

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

No./NIC/Appeal-30/2009/

Dated Kohima, the 15<sup>th</sup> July 2009

**Appellant** : **Shri. Tovito Chophy**  
**C/o Hokashe**  
**Gauhati High Court**  
**Kohima Bench**

**Respondent** : **Home Department**  
**Public authority** : **Office of the Director General of Police,**  
**Nagaland, Kohima.**

Date of Hearing -17.6.2009

Date of Decision -15.7.2009

Present (1) Shri. Tovito Chophy  
(2) Shri.L. Thechamo Lotha IPS, Public Information Officer & IGP ( Hqr) Police

**Facts**

Shri. Tovito Chophy C/o Hokashe Gauhati High Court Kohima Bench submitted an appeal under section 19 of the RTI Act 2005 to the Commission on 3.6.2009 stating that he received incomplete informations in reply to his RTI application dt.2.3.2009 and 10.3.2009 addressed to the Public Information Officer, PHQ, Nagaland Kohima and that he had appealed to the Appellate Authority on 6.4.2009, but was not satisfied with the decision of the Appellate Authority, hence he was appealing to the Commission.

Shri Tovito Choppy in his application dt. 2.3.2009 addressed to the Public Information Officer, PHQ, Nagaland Kohima sought 6 items of information:

- (1) Inspection of answer script of the selected candidate and the applicant.
- (2) Result sheet with marks scored.
- (3) Attendance sheet.
- (4) Sitting arrangement of the exam hall.
- (5) The concern file along with the connected documents on recruitment of the said post.
- (6) Criteria for selection.

The Public Information Officer, PHQ on 3.3. 2009 informed the applicant that the information would be furnished as and when received from the Recruitment Board and on 9.3.2009 informed Shri. Tovito to report to Principal PTS Chümukedima where he was allowed to inspect his answer script.

On 10.3.2009 Shri Tovito submitted another application to Public Information Officer PHQ seeking 3 items of information:

- (1) Copy of marks scored by the 26 selected candidates.
- (2) My Answer Script.
- (3) The total number of candidates qualified for the examination as per official record.

The Public Information Officer on 23.3.2009 informed Shri Tovito that the answer script ( of Shri Tovito) was reevaluated by the Board of examiners and that the original marks allotted to answer script bearing chest No. 619 was found to be correct.

Not satisfied with the information given to him, he submitted an appeal to the Appellate Authority, PHQ on 6.4.2009. The appellate authority himself on 4.5.2009 furnished information sought in the 2 RTI applications mentioned above.

ShriTovito submitted appeal to the Commission on 3.6.2009 stating that the informations/documents supplied to him were partial and incomplete, on application of 2.3.2009

1. Inspection of answer script of the selected candidate and the applicant
5. The concern file along with the connected documents on recruitment of the said post.

and on application of 10.3.2009

2. My Answer Script

Hearing was conducted on 17.6.2009 during which Shri Tovito Choppy and Shri. L. Thechamo Lotha Public Information Officer and IGP (Hqr) Nagaland were present

Appellant Shri Tovito stated that he was allowed inspection of his answer script of 10.2.2009 and he was not shown of others. He submitted that the board members on 10.3.2009 told him that they could not show the file with connected documents on recruitment of the said post.

He stated that with regard to his application of 10.3.2009, Sl. No.2, he was not shown his reevaluated answer script, as he had applied for reevaluation after seeing his answer script earlier.

The Public Information Officer, Shri. L. Thechamo stated that the Director General of Police Nagaland as authorized, constitutes Boards from time to time for conducting recruitment test. In this case the candidate had asked for answer script, which was shown to him. The Department has not prescribed rules and procedure for application for mark sheet, and answer scripts.

On being asked whether the final results of the recruitment test for the post of LDA cum Computer Assistant, had been declared, both the Appellant and Public Information Officer were not sure.

The Commission directed both the Public Information Officer and Shri. Tovito to intimate to the Commission if results of the test conducted had been declared and published, and if so on which date and how, within 10 days. Both have confirmed in written that the results were declared by the Department on 20.5.2009 and published on 21.5.2009.

**Decision:**

The Commission observe that the Public Information Officer instead of furnishing the information as sought had been passing on instructions to the applicant and that it was the appellate authority who on 4.5.2009 furnished the informations to the appellant as requested.

The applicant was also allowed to inspect his answer script by the Board of Examiner on 10.3.2009, following which he applied for reevaluation of his answer scrip, which now he state that he was not shown

The Commission direct the Public Information Officer, PHQ to allow the applicant to inspect his reevaluated answer script and the concerned file containing the documents relating to the test, according to provision and rules of the RTI Act 2005, within 10 working days from the date of pronouncement of this decision.

The Commission observe that the officials of the Police Headquarter are not very conversant with the provisions of the RTI Act 2005.

The Commission direct that the Department sensitise the officials and gear up the mechanism to deal with RTI applications and confirm to the Commission within one month.

Pronounced in open proceedings today 15.7.2009.

Copies be given to the parties.

Copy be given to :

1. The Home Commissioner, Nagaland, Kohima.
2. The Director General of Police Nagaland, Kohima.

Sd/-

**P. Talitemjen Ao IAS (Rtd)**  
Chief Information Commissioner,  
Nagaland

Sd/-

**Rev.Dr. W. Pongsing Konyak**  
State Information Commissioner,  
Nagaland

Sd/-

**Dr. Kuhoi K Zhimomi**  
State Information Commissioner,  
Nagaland.

Authenticated by me

Under Secretary  
Nagaland Information Commission  
Kohima