

NAGALAND INFORMATION COMMISSION
OLD SECRETARIAT COMPLEX,
POST BOX NO. 148
NAGALAND
KOHIMA – 797001

No. NIC/Compln-2/2007

Dated Kohima, the 31st August , 2007

APPELLANT : Shri K.C. Angami,
President, (NGRC-I CU)

RESPONDENT : Department of Works & Housing
PUBLIC AUTHORITY : Office of the Chief Engineer PWD(Road &
Bridges)
Government of Nagaland

Dated of Appearance to show cause : **20.7.2007**

Date of Order : **31.8.2007**

Present - 1. Shri L. Yezhekhu Sumi
PIO and Additional Chief Engineer PWD (Road & Bridges)
Office of the Chief Engineer PWD, Nagaland, Kohima.
2. Shri R. Temsütemjen APIO PWD (Road & Bridges)
Office of the Chief Engineer PWD (Road & Bridges) Kohima.

The Commission in its Decision Notice date 5.7.2007 had directed the PIO, Shri L. Yezhekhu Sumi to appear before the Commission on 20.7.2007 to show cause as to why he should not pay a penalty of Rs. 250/- per day for each day of delay subject to a maximum of Rs. 25,000/-

Shri L. Yezhekhu Sumi, Public Information Officer appeared and submitted in writing and orally that the RTI Act and procedures were never known to him before the NPWD organized a “workshop on RTI” last month, that the Department had appointed Public Information Officers by name on whose transfers the succeeding Officers were not aware that they were Public Information Officers, that the Chief Engineer PWD (Road & Bridges) had received the RTI Application dated 28.8.2006 on 11.10.2006 which was endorsed to him on 13.10.2007, that the Appeal dated 9.11.2006 was submitted to the Chief Engineer PWD who was not the Appellate Authority, that the Chief Engineer PWD (Road & Bridges) had written to the Government without delay for advice and direction and that on 15.1.2007, Chief Engineer PWD (R&B) had written to Appellant seeking 6 months time. He submitted that he was appointed as Public Information Officer on 17.4.2007.

He reported that the information sought had been furnished to the Appellants free of cost on 6.7.2007 as directed by the Commission.

He therefore requested that he may please be exempted from the penalties in this case.

The Commission observe that most of these statements have been made during the hearing on 2.5.2007 and discussed in the Decision Notice of 5.7.2007.

The Commission, however, in view of the submissions by the Public Information Officer, consider it necessary to have the following information before further orders are passed.

1. The RTI application of 28.8.2006 was received in the Office on 28.8.2006 but was received by the Chief Engineer PWD (Road & Bridges) on 11.10.2006 only.

The Public Information Officer is directed to inquire who were the Officials/staff responsible to holding up the RTI Application of 28.8.2006 fixing responsibility on each of such staff/official and submit to the Commission his report/findings within 10 working days.

2. The Chief Engineer PWD (Road & Bridges) is directed to intimate to the Commission whether there was any advice or direction in reply to his letter, within 10 working days.
3. Public Information Officer will inform the Commission whether the mechanism has been set up and office sensitized for dealing with RTI Applications, within 10 working days.

Copy of the order be given to

1. The Parties.
2. The Chief Engineer, PWD (Road & Bridges) Kohima, Nagaland.
3. The Engineer-In-Chief, PWD, Nagaland.
4. The Commissioner & Secretary to the Government of Nagaland, Works & Housing Department, Kohima.

Pronounced in open proceedings today.

Sd/-

P. TALITEMJEN AO

Chief Information Commissioner,
Nagaland.

Sd/-

REV. DR. W. PONGSING KONYAK

State Information Commissioner,
Nagaland.

Sd/-

DR. KUHOI K. ZHIMOMI

State Information Commissioner,
Nagaland.

Autheticated

(**ADINO**)

Sr. P.S. to Chief Information Commissioner,
Nagaland.

