Puloto Naga,
Mobile No. 9862290250.

Respondents

- : (i) Smti. Tosheli Zhimomi,
Director & First Appellate Authority,
Directorate of Social welfare,
Nagaland, Kohima.

(ii) Smti. Nokcharenla Longchar,
Addl. Director & PIO,
Directorate of Social Welfare,
Nagaland, Kohima.

Public Authority

: Directorate of Social Welfare, Nagaland, Kohima.

Date of hearing

: 01.08.2022 at 11:00 AM.

Date of Decision

: 16.08.2022.

Present:

1. Smti. Tosheli Zhimomi, Director & First Appellate Authority, Directorate of Social Welfare, Nagaland, Kohima-797001, *Mobile No. 9436019018*.
2. Smti. Nokcharenla Longchar, Additional Director & PIO, Directorate of Social Welfare, Nagaland, Kohima – 797001, *Mobile No. 8257900500*.

The applicants (now appellants), Shri. Akashei Sumi, *M/No. 8837369415* and Shri. Puloto Naga, *M/No. 9862290250* **did not appear for the hearing.**

FACT OF THE CASE

The applicants, Shri. Akashei Sumi & Shri. Puloto Naga, had jointly submitted an RTI application dated *NIL* addressed to the PIO, Directorate of Social Welfare, Nagaland, Kohima along with application fee of Rs. 10/- seeking the following information:

1. *Kindly furnish the detail criteria of how Mission Director of POSHAN ABHIYAAN is being appointed?*
2. *What is the aim and objectives of POSHAN ABHIYAAN SCHEME, please furnish in detail.*
3. *Kindly furnish how many beneficiaries has been benefited under POSHAN ABHIYAAN scheme since inception in Nagaland.*
4. *Kindly furnish how many funds has been received during the financial year 2018-2019, 2019-2020, 2020-2021 under POSHAN ABHIYAAN scheme? Provide the authenticated photocopy of the funds received.*
5. *Furnish in detail how the fund is received and how it is being utilized?*
6. *Kindly furnish in detail how the fund received is disbursed/allocated in district wise?*
7. *Provide the PIO signature in every single page of the information furnished.*

On receipt of the above RTI application by the Department on **27.07.2021**, Shri. K. Wango Langsym, APIO, Directorate of Social Welfare, Nagaland, Kohima had, vide letter No. SW/RTI/2021 dated **18.08.2021** furnished the information, however since the information was unsatisfactory, the applicants had submitted First Appeal dated **31.08.2021** addressed to the FAA, Directorate of Social Welfare and received by the Department on **01.09.2021**.

Since there was no response from the FAA, the applicants (now appellants) had filed the Second Appeal dated **05.10.2021** to the Commission. On receipt of the Second Appeal on **22.11.2021**, since the First Appeal was not heard at the FAA level, the Commission had vide letter **No.NIC/GEN/RTI-19/17(Vol-I)** dated **12.01.2022** directed the Director & FAA, Social Welfare, Nagaland, Kohima to hear the First Appeal and pass decision at the earliest and submit a copy to the Commission.

Since there was no response from the FAA, the Commission had, vide **No.NIC/GEN/RTI-19/17(Vol-III)** dated **31.05.2022** issued reminder to the FAA to submit action report **within 15(fifteen) days** from the date of receipt of the reminder.

In compliance to the Commission's reminder letter dated **31.05.2022**, the Director & FAA had vide letter **No. SW/RTI/NIC/2022/333** dated **17.06.2022** submitted the action taken report to the Commission stating that, the First Appeal Hearing was conducted as per the directives of the Commission and had passed order **No. SW/RTI/NIC/2022/328** dated **16.06.2022** wherein the FAA had directed the PIO to provide the information as sought by the applicants (now appellants) on **21.06.2022** free of cost, and that, on receipt of the information, applicants (now appellants) shall submit satisfaction/non-satisfaction to the FAA **within 10 (ten) days** from the date of receipt of the information.

As directed by the Director & FAA in the order **No. SW/RTI/NIC/2022/328** dated **16.06.2022**, Smti. Nokcharenla Longchar, Addl. Director & PIO had, vide letter **No. SW/RTI/NIC/2022/366** dated **21.06.2022** furnished the information sought on POSHAN ABHIYAAN.

