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NAGALAND INFORMATION COMMISSION
NAGALAND COMMISSIONS' COMPLEX
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RIGHT TO INFORMATION

No. NIC/APPEAL-5/2025-26/27 **Dated Kohima, the 7th April, 2026**

Appellant	:	Shri. Petelekho Pienyu, No. 1(NL) AIR SQN NCC, Dimapur, Near East Dimapur, DABA Church, Purana Bazar – 797112, Mobile No. 9856037707 e-mail: petelekhopienyu@gmail.com
Respondents	: (i)	Dr. Roopam Bachhil, Registrar & FAA, International University, Nagaland, Nagaland, Chumoukedima.
	(ii)	Prof. Zavise Rume, Director, Vocational Studies International University, Nagaland, Nagaland, Chumoukedima.
Public Authority	:	International University, Nagaland, Sodzulhou/ Kozabe Village, 6th Mile, Chumoukedima.
Date of hearing	:	27.03.2026 at 12:00 Noon.
Date of Decision	:	07.04.2026

Present:

1. Dr. Roopam Bachhil, Registrar & FAA, International University, Nagaland (formerly, the Global Open University, Nagaland), Sodzulhou/ Kozabe Village, 6th Mile, Chumoukedima, Mobile No. 9628714987.
2. Prof. Zavise Rume, Director, Vocational Studies, International University, Nagaland (formerly, the Global Open University, Nagaland), Sodzulhou/ Kozabe Village, 6th Mile, Chumoukedima, Mobile No. 8118926230.

The applicant(now appellant), Shri. Petelekho Pienyu did not appear for the hearing.

FACT OF THE CASE

An applicant, Shri. Petelekho Pienyu had submitted a RTI application dated 30.04.2025 along with application fee of Rs. 20/- (in cash) addressed to the PIO, the International University, Nagaland (formerly, The Global Open University, Nagaland) seeking details of the educational qualifications of certain officials of the University as below: -

I. Pro-Chancellor, Dr. Utkarsh Sharma, IUN
II. Vice-Chancellor, Dr. Sidharth Shankar, IUN
III. Registrar, Dr. Roopam Bacchil, IUN
IV. Mr. Abhishek Tripathi, Assistant Registrar, IUN in the format given below.

Qualification	*Name of Board/ University*	*Year of passing*	*% of marks*	*Mode of education (whether regular or distance/ correspondence/ online)*
HSLC				
HSSLC				
Bachelor's Degree				
Master's Degree				
M. Phil/ PhD, Etc.				

On not getting any response from the concerned PIO within the stipulated time period, the applicant had submitted a First Appeal dated ***06.06.2025*** addressed to the FAA, The International University, Nagaland (formerly, the Global Open University, Nagaland) for necessary action.

Since the FAA had failed to respond to the above First Appeal, the applicant (now appellant) had submitted a Second Appeal to the Commission for intervention and necessary action.

On receipt of the above Second Appeal, the Commission had, vide letter No. NIC/Appeal-5/2025-26/702 dated 30.07.2025, directed the FAA, the International University, Nagaland (formerly, the Global Open University, Nagaland) to hear the above First Appeal along with both the parties, i.e., the concerned PIO and the applicant, within 30 (thirty) days from the date of receipt of its directive and thereafter submit a copy of the decision of the FAA to the Commission for further necessary action.

Since there was no response or compliance to the above directive even after a lapse of almost four months, the Commission had, vide letter NIC/Appeal-5/2025-26/788 dated 27.11.2025 issued a **reminder** to the FAA to hear the First Appeal along with both the parties i.e., the concerned PIO and the applicant within 30 (thirty) days from the date of receipt of this reminder and thereafter submit a copy of the decision of the FAA to the Commission for further necessary action.

