

C.P.

**NAGALAND INFORMATION COMMISSION**

NAGALAND COMMISSIONS' COMPLEX

POST BOX NO. 148

NAGALAND, KOHIMA-797001

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No. NIC/APPEAL-32/2022-23

Dated Kohima, the 14<sup>th</sup> September, 2023.

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

WHEREAS, the Commission had received a Second Appeal dated **15/02/2021** from Shri. S. B. Lemba, Mobile No- 8730001013, 8787573408 against the non-response of the FAA to his First Appeal dated **NIL** which was submitted against the unsatisfactory information furnished by the PIO, NPWD (NH), Tuensang, Nagaland in reply to his RTI application dated **26/10/2020**.

AND WHEREAS, the applicant had submitted an RTI application dated **26/10/2020** addressed to the PIO, Nagaland Public Works Department (National Highways), Tuensang, Nagaland, enclosing a photocopy of BPL Card, seeking the information in details regarding the fund sanction and total expenditure report along with payment received vouchers in respect of programmes sanction and under Tuensang District under the department of NPWD both State and National Highway under Tuensang District from 2010 to 2020:-

**A.**

- 1) Total no of projects under national highway:
  - a. Name of the funding agencies.
  - b. Category of works for which the fund is sanction.
  - c. Total sanction amount each year.
- 2) (i) Total Fund received for strengthening, construction & improvement of road/ construction & rehabilitation of bridge.
  - a. Total amount received and sanctioned by central Government.
  - b. Total amount received by the District from the Central and State.
  - c. Particulars of works sanction amount NH no (rs in crores) length in (KM)
  - d. Kindly furnished the sanction order, payment received expenditure report, voucher, actual payment received (APR), Photo copy and successes story.
  - e. The consolidate statement of fund under NH (o) for 2010-2011, 2011-2012, 2012-13, 2013-14, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020 & 2020-2021.
  - f. Kindly furnished accordingly to yearly wise.
- (ii). Feasibility study/ detailed engineering.
  1. On existing NH (2) in- principal approved.
    - a. Total amount received and sanction by Central Government.
    - b. Total amount received by the District from the Central and State.
    - c. Particulars of works sanction amount NH No (rs in crores) length in KM.
    - d. Kindly furnished the sanction order, payment received , expenditure report, voucher, actual payment received (APR), Photocopy and successes story.
- 3) Kindly furnish according to yearly wise.

Projects undertaken under special accelerated road development programme (SARDP).

  - a. Total amount received and sanction by central Government.
  - b. Total amount received by the District from the Central and state.
  - c. Particulars of works sanction amount NH No (rs in crores) length in KM.
  - d. Kindly furnished the sanction order, payment received, expenditure report, voucher, actual payment received (APR), Photocopy and successes story.
  - e. The consolidate statement of fund under NH (o) for 2010-2011, 2011-2012, 2012-13, 2013-14, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020 & 2020-2021.
  - f. Kindly furnished accordingly to yearly wise.

