

**NAGALAND INFORMATION COMMISSION
NAGALAND COMMISSIONS' COMPLEX
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No. NIC/APPEAL-26/2025-26/132

Dated Kohima, the 19th May, 2026

Appellants : 1. Shri. Puloto Achumi and
2. Shri. Puloka Zhimomi,
Social Activists,
Mobile No. 7005960261/ 7005264681.

Respondents : (i) Shri. P. Tokugha Sema,
Director & First Appellate Authority,
Directorate of Industries & Commerce,
Nagaland, Kohima.

(ii) Smti. T. Lemnon Wangsha,
Additional Director & PIO,
Directorate of Industries & Commerce,
Nagaland, Kohima.

(iii) Shri. Lhoushevikho Lhoushe,
Assistant Director & APIO,
Directorate of Industries & Commerce,
Nagaland, Kohima.

Public Authority : Directorate of Industries & Commerce, Nagaland, Kohima.

Date of hearing : 15.05.2026 at 11:30 AM.

Date of Decision : 19.05.2026

Present:

1. Shri. P. Tokugha Sema, Director & FAA, Directorate of Industries & Commerce, Nagaland, Kohima, Mobile No. 9436012428.
2. Smti. T. Lemnon Wangsha, Additional Director & PIO, Directorate of Industries & Commerce, Nagaland, Kohima, Mobile No. 8732002265.
3. Shri. Lhoushevikho Lhoushe, Assistant Director & APIO, Directorate of Industries & Commerce, Nagaland, Kohima, Mobile No. 8413082454.
4. The applicants (now appellants), Shri. Puloto Achumi & Shri. Puloka Zhimomi, Social Activists, Mobile No. 7005960261/ 7005264681.

FACT OF THE CASE

Two applicants, Shri. Puloto Achumi & Shri. Puloka Zhimomi had jointly submitted a RTI application dated **NIL** along with an application fee of Rs. 10/- addressed to the PIO, Directorate of Industries & Commerce, Nagaland, seeking the following information regarding Individual Weaver Scheme (NHDP): -

1. *Furnish the documents of the Detail Project Report and the sanction letter of the ministry to state.*

2. *Furnish the information of the list of beneficiaries, and the amount sanctioned to each beneficiaries.*
3. *Copies of inspection, reports monitoring reports or inquiry reports (if any) conducted by the state or central agencies regarding the implementation of this scheme.*
4. *Furnish the copy of documents of the work done/Geo-Tag photos as per the list.*
5. *Furnish the details of completion certificate.*
6. *Furnish the names/designation of the officer who processed or monitored the scheme.*

The above RTI application dated NIL was received by the APIO on **22.09.2025** as evident on the body of the RTI application however, on not getting any response from the public authority even after lapse of 30 days, the applicants had submitted a First Appeal dated NIL addressed to the FAA, Directorate of Industries & Commerce, Nagaland, which was received by the department on **24.10.2025** as evident on the body of the letter.

On receipt of the above First Appeal dated NIL on 24.10.2025, Shri. **Lhoushevikho Lhoushe**, Assistant Director & APIO, Directorate of Industries & Commerce, Nagaland had, vide letter **No. IND/RTI/07/ (VOL-X) Pt/1207** dated **30.10.2025**, furnished the replies to the applicants.

On receipt of the above information furnished by the APIO, the applicants had submitted another Appeal/Complaint dated **17.11.2025** under Section 19(1) of the RTI Act, 2005, addressed to the FAA stating that the information furnished by the APIO is *totally false, fabricated and totally random and not corresponding the any physical verification.*

On receipt of the above Appeal/Complaint letter from the applicants, Shri. **P. Tokugha Sema**, Director & FAA, Directorate of Industries & Commerce, Nagaland had, vide Order **No. IND/RTI/07/(VOL-X) Pt/1485** dated **16.12.2025**, passed decision as below: -

1. *The present appeal under Section 19(1) of the Right to Information (RTI) Act, 2005 has been filed against the reply furnished by the Assistant Public Information Officer (APIO) vide letter No. IND/RTI/07/(VOL-X) Pt/1207 dated 30.10.2025 in response to the RTI application which was received by the APIO on 22.09.2025.*
2. *The appeal, the original RTI application, and the reply furnished by the APIO have been carefully examined.*
3. *Upon examination, it is observed that the PIO has furnished the information strictly based on records available and held by the public authority, and wherever information was not available on record, the same has been clearly stated.*
4. *The appeal primarily raises contentions regarding the correctness, authenticity, or veracity of the records, and alleges mala fides and fabrication, without reference to any specific information withheld under the Act. The appellants have also sought action under Section 20 of the RTI Act.*
5. *Under the RTI Act, 2005, the Appellate Authority is not mandated to verify the correctness or truthfulness of records, conduct inquiries or investigations, or adjudicate allegations of manipulation, mala fides, or irregularity.*
6. *Therefore, in the absence of any material on record establishing that information has been withheld, or incorrect information has been deliberately furnished contrary to available records, it is found that the APIO has complied with the statutory requirements of the RTI Act by providing all information available and held by the public authority.*
7. *In light of the above, this appeal is accordingly disposed off with the finding that no violation of the provisions of the Right to Information Act, 2005 is made out in the present case.*

