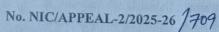


# NAGALAND INFORMATION COMMISSION NAGALAND COMMISSIONS' COMPLEX BELOW NBCC CONVENTION CENTER POST BOX NO. 148

Nagaland: Kohima - 797004

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



Dated Kohima, the 6th August, 2025

Appellant

Shri. Katho P. Awomi, Mobile No. 8413045755

Respondents

- Shri. L. Jamithure Lotha, State Mission Director & FAA, Nagaland Education Mission Society, Samagra Shiksha Nagaland, Kohima
- (ii) Dr. Chumbeni Kikon, Joint Mission Director, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima
- (iii) Shri. Chungngam Konyak, Deputy Mission Director & PIO Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima

Public Authority

: Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima.

Date of hearing : 31.07.2025 at 11:00 AM.

Date of Decision : 06.08.2025

#### Present:

- 1. Shri. L. Jamithung Lotha, State Mission Director & FAA, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima, Mobile No. 9436831375.
- 2. Dr. Chumbeni Kikon, Joint Mission Director, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima, Mobile No. 9612512661.
- 3. Shri. Chungngam Konyak, Deputy Mission Director &PIO, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima, Mobile No. 8132859149.
- 4. Er. Tsongtso H. Khiamniungan, APIO, Engineering Wing, Education, Mobile No. 9089429663.
- 5. Smti. Nuchiyi, Propgramme Manager (A), Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima, Mobile No. 7085190873.
- 6. Smti. Pakhachu Pfithu, APIO, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima, Mobile No. 9612450337
- 7. The applicant (now appellant), Shri. Katho P. Awomi, Mobile No. 8413045755.

# FACT OF THE CASE

An applicant, Shri. Katho P. Awomi had submitted a RTI application dated 19/02/2025 addressed to the PIO, Directorate of School Education, Nagaland, Kohima, seeking the following information on Kasturba Gandhi Balika Vidyalaya (KGBV) scheme in Nagaland under Right to Information Act, 2025:-

- 1. Furnish the detail list of the entire KGBV Hostel in Nagaland and its year of establishment.
- 2. Furnish the detailed amount allocated for the construction of each KGBV hostel along with the photocopy of sanction order.
- 3. Furnish the photocopy of Detailed Project Report (DPR) of each KGBV Hostels construction.
- 4. Furnish the details of contractors and firms along with the photocopy of Tender Notice and Work Order for the construction of KGBV Hostel.
- 5. Furnish the details if there is any additional construction of Kitchen, Security fencing, furniture's and other material components for KGBV Hostel supported by a photocopy of DPR, Sanction order, work order and procurement receipt.
- 6. Furnish the pictographic proof of all the KGBV Hostel supported by geo-tagging generated asset.
- 7. Furnish the photocopy of completion certificate from all the competent authority.
- 8. Also kindly furnish the following information on the implementation of KGBV Hostel from the year of inception till date.
  - A) Furnish the details of societies/NGOs or agencies in-charge of KGBV Hostel with proper correspondence address.
  - B) Furnish the list of girl's students and their details, enrolled in each hostels till date (yearly wise).
  - C) Furnish the details and list of staffs of each KGBV Hostel and kindly furnish their salary/honorarium statement till date (yearly wise).
  - D) Furnish in abstract the total funds allocated for KGBV Hostel and break up of funds allocated to each hostels (yearly wise) supported by the photocopy of sanction order.
  - E) Furnish the photocopy of utilization certificates, receipts and other documents supporting the utilization of allocated funds.

On receipt of the above RTI application on 19/02/2025, since the PIO, Samagra Shiksha had failed to furnish the information to the applicant within the stipulated time of 30 (thirty) days, the applicant had filed first appeal dated 08/04/2025 to the Mission Director & FAA, Samagra Shiksha, Department of School Education.

On receipt of the above first appeal dated 08/04/2025 on 08/04/2025, the public authority had summoned the applicant for a hearing of the first appeal on 16/04/2025 at 11:00 AM in the Office Chamber of the State Mission Director, Samagra Shiksha.

After the hearing of the First Appeal, Smti. Temsunaro Aier, IAS, State Mission Director & FAA, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima had, vide letter No.NLD/SS/A-1/2019-20 (Pt-1) dated 16/04/2025 directed the PIO to furnish the information to the applicant (now appellant) on or before 29/04/2025.