- 4) Programme under annual renewal programme undertaken.
  - a. Total amount received and sanction by Central Government.
  - b. Total amount received by the District from the Central and state.
  - c. Particulars of works sanction amount NH No (rs in crores) length in KM.
  - d. Kindly furnished the sanction order, payment received, expenditure report, voucher, actual payment received (APR), Photocopy and successes story.
  - e. The consolidate statement of fund under NH (o) for 2010-2011, 2011-2012, 2012-13, 2013-14, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020 & 2020-2021.
  - f. Kindly furnished accordingly to yearly wise.
- 5) Programme undertaken under NH (o) Road works.
  - a. Total amount received and sanction by Central Government.
  - b. Total amount received by the District from the Central and state.
  - c. Name of the Project, length in Kms, NH NO & Project stretch, sanction amount/ order amount (rs in crores).
  - d. Kindly furnished the sanction order, payment received, expenditure report, voucher, actual payment received (APR), Photocopy and successes story.
  - e. The consolidate statement of fund under NH (o) for 2010-2011, 2011-2012, 2012-13, 2013-14, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020 & 2020-2021.
  - f. Kindly furnished accordingly to yearly wise.
- 6) Programme under NH (o) Bridge works (repair/ rehabilitation & New construction)
  - a. Total amount received and sanction by Central Government.
  - b. Total amount received by the District from the Central and state.
  - c. Total amount received by the state from the central.
  - d. Particulars of works sanction amount NH No (rs in crores) length in KM.
  - e. Kindly furnished the sanction order, payment received, expenditure report, voucher, actual payment received (APR), Photocopy and successes story.
  - f. The consolidate statement of fund under NH (o) for 2010-2011, 2011-2012, 2012-13, 2013-14, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020 & 2020-2021.
  - g. Kindly furnished accordingly to yearly wise.
- 7) Programme under NH PR/IRQP (improvement of riding quality programme).
  - a. Total amount received and sanction by Central Government.
  - b. Total amount received by the state from the central.
  - c. Total amount received by the District from the Central and state.
  - d. Name of the Project, length in Kms, NH NO & Project stretch, sanction amount/ order amount (rs in crores).
  - e. Kindly furnished the sanction order, payment received, expenditure report, voucher, actual payment received (APR), Photocopy and successes story.
  - f. The consolidate statement of fund under NH (o) for 2010-2011, 2011-2012, 2012-13, 2013-14, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020 & 2020-2021.
  - g. Kindly furnished accordingly to yearly wise.

B.

1. Fund received from North East Council (NEC).
2. Fund received from Ministry of road Transport and Highway (MORTH)
3. Fund received from National Highway Authority of India (NHAI).
4. Fund received from National Highway and infrastructure development cooperation limited (NHIDCL).
5. Fund received from Central road fund scheme (CRF).
6. Fund received from interstate connectivity scheme (ISC).
7. Fund received from NABARD.
8. Fund received from non lapsable central pool of resources (NLCPR).
9. Fund received from Pradhan Mantra Gram Sadak Yojana (PMGSY).



C.

- a. Details as per required information seek mention as per below
- b. Total amount received and sanction by Central Government.
- c. Total amount received by the State from the Central.
- d. Total amount received by the District from the Central and State.
- e. Name of the Project, length in Km, NH No/ Sanction civil amount/ work order, amount (rs in crores).
- f. Kindly furnish the sanction order, payment received, expenditure report, voucher, actual payment received (APR), Photocopy and successes story.
- g. The consolidate statement of fund under NH (o) for 2010-2011, 2011-2012, 2012-13, 2013-14, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020 & 2020-2021.
- h. Kindly furnished accordingly to yearly wise.

AND WHEREAS, on receipt of the RTI application dated 26/10/2020, Er. Imkongakum, Executive Engineer & PIO, PWD (NH), Division- III, Tuensang, Nagaland, had, vide letter No.EE/NH/TSG/RTI/2014/2043 dated 13/11/2020 informed the applicant to collect the documents from his Division during working days and had enclosed a copy of the information.

AND WHEREAS, on receipt of the information on 25/11/2020, the applicant had submitted first appeal dated NIL addressed to the FAA, EE, PWD (NH), Tuensang stating that he was not satisfied with the information furnished by the PIO.

AND WHEREAS, on receipt of the first appeal on 05/01/2021, Er. K. Theunuo, Chief Engineer NPWD (NH), Nagaland, Kohima had, vide letter No.CE/NH/RTI/TECH/2020-21/387-91 dated 28/01/2021 issued notice for hearing of the first appeal to both the parties to be held on 03/02/2021 at 12:00 P.M in the office chamber of the Chief Engineer.

AND WHEREAS, on receipt of the first appeal hearing notice, the applicant had regretted his inability to attend the hearing as the public authority had ignored and failed to respond within the stipulated time frame though a copy of the first appeal was also submitted to the Chief Engineer by speed post on 09/12/2020. Further, the applicant, while acknowledging that the first appeal was wrongly addressed to the Executive Engineer, the applicant pointed out that the public authority could have forwarded to the rightful FAA.

