

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

No. NIC/Compln-6/2007

Dated Kohima, the 31st August , 2007

APPELLANT : Shri Holuto Aye,
P.S. to MLA 33 Suruhuto
Assembly Constituency,
Nagaland, Kohima.

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. Appellate Party
2. Shri L. Yezhekhu Sumi
PIO and Additional Chief Engineer PWD (Road & Bridges)
Office of the Chief Engineer PWD, Nagaland, Kohima.
3. Shri R. Temsütemjen APIO PWD (Road & Bridges)
Office of the Chief Engineer PWD (Road & Bridges)
Kohima.
4. Shri Temsü Soyah, Legal Assistant 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 Public Information Officers/Asst. Public Information Officers in the Department were appointed by name on whose transfers the succeeding officers were not aware that they were PIOs/APIOs, that he had ascertained from records that the RTI Application dated 23.1.2007 received on 1.2.2007 and endorsed to him was endorsed to concerned branch but during the process, the applicant had filed appeal. He informed that the information sought have all been furnished to the applicant, as well as during the Assembly Session. The Commission had directed that the documents be furnished as requested in the RTI application to the applicant.

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

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

1. The RTI Application dated 23.01.2007 was received in the Office on 1.2.2007, and endorsed to the concern branch, but information was not furnished within the prescribed period.

The Public Information Officer is directed to inquire who were the Officials/staff responsible for holding up the RTI application received on 1.2.2007, fixing responsibility on each of such officials/staff, and submit his report/findings to the Commission within 10 working days.

2. The Public Information Officer will inform the Commission whether the mechanism has been set up and the Office sensitized for dealing with RTI Applications, within 10 working days.

The Appellant Shri Holuto Aye, submitted to the Commission today that he was not satisfied with the information furnished to him relating to item No. 3 of his request. He may put his dissatisfaction in writing.

Copy of the order be given to

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

Pronounced in open proceedings today.

Sd/-

P. TALITEMJEN AO
Chief Information Commissioner,
Nagaland, Kohima.

Sd/-

REV. DR. W. PONGSING KONYAK
State Information Commissioner,
Nagaland.

Sd/-

DR. KUHOI K ZHIMOMI
State Information Commissioner
Nagaland

Authenticated

(**ADINO**)

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