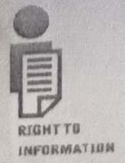


NAGALAND INFORMATION COMMISSION
NAGALAND COMMISSIONS' COMPLEX
BELOW NBCC CONVENTION CENTER
NAGALAND, KOHIMA-797004



Email: cic.nagaland@gmail.com | Website: www.nlsic.nagaland.gov.in

No. NIC/ APPEAL-9/2024-25

Dated Kohima, the 28th June, 2024.

Subject: Notice for Hearing on 17th July, 2024 (Wednesday) at 12:00 Noon.

WHEREAS, the Commission had, on 14.06.2024 received a Second Appeal dated 10.06.2024 from Shri. Ato Yimchunger, House No- 262, Ekranipather Village, P.O Eralibil-797115, Dimapur, Nagaland, Mobile No. 8974695697 against the unsatisfactory and incomplete reply of the FAA to his First Appeal dated 28.03.2024 which was submitted against the non-furnishing of information by the PIO to his RTI application dated 15/02/2024 addressed to the PIO & Executive Engineer, PWD (R&B), Kiphire Division.

AND WHEREAS, the applicant had submitted a RTI application dated 15.02.2024 along with an IPO No. 96G 621239 for Rs. 10/- as the application fee seeking information regarding PMGSY Road from Fakim- Tsundang Junction to Vongsuvong Village via Tsundang Sangtsong, Area/Locality: Khongsa Block, Pungro Sub-Division, Kiphire Division with the following details:-

1. Please supply me certified copy of work order(s) issued/ contracts awarded along with following details:
 - a. Schedule of Work.
 - b. Sanctioned detailed estimate
 - c. Approved drawing/ sketch.
2. Please supply me certified copies of Measurement Books wherein the measurement with respect to work order is recorded.
3. Please supply me certified copies of the latest running account bills or final bills paid to the contractor(s) with respect to work order(s) issued.
4. Please supply me certified copies of completion certificate of the work (if the work has been completed) or if the work has not been completed, mention the reason of delay along with the actual date for completion of work.
5. Please supply me certified copies of documents showing Scheduled of inspections indicating the frequency and nature of such inspections required to be carried out by officer and supervisors.
6. Please supply me certified copies of all inspection notes/ reports issued by officer incharge and supervisor incharge.
7. Please supply me certified copies of compliance report on all inspection notes/ inspection reports issued by officers and supervisors incharge.
8. Please supply me certified list of works and its performance guarantee amount deposit held by your public authority with respect to work order awarded to or executed by contractors.
9. Please inform me the name, designation, office address and telephone numbers of officers and supervisors responsible for execution, monitoring and supervising the work.
10. Please inform me the name, designation, office address of the officers and staff, whose assistance sought by PIO in deciding and supplying information with respect to this RTI Application.

AND WHEREAS, on not getting any information from the PIO, the applicant had submitted first appeal dated 28.03.2024 to the FAA, Office of the Chief Engineer PWD (R&B), Nagaland, Kohima.

AND WHEREAS, on receipt of the first appeal, Er. Lisela Sangtam, EE & APIO, PWD (R&B), Kohima, Nagaland had, vide letter No. CE(R&B)/TB-IV/RTI-FAA(Pt)/619-621 dated 12.04.2024 informed the applicant to collect the same from the office of the EE(D)-IV & APIO, PWD (R&B) which was forwarded by Er. Kito Anche, Executive Engineer, PWD (R&B), Kiphire Division vide letter No. EE/PWD(R&B)/KPE/TB/RTI/2024-25/01 dated 05.04.2024 in reference to

letter No. CE(R&B)/TB-IV/RTI-FAA/Pt/594-596 dated 02.04.2024 of the Chief Engineer & FAA, PWD (R&B), Nagaland, Kohima. While forwarding the information to the Chief Engineer, PWD(R&B), Kohima, Nagaland, Er. Kito Anche, Executive Engineer, PWD (R&B), Kiphire Division stated that the delay in furnishing the reply was due to the total shutdown called by the ENPO (Eastern Naga Public Organisation).

AND WHEREAS, on receipt of the information furnished by the PIO, the applicant had vide letter dated 20.04.2024 requested the FAA & Chief Engineer PWD(R&B), Kohima, Nagaland for conduct of personal hearing of the case.

AND WHEREAS, the applicant (now appellant) had, in continuation to his letter dated 20.04.2024 wrote to the FAA & Chief Engineer PWD(R&B), Kohima, Nagaland on 24.04.2024 requesting for supplementary documents as given below:-

1. Kindly supply a copy of originally certified/approved DPR. The DPR I received through your notification NO.CE(R&B)/TB-IV/RTI-FAA(P)/619-621 dated 12th April 2024 has many errors/overwriting.
2. Kindly supply a certified copy of the order/letter in respect of the engineer who was assigned to prepare the DPR. My RTI reply dated 12th April 2024 has no mention of the name of engineer who prepared the DPR.
3. Kindly supply a copy of certificate/notification/order/letter issued by the highest authority in respect of approval of the DPR. My RTI reply dated 12th April 2024 has not enclosed such a copy to authenticate if the DPR is genuinely certified copy.
4. Kindly check if there is any information held without being furnished. For instances, the DPR furnished to me has,
 - (a) no mention of even a single retaining wall or breast wall for the entire stretch of 16 km and
 - (b) no other sketch apart from sketches of the two bailey bridges.