AND WHEREAS, since the applicant had refused to attend the first appeal hearing citing that the first appellate had already denied his first appeal, the applicant (now appellant) had submitted second appeal dated 15/02/2021 before the Nagaland Information Commission.

AND WHEREAS, on receipt of the second appeal, the Commission had, vide letter No.NIC/Gen/RTI-19/17/1323 dated 28/04/2021 directed the Chief Engineer & FAA, NPWD (NH), Nagaland, Kohima to submit copies of the decision if hearing was heard ex parte, and if not heard, the first appeal to be heard afresh and pass decision *within 45 (forty five) days* from the date of receipt of its directive and submit a copy of the decision to the Commission.

AND WHEREAS, in compliance to the Commission's directive dated 28/04/2021, Er. Vikishe Yephthomi, Executive Engineer & PIO, had, vide letter No.CE/NH/RTI/TECH/2020-21(Pt-I)/12 dated 07/05/2021 issued notice for hearing of the first appeal to both the parties to be held on 01/06/2021 at 12:00 P.M in the office chamber of the Chief Engineer.

AND WHEREAS, in compliance to the Commission's directive, Er. Pukroneizo Kera, Chief Engineer PWD (NH) & FAA had, vide letter No.CE/NH/RTI/TECH/2020-21(Pt-I)/192 dated 02/08/2023 submitted to the Commission stating that the first appeal hearing fixed on 01/06/2021 at 12:00 hrs could not be held due to the on-going pandemic and impositions of complete lockdown by the State Government and the applicant had requested for rescheduling of the hearing. The hearing of the first appeal was held on 29/07/2021 at 12:00 hrs in the Conference Hall of the office of the Chief Engineer, PWD (NH), Kohima and a copy of the "minutes of the meeting" was enclosed. During the hearing of the first appeal, some clerical errors and misunderstanding pointed out by the applicant were rectified and clarified to the satisfaction of the applicant, and on being satisfied, the applicant had submitted withdrawal of the RTI case on 29/07/2021.

AND WHEREAS, since there was no delay in furnishing the information by the PIO and also that the applicant (now appellant) had, vide letter No. NIL dated **29/07/2021** submitted withdrawal of his RTI application and was satisfied with the information so furnished by the PIO, the Nagaland Information Commission had decided to close the appeal case.

NOW THEREFORE, it is notified to the following parties that the appeal case is hereby declared as **closed**:-

1. The Chief Engineer & FAA, PWD (National Highways), Nagaland, Kohima-797001.
2. The PIO, PWD (National Highways), Tuensang Division, Tuensang, Nagaland.
3. The applicant (now appellant), Shri. S. B. Lemba, Mobile No- 8730001013, 8787573408.

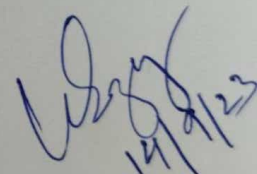
Sd/-

**L.MEYIONEN JAMIR**  
Chief Information Commissioner

No. NIC/APPEAL-32/2022-23 /m  
Copy to:

Dated Kohima, the 14<sup>th</sup> September, 2023.

1. The PS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The PA to the SIC (N), Nagaland Information Commission for kind information of the State Information Commissioner.
3. The PA to the SIC (K), Nagaland Information Commission for kind information of the State Information Commissioner.
4. The Chief Engineer & FAA, PWD (National Highways), Nagaland, Kohima-797001.
5. The PIO, PWD (National Highways), Tuensang Division, Tuensang, Nagaland.
- ✓ 6. The Computer Programmer, Nagaland Information Commission for uploading on the website.
7. The applicant (now appellant), Shri. S. B. Lemba, Mobile No- 8730001013, 8787573408.
8. Office Copy.



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