

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

No. NIC/Appeal-51/2010 **Dated Kohima, the 15th July, 2010.**

Appellant : **Shri Supong Sangtam ,
C/o Hokheto
High Court, Kohima Bench.**

Respondent : **Department of Food & Civil
Public Authority** **Supplies, Nagaland, Kohima.**

Date of Hearing - **15.7.2010**

- Present** - **Shri Ramongo Lotha PIO and Additional Secretary, Food
and Civil Supplies.**
- **Shri Supong Sangtam, Appellant**
- **Appellate Authority is not present.**

Facts

The Commission received on 22.6.2010 complaint from Shri Supong Sangtam C/o Hokheto, High Court Kohima Bench, Kohima stating that he had been given misleading information by the Department of Food and Civil Supplies, Nagaland in response to his RTI application. He had submitted appeal to the Secretary, Food and Civil Supplies Nagaland as per Section 19 of RTI Act 2005 but the information furnished by the Department is misleading and confusing. He therefore request the Commission to sort out the problem.

From the documents submitted by Shri Supong Sangtam, it is seen that he had submitted an RTI application dated 22.3.2010 to the PIO, Department of Food and Civil Supplies, Kohima, Nagaland seeking 6 items of information. The Additional Director, Food and Civil Supplies, Dimapur, Nagaland on 30.4.2010 informed the applicant that the information may be collected from his Office. Shri Supong Sangtam submitted appeal to the Appellate Authority and Secretary, Food and Civil Supplies Department, Nagaland, Kohima on 12.5.2010. The Joint Secretary, Food and Civil Supplies, Nagaland, Kohima on 25.5.2010 addressed a letter to Director, Food and Civil Supplies Dimapur enclosing copy of appeal asking him to resubmit 3 points of replies which were found incomplete and unsatisfactory. The Additional director, Food and Civil Supplies Dimapur on 8.6.2010 informed the appellant to collect the information sought.

In his complaint to the Commission, the appellant states that the information given to him are misleading and confusing.

The Commission observe that the applicant, on receiving some information in response to his application, had submitted appeal to the Appellate Authority, hence treat this

case as an Appeal under Section 19 of the Act and not as a complaint. The Appellate Authority has not heard the Appeal nor given decision, except for some office correspondence between the Joint Secretary, Food & Civil Supplies, Kohima and the Director Food and Civil Supplies Dimapur.

The Commission therefore remand this Appeal to the First Appellate Authority, Food and Civil Supplies Department, Nagaland, Kohima to dispose of the Appeal under provisions of the RTI Act, 2005 within 10 working days. Thereafter if the Appellant is aggrieved with the decision of the Appellate Authority, he may, if he so desires, approach the Commission as per the provisions of RTI Act 2005.

Pronounced in open proceeding today.

Copy be given to the parties
and the Appellate Authority and Secretary, Food & Civil Supplies Department,
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