However, in reply to the above reminder, the International University, Nagaland had, vide letter No. IU/2-14/16B/Vol-3/297 dated 18.12.2025 submitted that the International University, Nagaland (formerly The Global Open University) does not qualify to be a Public Authority under the RTI Act and therefore the University is not legally obligated to furnish information under the said Act, except to the extent of disclosures specifically mandated under applicable regulatory statutes, since the International University, Nagaland is a private university established under the provisions of the relevant State Private University Act and duly recognized by the University Grants Commission (UGC) under section 2(f) of the UGC Act, 1956. The University is entirely self-financed and does not receive any grant-in-aid or financial assistance, either directly or indirectly, from the Central Government or the State Government. The academic, administrative and financial functioning of the University is governed by its Establishment Act, Statutes, Ordinances and internal regulatory framework. Referring to the Hon'ble Gujarat High Court, wherein the Court while examining the applicability of the RTI Act to private universities, has clearly held that a private university which does not receive substantial government funding does not fall within the definition of "public authority" under section 2(h) of the RTI Act. The attached order relied upon clarifies that mere recognition or regulatory control by statutory bodies such as the UGC does not attract the provisions of the RTI Act. The Hon'ble Court further observed that regulatory oversight, inspections or recognition under Section 2(f) of the UGC Act cannot be equated with substantial financing, which is mandatory condition for bringing a private body within the ambit of the RTI Act.

Since the Commission was not convinced with the above submission of the International University, Nagaland, the Commission has decided to hear the above mentioned appeal by giving opportunity of being heard to all the parties on ***20th February (Friday), 2026 at 11:00 AM*** in the

Hearing Room of Nagaland Information Commission, Nagaland Commissions' Complex, Below NBCC Convention Centre, New Capital Complex, Nagaland, Kohima and also notified 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 FAA, the International University, Nagaland (formerly, the Global Open University, Nagaland), Sodzulhou/ Kozabe Village, 6th Mile, Chumoukedima.
2. The concerned PIO, the International University, Nagaland (formerly, the Global Open University, Nagaland), Sodzulhou/ Kozabe Village, 6th Mile, Chumoukedima.
3. The applicant (now appellant), Shri. Petelekho Pienyu, No. 1(NL) AIR SQN NCC, Dimapur, Near East Dimapur, DABA Church, Purana Bazar – 797112, Mobile No. 9856037707 e-mail: petelekhopienyu@gmail.com.

However, due to some engagement of the Chief Information Commissioner on the same date, the hearing was rescheduled to ***23rd February (Monday), 2026 at 11:00 AM.***

The hearing which was re-scheduled on 23.02.2026 was again postponed to 13.03.2026 at 11:00 AM on the request of Dr. Roopam Bachhil, Registrar & FAA, International University, Nagaland via email dated 20.02.2026 as she was out of station due to medical issues and undergoing necessary treatment.

Again on the request of the Vice Chancellor, IUN vide letter No. IU/VC/2026/897 dated 11.03.2026 (received via email) to re-schedule the hearing as the officials of the IUN were officially invited to attend the Swearing-in Ceremony of the Governor of Nagaland on the same date i.e. 13.03.2026, the Commission had postponed the hearing to **27.03.2026 at 12:00 Noon.**

OBSERVATIONS AND FINDINGS:

The applicant(now appellant), Shri. Petelekho Pienyu did not appear for the hearing and there was no prior intimation or reason for his non-appearance in the hearing.

During the hearing, Dr. Roopam Bachhil, Registrar & FAA, International University, Nagaland stated that the University was established as a Private University and out of the four (4) such private universities in Nagaland viz. ICFAI, North East Christian University, Saint Joseph University and International University Nagaland and as per the information available on the website only the IUN was listed. She further informed that the IUN submits all information to the UGC.

The Commission observed that the origins of "International University", Nagaland can be traced in 2006 when ***The Global Open University Nagaland Act (Act 3 of 2006)*** was passed by the Nagaland State Legislative Assembly and published in the Nagaland Official Gazette on 18th September 2006 with a view to launching distance and open education courses. It was renamed as the "International University", Nagaland after the passing of ***The Global Open University Nagaland*** **(Second Amendment)** ***Act No. 6 of 2024*** by the Nagaland State Legislative Assembly and assented by the Hon'ble Governor of Nagaland for launching only full time regular courses from January 2025. The provisions of The Global Open University (Second Amendment) Act 2024 were published in the Nagaland Official Gazette on 25th October, 2024.

