

C.P.

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No. NIC/APPEAL-7/2025-26 / 784

Dated Kohima, the 24th November, 2025

- Appellants** : (i) Shri. H. Kivika Achumi,
Social Activist,
Mobile No. 7005320788
- (ii) Shri. Inaka Sumi,
Advocate,
Mobile No. 9089842001.
- Respondents** : (1) Shri. Thepfusalie Guozi,
Chief Engineer & FAA,
Water Resources Department,
Nagaland, Kohima.
- (2) Er. Phutheguo Kikawakhrie,
Executive Engineer & PIO,
Water Resources Department,
Nagaland, Kohima.
- (3) Er. Hetoi Kinny,
Executive Engineer & PIO,
Water Resources Department,
Zunheboto.
- (4) Er. Hutovi Swu,
Executive Engineer & PIO,
Water Resources Department,
Chumoukedima, Dimapur
- (5) Er. Teiheile Hegau,
Executive Engineer & PIO,
Water Resources Department,
Jalukie, Peren.
- (6) Er. Yhunkolo Kaiti,
Executive Engineer & PIO,
Water Resources Department,
Phek.
- (7) Er. Pfutsulo Thosui,
Executive Engineer & PIO,
Water Resources Department,
Mon.

(8) Er. Sademkaba Ozukum,
Executive Engineer & PIO,
Water Resources Department,
Mokokchung.

Public Authority : Water Resources Department, Nagaland, Kohima.

Date of first hearing : 19.08.2025 at 11:30 AM.

Date of first Decision : 25.08.2025

Date of second hearing : 21.11.2025 at 11:30 AM.

Date of second Decision : 24.11.2025

Present:

1. Shri. Thepfusalie Guozi, Chief Engineer & FAA, Water Resources Department, Nagaland, Kohima, Mobile No. 9436016673.
2. Er. Phutheguo Khawakhrie, Executive Engineer & PIO, Water Resources Department, Nagaland, Kohima, Mobile No. 8731971905.
3. Er. Pfutsulo Thosu, Executive Engineer & PIO, Water Resources Department, Mon, Mobile No. 9615629291.
4. Er. Sademkaba Ozukum, Executive Engineer & PIO, Water Resources Department, Mokokchung, Mobile No. 8974789419.
5. Er. Hetoi Kinny, Executive Engineer & PIO, Water Resources Department, Zunheboto, Mobile No. 7005425467.
6. Er. Yhunkolo Kath, Executive Engineer & PIO, Water Resources Department, Phek, Mobile No. 7005356933.
7. Er. Hutovi Swu, Executive Engineer & PIO, Water Resources Department, Chumoukedima, Mobile No. 9436404325.
8. Er. Teiheile Hegeu, Executive Engineer & PIO, Water Resources Department, Jalukie, Mobile No. 9402733103.
9. The applicants (now appellants), Shri. H. Kivika Achumi, Social Activist, Mobile No. 7005320788 & Shri. Inaka Sumi, Advocate, Mobile No. 9089842001/9864873420.

FACT OF THE CASE

The Commission had, on 19.08.2025 at 11:30 AM heard the Second Appeal dated *NIL* submitted by Shri. H. Kivika Achumi, Social Activist, Mobile No. 7005320788 and Shri. Inaka Sumi, Advocate, Mobile No. 9089842001, against the unsatisfactory decision of the Chief Engineer & FAA, Water Resources Department, Nagaland, Kohima to his first appeal dated 20.05.2025 which was submitted against the unsatisfactory reply of the PIOs to his RTI application dated *NIL*.

After the hearing of the second appeal, the Commission had passed decision vide of even No. dated 25.08.2025, wherein:-

1. *The Executive Engineer & PIO of all districts/Divisions shall submit the information except Aadhar numbers of the beneficiaries to the directorate i.e., office of the Chief Engineer and the PIO of the Chief Engineer's office shall compile and furnish the information free of cost to the applicants (now appellants) and under intimation to the Commission, within 10 days from the date of receipt of the decision.*
2. *The applicants (now appellants) shall collect the information from the PIO of the Chief Engineer's office and submit their satisfaction or non-satisfaction to the PIO and with a copy to the Commission within 14 days from the date of receipt of the information.*

In compliance to decision No. 1 of the Commission dated 25.08.2025, the Chief Engineer & FAA, Water Resources Department had, vide letter *No.WRD/RTI/TECH/Case No. 2/2025/1123-25* dated **28.08.2025**, informed the applicants (now appellants) to collect the compilation of documents from the Districts PIO's for the RTI information sought.

