

NAGALAND INFORMATION COMMISSION
Old Secretariat Complex,
Post Box No. 148
Nagaland, Kohima - 797001.
Tel: 0370-2291798, Fax: 0370-2291774, Website: www.nlsic.gov.in



No. NIC/Appeal-13/2013-14

Dated Kohima, the 31st January, 2014.

Appellant : Smti. Zeneisüle Ate Loucü,
C/o Avino Pusa,
Directorate of Soil & Water Conservation,
Nagaland, Kohima,
Mobile No. 09971020809

Respondent: (i) Shri. L. Singsit, IPS,
Special Secretary,
Home Department,
Nagaland, Kohima.

(ii) Shri. Wepretso Mero,
Secretary & PIO,
Home Department (Political Branch),
Nagaland, Kohima.

(iii) Shri. Limasunep Jamir, IPS,
Superintendent of Police,
Wokha, Nagaland.

Public Authority: Home Department, Political Branch, Nagaland, Kohima

Date of hearing: 29.01.2014 at 1:30 P.M.

Date of Decision: 31.01.2014.

Present:-

1. Shri. L. Singsit, IPS, Special Secretary, Home Department, Nagaland, Kohima.
2. Shri. Wepretso Mero, Secretary & PIO, Home Department, Political Branch, Nagaland, Kohima.
3. Shri. Limasunep Jamir, IPS, Superintendent of Police, Wokha, Nagaland.
4. Shri Theophilus Singson, Secretariat Assistant, Nagaland Civil Secretariat, Kohima.

The applicant (now appellant), Smti. Zeneisüle Ate Loucü, C/o Avino Pusa, Directorate of Soil & Water Conservation, Nagaland, Kohima, Mobile No. 09971020809 **did not appear** for the hearing.

FACTS OF THE CASE

The applicant had, from a previous address, H/No. 152/9, Kishangarh, 3rd Floor, Vasant Kunj, New Delhi - 70 submitted a RTI application dated 05.04.2013 alongwith the

prescribed fee of Rs. 10/- vide IPO No. 08F 761279 dated 05.04.2013, addressed to the CPIO, Ministry of Home Affairs, North Block, New Delhi-110001 requesting to furnish a **copy of FIR filed on a written complaint by Hav. Hoshiar Singh of 17 AR.**

On receipt of the above RTI application dated 05.04.2013, Srinibas Pradhan, Deputy Secretary (E) & CPIO, Ministry of Home Affairs, New Delhi had acknowledged the application fee of Rs. 10/- vide Receipt No. 24282 dated 05.04.2013, and had also, vide O.M No. A-43020/01/2013-RTI dated 08.04.2013 (but issued on 11.04.2013), transferred the above RTI application dated 05.04.2013 to the Office of the Chief Secretary, Government of Nagaland, Kohima, since the requested information pertain to or was more closely related to the functions of the Nagaland State Government. A copy of the above O.M was also endorsed to the applicant.

On receipt of the above RTI application dated 05.04.2013 on 29.04.2013 transferred by the CPIO, Ministry of Home Affairs, New Delhi, the Office of the Chief Secretary, Government of Nagaland, Kohima had redirected it to the Special Secretary, Home Department, Nagaland, Kohima.

The Special Secretary, Home Department, Nagaland, Kohima had further transferred it to the Secretary & PIO, Home Department, Political Branch, Nagaland, Kohima on 03.05.2013.

Shri. Wepretso Mero, Secretary & PIO, Home Department, Political Branch, Nagaland, Kohima had, vide letter No. CON-1/G/RTI/07(Pt) dated **14.05.2013** forwarded the application and other related papers to the Superintendent of Police, Wokha, Nagaland, and with a copy to the applicant by post at the given address in Delhi.

Shri. Limasunep Jamir, IPS, Superintendent of Police, Wokha, Nagaland had also, vide W/T Message No. WDP/CB-30/2013-14/1369 dated 08.10.2013 and letter No. WDP/CB-30/2013-14/1394 dated 08.11.2013, informed that on receipt of the letter dated 14.05.2013 of the Home Department, Political Branch, Nagaland, Kohima on 31.05.2013, the information was furnished to the applicant at the given Delhi address vide letter No. WDP/CB-30/2013-14/629 dated **01.06.2013**, with a copy to the Secretary & PIO, Home Department, Political Branch, Nagaland, Kohima. However, the letter addressed to the applicant was returned by the Postal Department citing non-existence of the applicant at the given address in Delhi.