Referring to the **Preamble** of *The Global Open University (Nagaland) Act, 2006 (Act No. 3 of 2006)*, the erstwhile *The Global Open University Nagaland* was established as a **Private University** through an Act of the State Legislative Assembly which was as per provisions in the University Grants Commission (Establishment and Maintenance of Standards in Private University) Regulations, 2003.

The Preamble of **The Global Open University (Nagaland) Act, 2006 (Act No. 3 of 2006) is reproduced here below:-**

"Received the assent of the Governor of Nagaland on 30/08/2006 and published in the Nagaland Gazette Extraordinary dated 18th of September, 2006.

An Act

To establish a Private University by name the Global Open University (Nagaland) in the State of Nagaland and to provide for matters connected therewith or incidental thereto.

Whereas the Government of Nagaland had signed a Memorandum of Understanding with a Trust called the World Institution Building Programme (WIBP), New Delhi, on the 13" September, 2005, for allowing the said Trust to establish a Private University in the State of Nagaland to offer to the people of Nagaland more choices for pursuing higher professional, technical and technological education; and

Whereas the establishment of a Private University can be done ***only*** *through an Act of the State Legislative Assembly as per provisions in the University Grants Commission (Establishment and Maintenance of Standards in Private University) Regulations, 2003:*

Be it enacted by the Nagaland Legislative Assembly in the fifty-seventh year of the Republic of India as follows:"

Firstly, the Commission observed that since the said University was established *by an Act of the Nagaland State Legislature,* hence by the definition of public authority under **Section 2(h)(c)** of the RTI Act, 2005, it qualifies to be a public authority;

Section 2 (h) of the Right to Information Act, 2005 states that:

(h) "public authority" means any authority or body or institution of self- government established or constituted—

(a) by or under the Constitution;
(b) by any other law made by Parliament;
(c) by any other law made by State Legislature;
(d) by notification issued or order made by the appropriate Government, and includes any—

(i) body owned, controlled ***or*** *substantially financed;*
(ii) non-Government organisation substantially financed,

directly or indirectly by funds provided by the appropriate Government;

Secondly, the University is a '*body owned and controlled by the appropriate government*' *i.e.* the Government of Nagaland under **Section 2(h)(d) (i)** of the RTI Act, 2005 since:-

a. under **Section 57(1)** of *The Global Open University Nagaland Act (Act 3 of 2006),"the Government of Nagaland has powers to give directives to the University if mismanagement, maladministration, indiscipline financial crisis and failure to comply with the ACT and regulation made thereunder, come to the notice of the Government of Nagaland."*
b. under **Section 57(2)** of *The Global Open University Nagaland Act (Act 3 of 2006)* states that "*the University shall comply with all the directives given to it by the Government of Nagaland."*
c. the **Governing Council** includes *nominees of the Government of Nagaland* under Section 30(1)(vi) of the *The Global Open University Nagaland Act (Act 3 of 2006);*
d. The **Executive Council** includes *nominees of the Government of Nagaland* under and Section 33(1)(v) of the *The Global Open University Nagaland Act (Act 3 of 2006);*
e. Section 56. (1) of *The Global Open University Nagaland Act (Act 3 of 2006)* mandates **Annual Reporting** to the Nagaland Legislative Assembly;
f. Further, the University Grants Commission (UGC) maintains that all universities and colleges established by Parliament or State Legislature come

under the purview of a "public authority" and must proactively disclose information.