On not being satisfied with the decision of the FAA, the applicants (now appellants) had submitted a Second Appeal dated 17.12.2025 to the Commission stating that the above decision of the FAA vide Order dated 16.12.2025 was passed in the absence of the applicants (now appellants) and without any notification for hearing of the appeal.

On receipt of the above Second Appeal dated 17.12.2025, the Commission had, vide its directive dated **28.01.2026**, directed the FAA to hear the First Appeal by conducting a hearing of both the parties i.e., the PIO and the applicants (now appellants), within 30 (thirty) days from the date of receipt of its directive and submit a copy of the decision to the Commission for necessary action.

In compliance to the above directive of the Commission, the FAA had, vide letter **No. IND/RTI/07/(VOL-X) Pt/1945** dated **23.02.2026**, notified the applicants (now appellants) for hearing of the First Appeal dated NIL on **26.02.2026** at **12:30 PM** at the Director's Chamber.

After hearing the concerned parties on **26.02.2026**, the FAA had passed decision vide **No. IND/RTI/07/(VOL-X) Pt/1990** dated **27.02.2026** directing *the PIO to rectify the grievances of the appellant along with necessary and updated information if any and furnished to the appellant without delay.*

The Commission had, on 30.03.2026, received a letter from the applicants (now appellants) in continuation with their Second Appeal dated 17.12.2025, stating that they were asked to collect the information furnished by the PIO on **16.03.2026** however, *even after the remand and subsequent proceedings, the information provided by the PIO remains misleading, fabricated, manipulated, and incomplete.*

Since the applicants (now appellants) are still not satisfied with the information furnished by the public authority, the Commission has decided to hear the above mentioned appeal by giving opportunity of being heard to all the parties on **8th May, 2026 (Friday)** at **12:00 Noon** in the **Hearing Room of Nagaland Information Commission, Nagaland Commissions' Complex, New Capital Complex, Nagaland, Kohima – 797004** and had 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. Shri. P. Tokugha Sema, Director & FAA, Directorate of Industries & Commerce, Nagaland, Kohima.
2. The Concerned PIO, Directorate of Industries & Commerce, Nagaland, Kohima.
3. Shri. Lhoushevikho Lhoushe, Asst. Director & APIO, Directorate of Industries & Commerce, Nagaland, Kohima.
4. The applicants (now appellants), Shri. Puloto Achumi & Shri. Puloka Zhimomi, Social Activists, Mobile No. 7005960261/ 7005264681.

However, on the request of the public authority vide letter No. IND/RTI/07 (Vol –XI) Pt/51 dated 27.04.2026 to defer the hearing rescheduled on 8th May, 2026 at 12:00 noon on account of an unavoidable official engagement in connection with the visit of the Honb'le Minister (GoI), Ministry of Food Processing Industries (MoFPI) for inauguration of Common Incubation Centre at NUI, SAS, Medziphema Campus on 8th May, 2026, the Commission had accepted the request and vide letter of even No. dated 29.04.2026 rescheduled the hearing on 15th May, 2026 at 11:30 AM.

OBSERVATIONS AND FINDINGS:

The Commission observed that out of the six (6) queries, the applicants (now appellants), were satisfied with the reply to only one (1) i.e. query No. 6 of their RTI application dated 22.09.2025. The Commission also observed that all the replies had been given by the APIO and not by the PIO, hence apprised that under the RTI Act, the PIO is solely responsible for replying to RTI requests. Shri. Lhoushevikho Lhoushe, Assistant Director & APIO, Directorate of Industries & Commerce, Nagaland, Kohima stated that he used to sign the replies in the absence of the PIO.

Also, referring to the project guidelines, since the 1st Instalment is released as an advance and the 2nd instalment is released on utilisation of 70% of the 1st Instalment and physical verification of the work shed by the Local Committee, they expected that there should be Completion Certificate for each beneficiary. Moreover, they stated that some beneficiary had applied through alternate bank accounts.

6. Names and designation of officers were furnished and **satisfied**.

On the above non-satisfaction of the applicants(now appellants), Shri. P. Tokugha Sema, Director & FAA, Directorate of Industries & Commerce, Nagaland, Kohima clarified that regarding:-

Query No. 1, since the amount given to the individual beneficiaries was small, no DPR was mandated for the individual weaver.

