



No. A/940/SCIC - 2016

## MANIPUR INFORMATION COMMISSION

SECRETARIAT NORTH BLOCK, GROUND FLOOR,  
BEHIND WESTERN BLOCK,  
IMPHAL, MANIPUR.

### Appeal Case No. 91 & 93 of 2016

Shri N. Noidachand Singh – Appellant

-vs-

The SPIO/Addl. Director of Education (S/Valley), Govt. of Manipur and Anr.  
– Respondents

### DECISION

Dated 24 September, 2016.

The FAA & SPIO are represented by Shri L. Ishwarjit Sharma, OSD (RTI). The ZEO/Zone – I along with SMC members and teachers of both Sakhi Devi Girls' High School and Thambaljao High School (both Govt. aided) are also present. The appellant is also present.

The appellant vide his RTI application dt.1-4-2016 had sought information related with appointment of Smt. N. Keinatombi Devi and Smt. K. Mema Devi as Graduate Teachers of Thambaljao High School (Govt. aided). As no response was received from the SPIO, the appellant had filed first Appeal to the Director of Education (S), Govt. of Manipur on 4-5-2016. However, as the FAA also failed to dispose of the first appeal within the mandated time, the present appeal case No. 91 of 2016 was filed before the Commission on 6-8-16.

Similarly, due to non disposal of RTI application dt.19-3-16 and First Appeal dt.22-4-16 wherein the appellant sought information relating to the appointment of Smt. W. Nalini Devi as teachers/Head Mistress of Shakhi Devi Girls' High School (Govt. aided), the present Appeal Case No. 93 of 2016 was filed before this Commission.

Both the Appeal Cases were clubbed together and heard on 15-7-16, 27-7-16, 8-8-2016 and 29-8-16 prior to today's hearing.

During proceedings of the appeal cases, the ZEO, Zone – I was also impleaded as one of the respondent as the matter pertaining to the RTI applications are concerned with him and under his jurisdiction. The ZEO, Zone – I submitted before the Commission that when he requested the School Authorities to produce the Resolution Book in question, he had been informed by the School Authorities that the same was taken away by Shri N. Nodiachand Singh, the appellant and also the founder of the two Schools. However, a copy of the information furnished to the A.D. of Education (S/V) showing the details of vacancies and lists of candidates in order of priority signed by the Secretary of the School for filling the 2<sup>nd</sup> Posts of teachers etc. were placed before the Commission by the ZEO/Zone – I vide letter dt.5-8-16 and a copy of which was also provided to the appellant.



And as directed by the Commission vide decision dt.29-8-16, the Additional Director of Education (S) (V) vide his letter dt.23-9-16 submitted that he had called the Chairman/Secretaries of SMC and teachers of both the Schools on 14-9-16, took their statements. The members of SMC and teachers of Shakhi Devi Girls' High School clarified/submitted that the original resolution book containing the resolution for appointment of Smt. W. Nalini Devi was collected by Shri N. Nodiachand Sing (Founder) for keeping in his safe custody.

As regards information in respect of Thambaljao H/S, the Addl. Director (S/V) submitted that as per the members and teachers of School, the resolution book for appointment of Smt. N. Keinahanbi Devi and Smt. K. Mema Devi was not handed over to the present SMC by the previous SMC and further submitted that recommendation for appointment of the two teachers was made by the previous SMC which included Shri N. Nodiachand Singh as Founder Member.

The appellant, denying the submission made by the SPIO, verbally submitted that he had lodged a complaint to the Police against the SMC for not handing over of the original Resolution books and complaint is still pending.

Shri T. Tikendrajit Singh, Secy SMC, Shakhi Devi Girls' H/S who was also present today along with schools teachers during hearing submitted that on 7-7-2012 he had resigned from the SMC after signing a statement which was prepared by Shri N. Nodaichand Singh & his party and on the same day the original Resolution book along with other office records were handed over to Shri N. Nodaichand Singh. However, he clarified that no signature for receipt of the resolution book & other office records was taken from Shri Nodiachand Singh on that day. On being asked by the Commission whether any person witness the handing over of the records to Shri N. Nodiachand Singh is there or not, Smt. W. Nalini Devi and Shri S. Tomba Singh (both teachers of Shakhi Devi Girls High School) submitted before the Commission that they were present and the documents including the Resolution book were actually handed over to Shri N. Nodiachand on that day.

Shri T. Tikendrajit Singh also submitted that in connection with a complaint case filed by Shri N. Nodiachand Singh, he was arrested by the Police and later on released on bail and the case is still pending in Session court.

Shri Ch. Biramani Singh, OSD (Legal) of the ZEO, Zone – I requested the Commission to close the appeal case as the matter is under investigation by Police/Investigating Agency and all available information has been provided to the appellant.

After hearing from both parties and taking statement from the SMC members and teachers and also perusal of case records, the Commission is of the view that the SPIO had attempted all possible efforts to provide complete information at his level even though resolution book or copies thereof in respect of appointment of teachers of Shakhi Devi High School which is the only disputed/unfurnished information at present, are not furnished. The appellant has however been provided the intimation copies of the recommendations, which as per the written submission of the Addl. Director of Education (S/V), are as per resolutions of the SMCs and are replaceable copies of the resolutions. Therefore, the Commission is of the view that it is beyond

the possibility of the SPIO to provide the information on copy of the resolution book of Shakhi Devi Girls' High School and no further proceedings is called for.

Hence the appeal case is closed.

Sd/-  
(Th. Ibobi Singh)  
State Chief Information Commissioner,  
Manipur Information Commission

Authenticated by  
*S 24/09/2016*  
(S. Inao Singh)  
Deputy Registrar (Judicial - I)  
Manipur Information Commission



*etc*

Copy to: -

1. The FAA/Director Education (S), Govt. of Manipur.
2. The SPIO/Addl. Director of Education (S/Valley), Govt. of Manipur.
3. The SPIO/ZEO, Zone - I, Imphal, Manipur.
4. Shri N. Noidachand Singh. # 9856579798
5. File No. A/93(I)/SCIC - 2016

R. No. 3322  
29/8/16  
*J*

*Amr 29/9/16*

*28/9/16*

Phone call - 17-10-16  
N. Deban Singh, 18/10/16