Thirdly, the Commission also observed that there is also "***substantial funding***" under **Section 2(h)(d)(i)** of the RTI Act, 2005 since:-

a. the University operates from Dimapur in **a Campus allotted by the Government of Nagaland** since April 2007.
b. *Contributions and grants made by the Government of Nagaland to the* ***General Funds*** under Section 49. (1)(ii) of *The Global Open University Nagaland Act (Act 3 of 2006)*;
c. *Contributions and grants made by the UGC to the* ***General Funds*** under Section 49. (1)(iii) of *The Global Open University Nagaland Act (Act 3 of 2006)*;
d. *Contributions and grants made by the Central Government to the* ***General Funds*** under Section 49. (1) (iv) of *The Global Open University Nagaland Act (Act 3 of 2006)*;

Hence, the Commission observed that though the International University, Nagaland (formerly *The Global Open University Nagaland*) was established as a private university, it also satisfies the definition and **all the conditions** of "public authority" under **Section 2(h) of the RTI Act, 2005**, and hence it qualifies to be a public authority and therefore comes under the purview of the RTI Act, 2005. The Commission also pointed out that the erstwhile ***The Global Open University Nagaland,*** had it's own FAA, PIOs and APIOs, and several RTI appeal cases had been received, heard and disposed of by this Commission in the past.

The Commission further relied on various judgments of the courts wherein, the courts also held that Private universities are subject to the RTI Act if they are substantially financed, controlled, or managed by the government. The legal interpretation provided by the courts confirms that government involvement, even indirect, brings private universities within the scope of under Section 2(h) of the RTI Act. For instance, in the

1. The judgment in **Surendra Singh vs. State of U. P. - 2008 0 Supreme(All) 2469** clarifies that the Committee of Management of private managed institutions, including private universities, are covered under the RTI Act if they are managed or controlled by private entities but are still subject to the Act if they are covered under the definition of Section 2(h) of the RTI Act. The court held that such institutions are bound to provide information as per the provisions of the RTI Act.
2. The court's reasoning in **M. Kaliaperumal vs. The Central Information Commissioner New Delhi & Others - Madras (1900)** underscores that the motive or private nature of an institution does not exempt it from RTI obligations if it is substantially financed or controlled by the state.
3. Many private universities argue they do not fall under this definition, especially when they operate as self-financed entities without direct government control. However, in the **Errol Rajesh Dysell vs. Union of India & Ors. - Delhi** case, the Court held that if a private university receives substantial government funding or performs functions akin to a public authority, it may be considered a public authority under RTI.
4. Courts and the Central Information Commission have emphasized that private universities' information may be protected to safeguard privacy and fiduciary interests, but transparency is mandated when public funds or functions are involved. The extent of RTI coverage depends on the degree of government control and funding. Sources: INDCIC00000067990, **Modern Dental College & Research Centre vs. State of Madhya Pradesh - Supreme Court.**

5. In a very landmark decision of ***D.A.V. College Trust and Management Society and Others vs. Director of Public Instructions and Others,*** the apex court emphasized that the substantial funding, even if it does not constitute to the majority of the amount could still considered as a public authority depending on the facts of the case. The court held that the expression "substantial" means a large portion. It does not necessarily have to mean a major portion or more than 50%. No hard-and-fast rule can be laid down in this regard. Substantial financing can be both direct or indirect. To give an example, if a land in a city is given free of cost or on heavy discount to hospitals, educational institutions or such other body, this in itself could also be substantial financing. The very establishment of such an institution, if it is dependent on the largesse of the State in getting the land at a cheap price, would mean that it is **substantially financed**."

