

No. NIC/APPEAL-43/2022-23

Dated Kohima, the 24<sup>th</sup> April, 2023

**Subject: Notice for Hearing on 4<sup>th</sup> May, 2023 (Thursday) at 12:00 Noon.**

WHEREAS, the Commission had, on **19.12.2023**, received a Second Appeal from Shri. **T. Ruovi** and **Shri. Aki**, C/o Kuda 'B' Sub-Post Office, Nagarjan, Dimapur, Ph. No. 7630899734 against non-response of the FAA, Directorate of Rural Development, Nagaland to their First Appeal dated **23.09.2022** which was filed against unsatisfactory reply of the PIO to their RTI application dated **02.08.2022**.

AND WHEREAS, the applicants had submitted an RTI application dated **02.08.2022** addressed to the PIO, O/o the Project Director, Rural Development Department, Dimapur along with application fee of Rs. 10/- (in cash) seeking the following information: -

- i. *Kindly provide a copy of Government accorded Administrative and Technical Sanctions for construction of Retaining Wall in Nagarjan Village under MGNREGA Scheme during FY 2018-19 in respect of RD Block, Chumukedima.*
- ii. *We wish to inspect the construction of retaining wall during 2018-19 – Chobi Dolie to Achubu under Section 2(J) (i) of Right to Information Act.*

*Please intimate us the date and time we should come to inspect the project.*

AND WHEREAS, on receipt of the above RTI application, Smti. **Sashirenlia Imchen**, Block Development Officer & APIO, RD Block, Chumukedima, Nagaland had, vide No. **BDO/Chumu/RTI-1/2013-14** dated **17.08.2022**, furnished the information sought to the Project Director & PIO, DRDA, Dimapur, Nagaland for necessary action in reference to his Letter No. **DRDA/DMR/ESTT-19/RTI-09/2019** dated **09.08.2022** as under: -

**Reply to query No. 1:**

*Xerox copy of Work order enclosed.*

**Reply to query No. 2:**

*The record i.e., the work executed is under another public authority, i.e., the Village Council of Nagarjan (Kuda), therefore the said Public Authority may be requested to furnish the information as sought for by the applicant.*

AND WHEREAS, Shri. **Kethosituo Sekhose**, NCS, Project Director & PIO, DRDA, Dimapur, Nagaland had, vide No. **DRDA/DMR/ESTT-19/RTI (II)/2019/35** dated **24.08.2022**, furnished to the applicants, the information sought as forwarded by the BDO & APIO, RD Block, Chumukedima, Nagaland as below: -

- i. *The information is enclosed as forwarded by the BDO, Chumukedima.*
- ii. *The information sought is under the custody of the Village Council of Nagarjan (Kuda) and therefore the same request for information is being transferred to the Chairman, Nagarjan (Kuda) Village Council.*

AND WHEREAS, in regard to Query No. 2, Shri. **Kethosituo Sekhose, NCS**, Project Director & PIO, DRDA, Dimapur, Nagaland had, vide letter **No. DRDA/DMR/ESTT-19/RTI (II)/2019** dated **24.08.2022** directed the Chairman, Nagarjan (Kuda) Village Council, Dimapur to fix a convenient date for inspection of the construction site and inform the applicants for further necessary action.

AND WHEREAS, on receipt of the above directive of the Project Director, DRDA, Dimapur, Nagaland, Shri. **Vikie Nagi**, Chairman, Nagarjan (Kuda) Village Council, had, vide letter dated **25.08.2022**, informed the applicants to gather at the Village Council Hall on **27.08.2022** at **07:00 AM** so that together with the council, GB & VDB, they will proceed to the construction site for inspection of the work done.

AND WHEREAS, on being dissatisfied, the applicants had submitted a First Appeal dated **23.09.2022** to the FAA, Directorate of Rural Development, Nagaland, Kohima stating that for Query No. 01, instead of the Govt. accorded Administrative and Technical Sanctions for construction of Retaining Wall in Nagarjan Village under MGNREGA Scheme during Financial Year, 2018-19, the PIO had furnished only undated documents and no copy of order (Sanction Order) was provided. Also, pertaining to Query No. 02, the applicants had stated that they felt no point for inspection as the said work (Retaining Wall) was not at the recorded location i.e., Kuda 'B' Khel, Nagarjan Village.

AND WHEREAS, on receipt of the First Appeal, Smti. **Liboni Humtsoe**, Director & FAA, Rural Development, Nagaland, Kohima had, vide **No. DRD/ME/RTI AA-11/2021-22** dated **26.10.2022** notified of hearing on **31.10.2022** at **01:30 PM** at the Directorate.

AND WHEREAS, the applicants had submitted a Second Appeal dated **NIL** to the Commission stating non response/ non receipt of decision from the FAA.

AND WHEREAS, on receipt of the Second Appeal on **19.12.2022**, the Commission had, vide letter **No. NIC/APPEAL-43/2022-23/1853** dated **23.01.2023** directed the FAA, Directorate of Rural Development, Nagaland to submit a copy of the decision of the FAA on the hearing of the first appeal held on **31.10.2022** **within 20 (twenty days)** for further necessary action.

AND WHEREAS, on receipt of a copy of the above decision of the FAA on **27.03.2023**, the Commission had observed that in reply to Query No. 01, the PIO & Project Director, DRDA, Dimapur had stated that the copies of the Work Order were already provided. And for Query No. 02, the PIO & Project Director, DRDA, Dimapur had directed the Chairman, Nagarjan (Kuda) Village Council to fix a date for inspection of the work site along with the applicants. Subsequently, the Chairman, Nagarjan (Kuda) Village Council had informed the applicants for the construction site inspection on **27.08.2022**. However, the applicants decided not to visit the site for inspection after finding out the construction work was not at the recorded location.

AND WHEREAS, since the applicants (now appellants) are still dissatisfied with decision of the FAA, the Commission has decided to hear the above mentioned Appeal giving opportunity of being heard to all the parties on **4<sup>th</sup> May, 2023 (Thursday) at 12:00 Noon** 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 also requested to attend the 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. Shri. **Kethosituo Sekhose**, NCS, Project Director & PIO, DRDA, Dimapur, Nagaland.
3. Shri. **Vikie Nagi**, Chairman, Nagarjan (Kuda) Village Council, Dimapur, Nagaland.
4. The VDB Secretary, Nagarjan (Kuda) Village, Dimapur, Nagaland.
5. The applicants (now appellants), Shri. **T. Ruovi** and Shri. **Aki**, Dimapur, C/o Kuda 'B' Sub-Post Office, Nagarjan, Dimapur, Ph. No. 7630899734.

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

No. NIC/APPEAL-43/2022-23 /1946

Dated Kohima, the 24<sup>th</sup> April, 2023

Copy to:

1. The PS to the Chief Information Commissioner, Nagaland, for kind information of the CIC.
2. The PA to SIC (N), for kind information of the State Information Commissioner.
3. The PA to SIC (K), for kind information of the State Information Commissioner.
4. The Director & FAA, Directorate of Rural Development, Nagaland, Kohima.
5. Shri. Kethosituo Sekhose, NCS, Project Director & PIO, DRDA, Dimapur, Nagaland.
6. Shri. Vikie Nagi, Chairman, Nagarjan (Kuda) Village Council, Dimapur, Nagaland.
7. The VDB Secretary, Nagarjan (Kuda) Village, Dimapur, Nagaland.
8. The applicants (now appellants), Shri. T. Ruovi and Shri. Aki, Dimapur, C/o Kuda 'B' Sub-Post Office, Nagarjan, Dimapur, Ph. No. 7630899734.
9. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
10. Office Copy.



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