On receipt of the First Appeal decision dated 16/04/2025 on the same day i.e. 16/04/2025, Dr. Chumbeni Kikon, Joint Mission Director had furnished the information as sought by the applicant as shown below:-

Query.	QUERY	REPLY
1	Furnish the details list of the entire KGBV Hostel in Nagaland and its Year of establishing	1 page
8	Also kindly furnish the following information on the implementation of KGBV Hostel from the year of inception till Date	an the same and th
A	Furnish the details of Societies/NGOs or agencies in-Charge of KGBV Hostel with proper correspondence Address	1 page
В	Furnish the details of girls students and their details enrolled in each hostel till Date (Year Wise)	260 pages, due to non-availability of record details of enrolment is from 2019 onward.
С	Furnish the details and list of Staffs of each C. KGBV Hostel and kindly furnish their salary/Honorarium statement (Year Wise)	21 pages
D	Furnish in Abstract the total fund allocated for KGBV Hostel and break up of fund allocated to each Hostel (Year Wise) supported by the photo copy and sanction order.	2 pages. There is no separate sanction order for KGBVs.
Е	Furnish the photo copy of utilization certificates receipt and other documents supporting the utilization of allocated funds	

However, on being dissatisfied with the information furnished, the applicant (now appellant) had submitted second appeal dated 04/06/2025 to the Nagaland Information Commission.

Since the applicant (now appellant) is not satisfied with the information furnished, the Commission has decided to hear the above mentioned appeal giving opportunity of being heard to all the parties on 31st July 2025(Thursday) at 11:00 AM in the Hearing Room of Nagaland Information Commission, Nagaland Commissions' Complex, New Capital Complex, 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.

- 1. The State Mission Director & FAA, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima.
- 2. Dr. Chumbeni Kikon, Joint Mission Director, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima.
- 3. Shri. Chungngam Konyak, Deputy Mission Director & PIO, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima.
- 4. The applicant (now appellant), Shri. Katho P. Awomi, Mobile No. 8413045755.

### **OBSERVATIONS AND FINDINGS:**

During the hearing, the applicant (now appellant), Shri. Katho P. Awomi stated that under the Kasturba Gandhi Balika Vidyalaya (KGBV) scheme, there were two (2) types of hostels – Type – I which were established during 2011-12 and Type – IV which were established during 2021-22 & 23. He stated that he was satisfied with the replies to query Nos. 2 to 7, however he was not satisfied with the reply to his query Nos. 1 and 8 (A, B, C, D & E) since no information was furnished on the ground that the information were not available prior to 2019.

Shri. L. Jamithung Lotha, State Mission Director & FAA, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima explained that there are no release orders but funds are received only after the approval of the PAB (Project Appraisal Board) from the Ministry of Human Resource Development, Department of School Education, New Delhi. He further informed that there are no clear records of the erstwhile SSA and RMSA, however after amalgamation into Samagra Shiksha in 2019, whatever clear records available had been furnished to the applicant (now appellant).

Referring to query No. 1 of his RTI application dated 19.02.2025, the applicant (now appellant) stated that he had not received the information and hence wanted that Type – I hostels which were established prior to 2019 and mostly run by NGOs and some individuals be furnished to him. In response, the FAA replied that the list of the NGOs and individuals who run the hostels can be furnished along with other information.

Shri. Chungngam Konyak, Deputy Mission Director & PIO, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima stated that the RTI application dated 19.02.2025 was first filed to the PIO, Directorate of School Education, Nagaland, Kohima and on the same date i.e. 19.02.2025, the RTI application was transferred to him vide letter No. ED/RTI-B/2014-15 dated 19.02.2025 by the Director & PIO, Directorate of School Education, Nagaland, Kohima. Upon receipt of the RTI application on the same date, he had transferred to the Finance Controller, State Project Engineer, Joint Mission Director-I, Joint Mission Director-3, Meren, Imli and Accounts Branch as evidenced on the body of the above letter dated 19.02.2025. Further, Shri. Chungngam Konyak, Deputy Mission Director & PIO, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima had also, vide letter No. NLD/SS/A-21/2019-20 (Pt-I) dated 19.02.2025 transferred the RTI application dated 19.02.2025 addressed to the State Project Engineer & PIO, Samagra Shiksha, Kohima, Nagaland.

On receipt of the above first appeal dated 08/04/2025 on 08/04/2025, since information could not be furnished on time, Smti.Temsunaro Aier, IAS, the former State Mission Director & FAA, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima had, vide letter No.NLD/SS/A-1/2019-20 (Pt-1) dated 14/04/2025 notified for a hearing on 16.04.2025 at 11:00 AM. After the hearing, on the direction of the State Mission Director & FAA vide letter No.NLD/SS/A-1/2019-20 (Pt-1)/38 dated 17/04/2025, Er. Hokato Sema, Executive Engineer, PWD(H), Education Division, Kohima, Nagaland had, vide letter No. EE/EDN/RTI/2024-25/191 dated 28.04.2025 furnished the information pertaining to query Nos. 2 to 7 to the applicant (now appellant), which the applicant had received on 02.05.2025. Dr.(Mrs.) Chumbeni Kikon, Joint Mission Director who deals with the KGBV matters had also furnished the information pertaining to query Nos. 1 and 8(A, B, C, D and E) on 11.04.2025 to the applicant (now appellant).