Query No. 2, whatever information available had been furnished.

Query No. 3, the scheme implemented by the weavers & entrepreneurs is jointly monitored by the Public Authority and along with the central Ministry of Textile, Government of India.

Query No. 4, when the RTI reply was first furnished on 30.10.2025, only those works which were completed was given hence the geo-tagged photos may not be complete. Moreover, geo-tagged photos before the construction of work sheds are not available hence cannot provide to the applicants as sought.

Query No. 5, only after the Ministry of Textile, Government of India is satisfied with the implementation of the Scheme, the Completion Certificate is jointly given alongwith the Public Authority i.e. Directorate of Industries & Commerce, however, he would further authenticate with the Ministry. He also informed that the Scheme started in the year 2024 and was for the very first time implemented in the State. Since the project has been completed and all payments to the beneficiaries have been made, the Completion Certificate had been issued accordingly in March, 2026.

Regarding the mismatch of beneficiary's bank accounts, he stated that during the first appeal hearing on 26.02.2026, he had *directed the Program Officer to cross check the beneficiaries list and update the authenticity and rectify the necessary correction, if any*. On the allegation of the applicants (now appellants) that some beneficiary had applied through alternate bank accounts, he submitted that he would look into the matter.

The Commission observed that due to different topography and transportation challenges in a hilly State like Nagaland, it is difficult to implement as per the Ministry guidelines and rates. On the above submission of the public authority, the Commission observed that whatever information available had been furnished to the applicants (now appellants) and information cannot be created for the applicants.

The Commission also observed some delay in replying to the RTI application. From the date of receipt of the RTI application dated NIL on **22.09.2025** to the date of furnishing to the applicants (now appellants) on **30.10.2025**, the total number of days was 38 days. However, taking into account the 30 days time limit for the PIO to furnish the information, the number of days of delay becomes $38 - 30 = 8$ days for which penalty was attracted.

Smti. T. Lemnon Wangsha, Additional Director & PIO, Directorate of Industries & Commerce, Nagaland, Kohima submitted that the 30 days for giving the RTI reply was due on 22.10.2025, however since there was an on-going pen-down strike organised by the Joint Coordination Committee with effect from 14.10.2025, all official works were suspended and for which the RTI reply could not be processed and furnished within the stipulated time. She added that the delay was

neither intentional nor due to negligence, and there was no malafide intention to withhold information.

The Commission was convinced with the above submission of the PIO and condoned the delay and the penalty.

DECISION

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

1. On the issue of the alternate bank accounts and mismatch of beneficiary's bank accounts, Smti. T. Lemnon Wangsha, Additional Director & PIO, Directorate of Industries & Commerce, Nagaland, Kohima shall furnish to the applicants(now the appellants), the beneficiaries list after the Program Officer has cross checked and updated the authenticity and rectify the necessary correction, if any, **within forty five (45) days** from the date of receipt of this decision and with a copy to this Commission.
2. Regarding the reply to query No. 5 on the Completion Certificate, as stated by Shri. P. Tokugha Sema, Director & FAA, Directorate of Industries & Commerce, Nagaland, Kohima, he would further authenticate with the Ministry of Textile, Government of India and provide to the applicants(now the appellants) and with a copy to this Commission **within one (1) month** from the date of receipt of this decision.
3. On receipt of the information, the applicants(now the appellants) shall submit satisfaction or non-satisfaction to the PIO and with a copy to this Commission **within fifteen (15) days** from the date of receipt of the information.

On receipt of the above compliances, the Commission shall declare the case as closed.

Decision pronounced in the presence of both the parties on 15.05.2026 at 11:30 AM.

Copies be given to:

1. Shri. P. Tokugha Sema, Director & FAA, Directorate of Industries & Commerce, Nagaland, Kohima, Mobile No. 9436012428.
2. Smti. T. Lemnon Wangsha, Additional Director & PIO, Directorate of Industries & Commerce, Nagaland, Kohima, Mobile No. 8732002265.
3. Shri. Lhoushevikho Lhoushe, Assistant Director & APIO, Directorate of Industries & Commerce, Nagaland, Kohima, Mobile No. 8413082454.
- ✓ 4. The Computer Programmer, Nagaland Information Commission for uploading on the website.
5. The applicants (now appellants), Shri. Puloto Achumi & Shri. Puloka Zhimomi, Social Activists, Mobile No. 7005960261/ 7005264681.
6. Office copy.

Sd/-

KEVISA KENSE (IAS Retd.)
Chief Information Commissioner

Sd/-

Y. P. CHILLIO KHIAM
State Information Commissioner

Sd/-

JOSEPH HESSO, IPS (Retd.)
State Information Commissioner

Authenticated true copy:


(Worhonhung Ezung)
Deputy Secretary