Referring to the copy of the newspaper report in *Times of India* dated 25th June, 2025 enclosed by the International University", Nagaland vide letter No. IU/2-14/16B/Vol-3/297 dated 18.12.2025, the Commission pointed out that the submission of the "International University", Nagaland to the Commission seemed to be in contradiction since the newspaper reported that the Gujarat Information Commission had, *while affirming to an order of the Gujarat High Court in Special Civil Application 19282/2021 wherein information from such universities (private universities) should be made available if they meet the criteria of a public authority also stated that if a private university is established by law (such as the Gujarat Private Universities Act, 2009), controlled by the government, or substantially financed" directly or indirectly by funds provided by the government, it can be deemed to be a public authority under the RTI Act. The report added that the UGC had also issued directives on 'implementation of the RTI Act, 2005 in the Universities/Colleges, urging proactive disclosure of information by institutions.*

The Commission safely conclude that *The Global Open University Nagaland* was established as a **Private University,** and though the name of the University was changed to "International University", Nagaland, all the provisions, management, functions, aims, objectives etc. of the University remains the same and are still governed, applied and operated under the same Act. By simply changing the name of the University from ***The Global Open University Nagaland*** to "International University", Nagaland, does not mean that the "International University", Nagaland will cease to be a public authority or exempt from the purview of the RTI Act. Hence, the submission of the International University, Nagaland that since it is a private university and entirely self-financed and does not receive any grant-in-aid or financial assistance, either directly or indirectly, from the Central Government or the State Government is not ***tenable***.

On the **nature of information** sought, the Commission observed that educational qualifications, Board or University, year of passing, the percentage of marks and mode of education (regular/distance/correspondence/ online) and other such qualifications are submitted to competent authority as they are necessary for entry into the service and for performance of some public service, and hence the Commission is convinced that such information do not qualify to be exempted and no third party is attracted or privacy of individual is compromised. Further, it may be pointed out that the applicant(now appellant) had not sought for copies of the Mark sheets or certificates of the educational qualifications etc. of the individuals mentioned in his RTI application dated 30.04.2025, and hence information could have been provided. The Commission also observed that having highly qualified employees in the University will not only establish reputation to the University but also boost the morale and confidence of the students and the public.

The Commission further observed that the RTI application dated 30.04.2025 was received on the same date i.e. 30.04.2025 by the International University Nagaland, however no reply was given by the PIO even after the expiry of the stipulated time period of 30 days and even at the time of hearing by the Commission on 27.03.2026. Hence, maximum penalty has been attracted.

DECISION

On the above observations and as per the submission of Dr. Roopam Bachhil, Registrar & FAA, International University Nagaland that the University submits all information to the University Grant Commission (UGC), the Commission decided that:-

1. Dr. Roopam Bachhil, Registrar & FAA, shall obtain the information from the UGC and furnish the information to the applicant (now appellant) **within twenty (20) days** from the date of receipt of this decision and with a copy to this Commission.

2. Under Section 20 (1) of the RTI Act 2005, penalty at the rate of Rs. 250/- per day of delay for the maximum delay amounting to **Rs. 25,000.00** (Rupees twenty five Thousand only) is imposed on the concerned PIO, International University Nagaland for contributing to the delay in furnishing the information to the applicant (now appellant) without reasonable cause. The above penalty amount shall be paid **within 20 (twenty) days** from the date of receipt of this decision. Since penalty is imposed personally, the penalty amount shall be deposited 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 Services
    60 - Other Services
    118– Receipts under RTI Act, 2005

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

Decision pronounced in the presence of only the respondents on 27.03.2026 at 12:00 Noon.

Copy be given to:
1. Dr. Roopam Bachhil, Registrar & FAA, the International University, Nagaland (formerly, the Global Open University, Nagaland), Sodzulhou/ Kozabe Village, 6th Mile, Chumoukedima.
2. The concerned PIO, the International University, Nagaland (formerly, the Global Open University, Nagaland), Sodzulhou/ Kozabe Village, 6th Mile, Chumoukedima.
3. The Computer Programmer, Nagaland Information Commission for uploading on the website.
4. The Accounts Officer, Nagaland Information Commission for information.
5. The applicant (now appellant), Shri. Petelekho Pienyu, No. 1(NL) AIR SQN NCC, Dimapur, Near East Dimapur, DABA Church, Purana Bazar – 797112, Mb. No. 9856037707 e-mail: petelekhopienyu@gmail.com.
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:

2/4/26

(Worhonthung Ezung)
Deputy Secretary