On not getting any response within the stipulated time, the applicant (now the appellant) had submitted First Appeal dated 14.05.2013 to Bhagwan Shankar, Joint Secretary (Admn) & First Appellate Authority, Room No. 194, North Block, Ministry of Home Affairs, New Delhi.

On receipt of the First Appeal dated 14.05.2013 on 22.05.2013, the Ministry of Home Affairs, New Delhi- 110001 had, vide letter No. A-43020/01/2013-RTI dated 03.06.2013 transferred to the Chief Secretary, Government of Nagaland.

On receipt of the First Appeal dated 14.05.2013 on 17.06.2013 transferred from the Ministry of Home Affairs, New Delhi, the OSD to Chief Secretary & PIO, Nagaland had, vide letter No. CSO/10/RTI/2013 dated 18.06.2013 transferred it to the Special Secretary, Home Department, Nagaland, since the subject matter is dealt with by the Home Department

and with a request that the appeal be taken up by the First Appellate Authority, Home Department, Nagaland, Kohima.

The Commission received second appeal dated 16.09.2013 from the appellant on **19.09.2013** citing non receipt of information either from the PIO nor from FAA.

In compliance to the direction of this Commission vide letter No. NIC/RTI-3/2012-13 dated 25.11.2013 to ascertain whether the information so furnished has been received by the applicant (now appellant), Shri. L. Singsit, IPS, Special Secretary, Home Department, Nagaland, Kohima had, vide letter No. CON-1/G/RTI/07(Pt) dated 29.11.2013 confirmed the receipt of the information on behalf of the applicant(now appellant) by Smti. Avino Pusa, Directorate of Soil & Water Conservation, Nagaland, Kohima on 18.11.2013, and as evidenced in the photocopy of the Peon Book.

However, it is observed that the appellant has not personally acknowledged receipt of the information furnished by the Public Authority. She has also not withdrawn the second appeal nor intimated satisfaction with the information received by her guardian, nor withdrawn her appeal.

In order to give a finality to the appeal case, the Commission has decided to hear the appeal, giving opportunity to the parties concerned, on 29th January, 2014 (Wednesday) at 1:30 PM in the Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima.

DECISION

Smti. Zeneisüle Ate Loucü, the appellant did not appear for the hearing but sent an e-mail on 28.01.2014 to the Nagaland Information Commission in which she mentioned the following:-

1. **(Quote) “That I have received the information vide letter No.CON-1/G/RTI/07(Pt) dated Kohima 12th November 2013 from Shri Wepretso Mero, Secretary to the Govt. of Nagaland and Public Information Officer, Home Department.**
2. **I am benefited from RTI Act, 2005 my prayer**
3. **Therefore I request you to close this matter” (Unquote)**

Copy of this e-mail was also endorsed to Shri Wepretso Mero, Secretary to the Govt. of Nagaland and PIO, Home Department.

In view of the fact that the appellant has, vide her e-mail under reference confirmed receipt of the information sought by her, which were spelt out in all the four appeals she had filed before the Nagaland Information Commission, from the Secretary & PIO, Home Department on 12.11.2013 and has requested the Commission to close the matter, the Commission is of the view that the matter need not be persuaded further. Hence, in view of the **apparent satisfaction of the appellant regarding information furnished to her** and **her request to close the matter as borne out in the e-mail sent to**

the Nagaland Information Commission on 28.01.2014, the Commission hereby declares the appeal case closed with **immediate effect**.

Decision pronounced in presence of all concerned.

Copies be given to the parties:-

1. Shri. L. Singsit, IPS, Special Secretary, Home Department, Nagaland, Kohima.
2. Shri. Wepretso Mero, Secretary & PIO, Home Department, Political Branch, Nagaland, Kohima.
3. Shri. Limasunep Jamir, IPS, Superintendent of Police, Wokha, Nagaland.
4. The applicant (now appellant), Smti. Zeneisüle Ate Loucü, C/o Avino Pusa, Directorate of Soil & Water Conservation, Nagaland, Kohima, Mobile No. 09971020809.
5. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.

(LALHUMA) IAS (Retd)
Chief Information Commissioner
Nagaland, Kohima.

(KEVININO P. MERU)
State Information Commissioner,
Nagaland, Kohima.

(BUKCHEM PHOM)
State Information Commissioner,
Nagaland, Kohima

Sd/-
LALHUMA, IAS (Retd)
Chief Information Commissioner
Nagaland, Kohima.

Sd/-
KEVININO P. MERU
State Information Commissioner,
Nagaland, Kohima.

Sd/-
BUKCHEM PHOM
State Information Commissioner,
Nagaland, Kohima

Authenticated by:-

(WORHONTHUNG EZUNG)
Under Secretary