On receipt of the information and in compliance to decision No. 2 of Commission dated 25.08.2025, the applicants (now appellants) had submitted a letter dated 17.09.2025 praying for extension of time to examine voluminous information furnished.

On receipt of the above letter dated 17.09.2025, the Commission had, vide letter of even dated 23.09.2025 granted an extension of **1(one) week** to examine the information which was furnished in compliance to its decision of even No. dated 25.08.2025 and thereafter confirm satisfaction or non-satisfaction of the information for further necessary action.

In compliance to the Commission's directive dated 25.08.2025, the applicants (now appellants) had, vide letter dated **NIL** (received by the Commission on 30.09.2025) submitted that they are not satisfied with the information furnished by the PIO's of **Phek, Mon, Mokokchung, Jalukie, Zunheboto and Dimapur divisions** *as they had deliberately withheld and misrepresented critical information PMKSY fund utilization from 2019 onwards. They also stated that despite clear RTI requests, certified bank statements, UTR-confirmed payments, cheque records, receipts, acknowledgements, utilization certificates, geo-tagged photos and project details were not furnished. This constitutes suppression, misleading replies and violation of the RTI Act, raising serious concern of financial mismanagement and diversion of public funds.* A copy of the grounds for their non-satisfaction in respect of Phek, Mon, Mokokchung, Zunheboto and Dimapur were enclosed.

Since the applicants (now appellants) were not satisfied with the information furnished by the PIO's of Phek, Mon, Mokokchung, Jalukie, Zunheboto and Dimapur divisions, the Commission has decided to hear again the above mentioned appeal giving opportunity of being heard to all the parties on **21st November, 2025(Friday) at 11:30 AM in the Hearing Room of Nagaland Information Commission, Nagaland Commissions' Complex, New Capital Complex, Nagaland, Kohima** and had also 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. Er. Thepfusalie Guozi, Chief Engineer & FAA, Water Resources Department, Nagaland, Kohima.
2. Er. Phutheguo Khawakhrie, PIO, Water Resources Department, Nagaland, Kohima.
3. The Executive Engineers & PIOs, Water Resources Department, Jalukie, Mon, Mokokchung, Phek, Zunheboto & Dimapur Divisions.
4. The applicants (now appellants), Shri. H. Kivika Achumi, Social Activist, Mobile No. 7005320788 & Shri. Inaka Sumi, Advocate, Mobile No. 9089842001.

OBSERVATIONS AND FINDINGS:

In compliance to the first decision of the Commission dated 25.08.2025, the public authority had furnished the information **free of cost** to the applicants (now appellants) on 28.08.2025. However, since the applicants (now appellants) were not satisfied with the information furnished by the PIO's of Phek, Mon, Mokokchung, Jalukie, Zunheboto and Dimapur divisions, the Commission presumed that the applicants (now appellants) were satisfied with the other districts, and hence heard the appeal again for the above six (6) districts.

The applicants (now appellants) submitted non-satisfaction of the information with respect to the **six (6) districts/divisions of Phek, Mon, Mokokchung, Jalukie, Zunheboto and Dimapur** as the following were not furnished:-

- 1) *certified bank statements,*
- 2) *UTR-confirmed payments,*
- 3) *cheque records,*

- 4) receipts,
- 5) acknowledgements,
- 6) utilization certificates,
- 7) geo-tagged photos and
- 8) project details

However, since they could not examine or digest the information for the other districts, they had dropped those districts.