On receipt of the information furnished by the PIO, the applicants (now appellants) had submitted their satisfaction to the Director & FAA vide letter dated **30.06.2022** which was also received by the Commission through electronic communication **WhatsApp** on **05.07.2022**.

Since the Commission is not satisfied and convinced with the above action of the FAA, the Commission has decided to hear the above mentioned appeal giving opportunity of being heard to all the parties on **29th July, 2022 (Friday) at 1:00 P.M in the Hearing Room of Nagaland Information Commission, Agri-farm Colony, Lane-6, H/No. AFC/578, Nagaland, Kohima.**

However, since Smti. Nokcharenla Longchar, Addl. Director & PIO, Directorate of Social Welfare, Nagaland, Kohima had vide letter **No. SW/RTI/NIC/2022/523** dated **25.07.2022** requested the Commission for adjournment of the Hearing date and re-fix another date since she along with the Director & FAA had to attend a meeting called by the Ministry of Women Child Development at Delhi on **27.07.2022**, the Commission had conveyed acceptance and re-fixed the Hearing date on **01.08.2022 (Monday) at 11.00 AM** vide letter of even **No. NIC/Appeal-6/2022-23/1640** dated **25.07.2022** and hence the following parties were directed to appear before the 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 facemask and social distancing etc.

1. Smti. Tosheli Zhimomi, Director & First Appellate Authority, Directorate of Social Welfare, Nagaland, Kohima-797001.
2. Smti. Nokcharenla Longchar, Addl. Director & PIO, Directorate of Social Welfare, Nagaland, Kohima - 797001.
3. The applicants (now appellants), Shri. Akashei Sumi, M/No. 8837369415 and Shri. Puloto Naga, M/No. 9862290250.

OBSERVATIONS AND FINDINGS:

The applicants (now appellants), Shri. Akashei Sumi and Shri. Puloto Naga, **did not appear for the hearing**, and there was no prior intimation to the Commission regarding their absence.

Smti. Tosheli Zhimomi, Director & First Appellate Authority, Directorate of Social Welfare, Nagaland, Kohima stated that the Department had received the RTI application on **27.07.2021** and accordingly, the information was furnished to the applicants (now appellants) on **18.08.2021**. Further, the Director & FAA had also stated that in compliance to the First Appeal hearing Order dated **16.06.2022**, Smti. Nokcharenla Longchar, Additional Director & PIO had, vide letter No. **SW/RTI/NIC/2022 dated 21.06.2022** furnished the remaining information sought on POSHAN ABHIYAAN **free of cost** to the applicants (now appellants).

Since the applicants (now appellants) did not appear for the hearing, the Commission had made a video call and spoke to one of the applicants (now appellants), Shri. Puloto Naga. During the hearing made through video calling before the Commission, Shri. Puloto Naga submitted that due to some medical emergency, they were unable to attend the hearing and hence apologised before the Commission. He further, submitted that the information was received and was **satisfied** with the information.

The Commission had viewed seriously the absence of the applicants (now appellants) in the hearing and hence cautioned them to be present in the hearing and take the RTI matters seriously in future.

The Commission also observed that there was no delay in furnishing the information and hence no penalty was attracted.

DECISION:

On the above observations and findings, since the applicants (now appellants) had submitted **satisfaction** with the information so received from the PIO, and that there was no delay, the Commission declared the case as **closed**.

Decision pronounced in the presence of both the parties on **01.08.2022 at 11:00 AM**.

Copies be given to:-

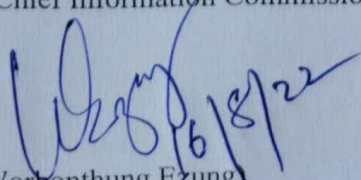
1. Smti. Tosheli Zhimomi, Director & First Appellate Authority, Directorate of Social Welfare, Nagaland, Kohima-797001, Mobile No. 9436019018.
2. Smti. Nokcharenla Longchar Addl. Director & PIO, Directorate of Social Welfare, Nagaland, Kohima – 797001, Mobile No. 8257900500.
3. The applicants (now appellants), Shri. Akashei Sumi, M/No. 8837369415 and Shri. Puloto Naga, M/No. 9862290250.
4. The Computer Programmer, Nagaland Information Commission for uploading on the website.
5. Office Copy.

Sd/-

I. MEYIONEN JAMIR

Chief Information Commissioner

Authenticated true copy:


(Worhonthung Ezung)
Deputy Secretary