

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

No. NIC/Compln-9/2007

Dated Kohima, the 10<sup>th</sup> October, 2007

APPELLANT : **Shri Chubatangit,  
Ex. General Secretary, District  
Voluntary Consumer Organisation  
Mokokchung, Nagaland.**

RESPONDENT : Department of School Education  
PUBLIC AUTHORITY : Office of the Director of School  
Education  
Nagaland, Kohima.

**Date of last Hearing - 19.9.2007**

Present -

1. Appellant Party
2. Shri . K.J. Lohe,  
PIO. SSA.SMA, State Project Director.
3. Shri Nukshilepba,  
PIO and Asstt. Director, Directorate of School Education.
4. Shri G. Shohe,  
PIO and Asstt. Director, Directorate of School Education.

Date of Order : **10.10.2007**

The Commission in its Decision Notice dated 12.9..2007 had directed the PIO to appear in person on 19.9.2007  
to-

1. Confirm the furnishing of information to the applicant as directed by the Commission
2. Inform the Commission whether mechanism as been set up and office sensitized to deal with RTI applications.

The PIO Shri K.J. Lohe, along with the 2 PIOs of Education Directorate appeared before the Commission on 19.9.2007 and reported that the information sought i.e. that there was no instruction from higher authorities for deduction of 50% from SSA funds provided to VEC for construction of School Buildings had been furnished and received by the applicant on 18.9.2007. He also stated that the RTI application of Shri Chubatangit Jamir was received by him from Shri Nukshilepba on 19.6.2007.

There was no confirmation that Mechanism has been set up or office sensitised except that PIOs had been designated.

The Commission find that there has been a delay of 62 days i.e. from 19.7.2007 to 18.9.2007 in furnishing the information to the applicant.

As per Section 20 (1) of the RTI Act 2005, a penalty at the rate of Rs. 250/- per each day of delay, subject to a maximum of Rs. 25,000/- is to be imposed on the PIO for failure to furnish information within the prescribed period of 30 days.

The PIO Shri K.J. Lohe is directed to appear in person before the Commission at 1130 hours on 24.10.2007 (Wednesday) to show cause as to why he should not pay penalty at the rate of Rs. 250/- for each day of delay for 62 days subject to maximum of Rs. 25,000.00.

Pronounced in open proceedings today 10<sup>th</sup> October, 2007.

Copies be given to

1. The Parties.
2. The Mission Director, Sarva Shiksha Abhiyan, State Mission Authority, Nagaland, Kohima.
3. The Director of School Education, Nagaland, Kohima.
4. The Principal Secretary to Government of Nagaland, School Education Department, Nagaland, Kohima.

**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.

**Authenticated**

( ADINO )

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

**Sd/-**  
**P. TALITEMJEN AO**  
Chief Information Commissioner,  
Nagaland.

**Sd/-**  
**REV. DR. W. PONGSING KONYAK**  
**ZHIMOMI**  
State Information Commissioner,  
Commissioner,  
Nagaland.

**Sd/-**  
**DR. KUHOI K**  
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