During the hearing, Er. Thepfusalie Guozi, Chief Engineer & FAA, Water Resources Department, Nagaland, while giving the reply on behalf of all the districts/divisions explained that:-

1. The PFMS platform does not generate or maintain the UTR and hence cannot be provided. However, since every transaction at the banks are processed based on the Print Payment Advice (PPA) which contains a system generated number recognised under PFMS, once the bank authorises and affixes its seal, the document become a valid proof of payment. He had also produced to the Commission, a letter dated 20.11.2025 from the Axis Bank clarifying that there are no UTR number or cheque number and the PPA number serves as the sole reference ID for the transactions as the transactions are non-cheque based transactions.
2. During the pre-PFMS period (i.e. 2019-2021), all payments were made by cash and no cheque instrument was issued since the beneficiaries did not have bank accounts. Hence, APRs as per Government accounting norms were furnished to the applicants(now appellants) as proof of payment.
3. Utilization Certificates (UC) are not issued at the Divisional level since UC is usually given against one single sanction, and the applicants(now appellants) were advised to obtain from the Head Office.
4. Regarding geo-tagged photos, the Government had mandated the photos to be geo-tagged w.e.f 29.10.2024, hence prior to this period, the photographs would not contain geo-tag metadata.
5. Projects are undertaken only after Preliminary Survey is conducted followed by Detailed Survey for design validation and preparation of Project Report which is subsequently vetted and approved by the Government. Further, since the projects are monitored and audited at various levels, the allegation of the applicants(now appellants) that the beneficiaries are bogus is not tenable since the beneficiaries are identified by the respective village councils.

On being asked by the Commission whether the above information have been furnished to the applicants(now appellants) as explained and clarified above, the FAA replied that all the PIOs had furnished the information whatever was available.

The applicant (now appellant) stated that he, himself was one of the beneficiaries and hence he had detected some anomalies and discrepancies. However, the Commission maintained that RTI is only a tool to provide information and hence information cannot be created or manufactured for the applicants. Further, with the RTI tool, such discrepancies could be detected, however, the Commission explained that since it is not an investigating agency to investigate into the bogus beneficiaries, the applicants(now appellants) are at liberty to approach appropriate forums.

DECISION

On the above observation and findings, since sufficient explanation/clarification were given and whatever information available had already been furnished and that there was no delay observed, the Commission had disposed of the appeal case.

Decision pronounced in the presence of both the parties on 21.11.2025 at 11:30 AM.

Copies be given to:

1. Shri. Thepfusalie Guozi, Chief Engineer & FAA, Water Resources Department, Nagaland, Kohima, Mobile No. 9436016673.
2. Er. Phutheguo Khawakhrie, Executive Engineer & PIO, Water Resources Department, Nagaland, Kohima, Mobile No. 8731971905.
3. Er. Pfutsulo Thosu, Executive Engineer & PIO, Water Resources Department, Mon, Mobile No. 9615629291.
4. Er. Sademkaba Ozukum, Executive Engineer & PIO, Water Resources Department, Mokokchung, Mobile No. 8974789419.
5. Er. Hetoi Kinny, Executive Engineer & PIO, Water Resources Department, Zunheboto, Mobile No. 7005425467.
6. Er. Yhunkolo Kath, Executive Engineer & PIO, Water Resources Department, Phek, Mobile No. 7005356933.
7. Er. Hutovi Swu, Executive Engineer & PIO, Water Resources Department, Chumoukedima, Mobile No. 9436404325.
8. Er. Teiheile Hegeu, Executive Engineer & PIO, Water Resources Department, Jalukie, Mobile No. 9402733103.
- ✓ 9. The Computer Programmer, Nagaland Information Commission for uploading on the website.
10. The applicants (now appellants), Shri. H. Kivika Achumi, Social Activist, Mobile No. 7005320788 & Shri. Inaka Sumi, Advocate, Mobile No. 9089842001/9864873420.
11. Office Copy.

Sd/-

KEVISA KENSE (IAS Retd.)

Chief Information Commissioner

Sd/-

T. KEKONGCHIM YIMKHIUNG

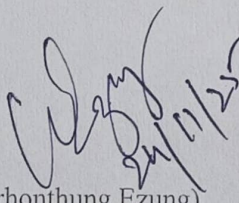
State Information Commissioner

Sd/-

NOSAZOL CHARLES

State Information Commissioner

Authenticated true copy:


(Worhonthung Ezung)

Deputy Secretary