However, whether or not, my request put forward in the above four points can be fulfilled by your authority on a justifiable ground; I would still wish to continue with personal hearing.

AND WHEREAS, referring to the letter No. CE(R&B)/TB-IV/RTI-FAA(Pt-1) dated 30.04.2024 of the Chief Engineer & FAA, PWD (R&B), Nagaland, Kohima, Er. Kito Anche, Executive Engineer, PWD (R&B), Kiphire Division had, vide letter No. EE/PWD(R&B)/KPE/TB/RTI/2024-25/12 dated 04.05.2024 forwarded a copy of the reply to the supplementary documents to the Chief Engineer, PWD (R&B), Nagaland, Kohima.

AND WHEREAS, on receipt of the above two letter dated 20.04.2024 and 24.04.2024 from the applicant (now appellant), Er. P.I. Imna Ao, Chief Engineer & First Appellate Authority, PWD (R&B), Nagaland, Kohima had, vide letter No. CE(R&B)/TB-IV/RTI-FAA(Pt)/660-661 dated 10.05.2024 informed the applicant (now appellant) to collect the information from the EE(D)-IV & APIO, Office of the Chief Engineer, PWD (R&B), Nagaland which contained 111 pages. Further, the applicant (now appellant) was informed that the request for personal hearing with the FAA stands cancelled.

AND WHEREAS, on receipt of the information furnished dated 12.04.2024 and 10.05.2024, the applicant (now appellant), had preferred Second Appeal dated 10.06.2024 to the Commission stating the following:-

Reasons for preferring appeal under section 19(3) :

- (a) Partial Reply
- (b) Reply not satisfactory

Grounds of Appeal :

1. Approved Sketch/Drawing for the following has not been furnished:
 - (a) Hume Pipe Culvert as per IRC:SP:20
 - (b) 1.5 Meter Span RCC Slab Culvert as per IRC:SP:20
 - (c) 3.0 Meter Span RCC Slab Culvert as per IRC:SP:20

In the case of above Grounds of Appeal No.1, the query no. 1 (c) of my application dated 15th February 2024 to PIO has been replied to me partially and unsatisfactorily by the First Appellate Authority.

2. The DPR furnished to me twice through two different notifications by the First Appellate Authority (FAA) still remains partially incomplete, incorrect and incomprehensive:

- (a) The DPR exclusively of the first reply dated 12th April 2024 has 99 pages.
- (b) The DPR exclusively of the second reply dated 10th May 2024 has 105 pages.
- (c) Both the DPRs provided to me have many overwriting and have errors in estimation.
- (d) I demand originally approved and certified DPR that has no missing pages and contains correct and comprehensive information which copy is invariably maintained at custody of highest authorities of both state and central agencies.

In the case of above Grounds of Appeal No. 2, the query Nos. 1 & 2 of my application dated 15th February 2024 to PIO has been replied partially and unsatisfactorily by the First Appellate Authority.

AND WHEREAS, since the applicant (now appellant) was not satisfied with the information so furnished to him, the Commission has decided to hear the above appeal by giving opportunity of being heard to all the parties on **17th July, 2024 (Wednesday) at 12:00 Noon in the Hearing Room of Nagaland Information Commission, Nagaland Commissions' Complex, Below NBCC Convention Centre, Nagaland, Kohima.**

NOW THEREFORE, it is notified that 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:-

1. Er. P.I. Imna Ao, Chief Engineer & First Appellate Authority, PWD (R&B), Nagaland, Kohima.
2. Er. Lisela Sangtam, EE & APIO, PWD (R&B), Kohima, Nagaland.
3. Er. Kito Anche, Executive Engineer, PWD (R&B), Kiphire Division, Kiphire, Nagaland.
4. The applicant (now appellant), Shri. Ato Yimchunger, House No- 262, Ekranipather Village, P.O Eralibil- 797115, Dimapur, Nagaland, Mobile No. 8974695697.

Sd/-

I.MEYIONEN JAMIR

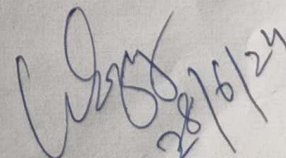
Chief Information Commissioner

Dated Kohima, the 28th June, 2024.

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Copy to:

1. The PS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the Chief Information Commissioner.
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. Er. P.I. Imna Ao, Chief Engineer & First Appellate Authority, PWD (R&B), Nagaland, Kohima.
5. Er. Lisela Sangtam, EE & APIO, PWD (R&B), Kohima, Nagaland.
6. Er. Kito Anche, Executive Engineer, PWD (R&B), Kiphire Division, Kiphire, Nagaland.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
8. The applicant (now appellant), Shri. Ato Yimchunger, House No- 262, Ekranipather Village, P.O Eralibil- 797115, Dimapur, Nagaland, Mobile No. 8974695697.
9. Office Copy.


(WORHONTHUNG EZUNG)
Deputy Secretary