

NAGALAND INFORMATION COMMISSION
BELOW RAJ BHAVAN, OFFICERS' HILL COLONY
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No. NIC/Appeal-8/2017-18

Dated Kohima, the 6th September, 2017

Subject: Notice for Hearing on 19th September (Tuesday), 2017 at 11:00 A.M.

WHEREAS, under Section 19 of the RTI Act, 2005, the Nagaland Information Commission had received a second appeal dated Nil from Shri. Toketo Swu, C/o Minister, National Highways Office, Nagaland Civil Secretariat, Mobile No. 9862417144 against non-satisfaction of the decision passed by the Commissioner & Secretary & FAA, Justice & Law Department, Nagaland, Kohima in response to his first appeal dated 28.02.2017.

AND WHEREAS, the applicant, Shri. Toketo Swu had earlier submitted an RTI application dated **25.01.2017** addressed to the PIO, Justice & Law, Chief Minister's Secretariat, Nagaland, Kohima along with the prescribed application fee of ` 10/- in cash seeking the following information:

1. *Copy of proposal letter that was put up for regularisation of "Nagaland State Legal Services Authority" as a department.*
2. *Name of person approved by the Cabinet to man the post of UDA (The cabinet order reads only the post of Dak runner as uncode which means all the other post were approved with name of candidate).*
3. *Can Govt. Officials defy the order of the Government? If no, why did the office of law and justice appoint an LDA in place of the post of UDA that the cabinet approved for appointment?*

AND WHEREAS, the RTI application dated **25.01.2017** was received by the public authority on **25.01.2017** as evidenced on the body of the application, however, on not getting any response to his RTI application from the PIO within the stipulated time limit of 30 (Thirty) days, the applicant had preferred a first appeal dated **28.02.2017** before the First Appellate Authority, Department of Justice & Law, Nagaland, Kohima.

AND WHEREAS, on receipt of the first appeal dated **28.02.2017**, the Commissioner & Secretary & FAA, Department of Justice & Law, Nagaland had heard the first appeal in the presence of the Addl. Secretary & PIO, SO, JSO and the applicant (now appelland) on **29.03.2017** and passed decision vide **No. LAW/RTI/32/2015(PT-1)** dated **05.04.2017**.

AND WHEREAS, on not being satisfied with the decision passed by the Commissioner & Secretary & FAA, Justice & Law Department, Nagaland, Kohima, the applicant (now appelland) had preferred a second appeal dated Nil before this Commission.

AND WHEREAS, the Commission has decided to hear the appeal giving opportunity of being heard to the parties on **19th September (Tuesday), 2017 at 11:00 A.M** in the **Hearing Room of Nagaland information Commission, Below Raj Bhavan, Officers' Hill Colony, Nagaland, Kohima.**

NOW THEREFORE, the following parties are directed to appear before this Commission and **also to bring the files and relevant documents** in question for scrutiny on the above date and time for hearing.

1. The Commissioner & Secretary & FAA, Justice & Law Department, Nagaland, Kohima.
2. The Addl. Secretary & PIO, Justice & Law Department, Nagaland, Kohima.
3. The applicant (now appellant), Shri. Toketo Swu.

Sd/-

TOSHI AIER, IAS (Retd)

Chief Information Commissioner

Dated Kohima, the 6th September, 2017

No. NIC/ Appeal-8/2017-18

Copy to:-

1. The PPS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The PA to the State Information Commissioner (C), Nagaland Information Commission for kind information of the SIC (C).
3. The PA to the State Information Commissioner (K), Nagaland Information Commission for kind information of the SIC (K).
4. The Commissioner & Secretary & FAA, Justice & Law Department, Nagaland Civil Secretariat, Nagaland, Kohima.
5. The Addl. Secretary & PIO, Justice & Law Department, Nagaland Civil Secretariat, Nagaland, Kohima.
6. The applicant (now appellant), Shri. Toketo Swu, C/o Minister, National Highways Office, Nagaland Civil Secretariat, Mobile No. 9862417144.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
8. Office Copy

(WORHONTHUNG EZUNG)

Secretary