

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

No./NIC/Appeal-44/2010

Dated Kohima, the 5th May, 2010

Appellant : **Shri. Akhoto Alex Chasie**
Advocate. Daklane, Sector-III, Kohima.

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

Date of hearing - **5.5.2010.**

Present Shri Akhoto Alex Chasie, Appellant.
Shri L.L. Doungel, P.I.O., Police Headquarters, Nagaland, Kohima.

Facts

Shri Akhoto Alex Chasie, Advocate, Daklane Sector – III, Kohima submitted an appeal under section 19 of the RTI Act 2005 to the Commission on 13.4.2010 stating that he had submitted an RTI Application to the PIO of the Police Headquarters Kohima on 12.11.2009 requesting for GPF Account Number and GPF Statement book of Shri Adani Mao, exemployee of Police Department on his behalf. That on not receiving the information sought, he had submitted appeal to the Appellate Authority on 11.3.2010 following which on 22.3.2010, he was informed about the name of the exemployee as per official record of the office but the GPF account number was not given. He therefore submitted appeal to the Commission.

The RTI application of 12.11.2009 was received by the PIO on the same day, who informed the applicant on 13.11.2009 that the information sought would be collected from the concerned authority and would be intimated to him. He submitted appeal to the Appellate Authority, Director General of Police, Nagaland on 11.3.2010 stating that inspite of contacting the PIO, the information sought was not provided. Thereafter on 22.3.2010 the PIO informed the appellant that Shri A. Sahani Mao S/o Shri S. Adani Mao was an exemployee of 6 NAP, Tizit, who was dismissed (in the year) on 21.05.1985, that his GPF account is maintained in the office of the Accountant General, Nagaland and hence his unit was not in a position to produce the required document/information.

The appellant Shri Akhoto Alex Chasie submitted during the hearing that he was seeking the information on behalf of his client, that on not getting the information sought from the PIO he had submitted appeal to the Appellate Authority, who directed him to take the appeal to the PIO, which office refused to receive the appeal, hence he left the same with the office of the Appellate Authority. The PIO on 22.3.2010 informed about the inability of the 6 NAP Office to provide the GPF Account as the same is maintained by Accountant General's Office, Nagaland.

Shri L.L. Doungel, PIO stated that he had given an interim information to the applicant on 13.11.2009 and had written to the Commandant of 6 NAP Tizit on 13.11.2009 for the requisite information. On not getting the documents he wrote a reminder letter to the Commandant 6NAP Tizit on 16.3.2010, following which he received a photo copy of the reply of Commandant 6 NAP dated 18.12.2009, which was not received earlier. The contents of the reply letter was conveyed to the applicant on 22.3.2010. He submitted that he had not taken up with the office of the A.G., Nagaland for the information.

The Commission observe that the Appellate Authority on receipt of the appeal of 11.3.2010 had not given any decision or direction.

DECISION

The information sought by the appellant relate to a period of over twenty years prior to the date on which the information is sought and hence if the information is not available at hand, the Public Authority will not be under obligation to furnish the same. However, the PIO and Public Authority i.e. Police Headquarters may assist the applicant in pursuing the matter with the office of the Accountant General, Nagaland.

Pronounced in open proceedings today.

Copies be given to the Parties.

Copy be sent to

1. The Principal Secretary and 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

Under Secretary
Nagaland Information Commission
Kohima