The Commission observed that since Shri. Chungngam Konyak, Deputy Mission Director &PIO, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima had, on receipt of the RTI application dated 19.02.2025 from the PIO, Directorate of School Education, Nagaland, Kohima on the same date i.e. 19.02.2025 transferred to the Finance Controller, State Project Engineer, Joint Mission Director-I, Joint Mission Director-3, Meren, Imli and Accounts Branch, under Section 5 sub-sections 4 and 5 of the RTI Act, 2005, they are deemed to be the PIOs. The Commission further observed that there is no delay caused by Shri. Chungngam Konyak, Deputy Mission Director &PIO, however, since Er. Hokato Sema Executive Engineer, PWD(H), Education Division, Kohima, Nagaland could furnish only on 28.04.2025 and Dr.(Mrs.) Chumbeni Kikon, Joint Mission Director had furnish on 11.04.2025, they had contributed to the delay.

From the date of receipt of the RTI application dated 19.02.2025 on the same date i.e. 19.02.2025 to the date of furnishing the information to the applicant (now appellant) by Er. Hokato Sema, Executive Engineer, PWD(H), Education Division, Kohima, Nagaland on 28.04.2025, the number of days was 68 days. However, considering the 30 days time limit to furnish the information, the number of days of delay becomes, 68 - 30 = 38 days for which penalty is attracted. Similarly, from the date of receipt of the RTI application dated 19.02.2025 on 19.02.2025 to the

date of furnishing the information to the applicant (now appellant) by Dr.(Mrs.) Chumbeni Kikon, Joint Mission Director on 11.04.2025, the number of days was 51 days. However, considering the 30 days time limit to furnish the information, the number of days of delay becomes, 51 - 30 = 21 days for which penalty is also attracted.

## **DECISION**

On the above observations and findings, the Commission decided that:-

- 1. Shri. Chungngam Konyak, Deputy Mission Director & PIO, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima shall furnish the information for query Nos. 1 and 8 (A, B, C, D & E) free of cost to the applicant (now appellant) and with a copy to the Commission within one (1) week from the date of receipt of this decision.
- 2. The applicant (now appellant) shall submit his satisfaction or non-satisfaction to Shri. Chungngam Konyak, Deputy Mission Director & PIO, Samagra Shiksha, Nagaland, Kohima and with a copy to this Commission within one (1) week from the date of receipt of the information from the PIO.
- 3. Under Section 20 (1) of the RTI Act 2005, penalty at the rate of Rs. 250/- per day of delay is imposed on the following PIOs/ Deemed PIOs for contributing to the delay in furnishing the information to the applicant (now appellant) without reasonable cause.

Sl. No.	PIOs/ Deemed PIOs	Days of delay	Penalty @ Rs. 250/- per day of delay
1	Er. Hokato Sema, Executive Engineer, PWD(H), Education Division, Kohima, Nagaland	38 days	Rs. 9500.00
2	Dr.(Mrs.) Chumbeni Kikon, Joint Mission Director	21 days	Rs. 5250.00

The above penalty amounts shall be paid within within one (1) week from the date of receipt of this decision. Since penalty is imposed personally, the penalty amount shall be deposited separately into the Government account under his/her name, designation and signature through treasury challan in favour of the Accounts Officer, Nagaland Information Commission, Kohima under the Head of Account given below, with a copy of the treasury challan (in original) to this Commission:-

0070 - Other Administrative Services60 - Other Services118- Receipts under RTI Act, 2005

Decision pronounced in the presence of both the parties on 31.07.2025 at 11:00 AM.

## Copies be given to:

- Shri. L. Jamithung Lotha, State Mission Director & FAA, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima, Mobile No. 9436831375.
- 2. Er. Hokato Sema, Executive Engineer, PWD(H), Education Division, Kohima, Nagaland.
- 3. Dr. Chumbeni Kikon, Joint Mission Director, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima, Mobile No. 9612512661.
- 4. Shri. Chungngam Konyak, Deputy Mission Director &PIO, Nagaland Education Mission Society, Samagra Shiksha, Nagaland, Kohima, Mobile No. 8132859149.
- 5. The Accounts Officer, Nagaland Information Commission for information.

- 6. The Computer Programmer, Nagaland Information Commission for uploading on the
  - 7. The applicant (now appellant), Shri. Katho P. Awomi, Mobile No. 8413045755.
  - 8. Office Copy.

Sd/-KEVISA KENSE (IAS Retd.) Chief Information Commissioner

Sd/-T. KEKONGCHIM YIMKHIUNG State Information Commissioner

Sd/-NOSAZOL CHARLES State Information Commissioner

Authenticated true copy:

(Worhonthung Ezung) Deputy Secretary