

**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-14/2013-14

Dated Kohima, the 31<sup>st</sup> 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) The Superintendent of Police,  
Longleng, Nagaland.

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

**Date of hearing:** 29.01.2014 at 2:00 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. K. Walling, Addl. Superintendent of Police, Longleng, Nagaland representing the Superintendent of Police, Longleng, Nagaland.
4. Shri Theophilus Singson, Secretariat Assistant, Home Department, 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**

As per records the applicant had, from a previous address, H/No. 152/9, Kishangarh, 3<sup>rd</sup> 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 761281 dated **05.04.2013**, addressed to Deputy Secretary & CPIO, Ministry of Home Affairs, North Block, New Delhi-110001 requesting to furnish **a copy of FIR lodged by the Flying Squad team at Longleng Police Station.**

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. 24284 dated 05.04.2013, and had also, vide O.M No. A-43020/01/2013-RTI dated 06.04.2013 (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 pertained 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.

The RTI application in question dated 05.04.2013 transferred by the CPIO, Ministry of Home Affairs, New Delhi, to the Office of the Chief Secretary, Government of Nagaland, Kohima was received on 29.04.12 and had redirected 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, Longleng, Nagaland, for taking necessary action with a copy addressed to the applicant by post at the given address in Delhi recorded in her RTI application.

On receipt of the RTI application forwarded by the Secretary & PIO, Home Department, Political Branch, Nagaland, Kohima on 24.05.2013, the Superintendent of Police, Longleng, Nagaland had, accordingly vide letter No. DEF/LLG/CB-1/2013-14/1059 dated 27.05.2013 forwarded a copy of the FIR in connection with Longleng PS Case No. 006/2013 U/S 171(B)(E)(H) IPC R/W 77(3) of R.P Act, 1951 registered against the NPF Candidate of 49 Tamlu A/C, Shri. H. Nyemli Phom, and also through W/T Message No. DEF/LLG/CB-01/2013-14/1843 dated 04.10.2013 informed the Special Secretary, Home Department, Nagaland, Kohima that the information in question had already been furnished to the Secretary & PIO, Home Department, Political Branch, Nagaland.

On the plea of not getting any response within the stipulated time, the applicant (now the appellant) had filed 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. And 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 the same 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.

Apparently, on not receiving any response from the First Appellate Authority of the Home Department, the appellant Smti Zeneisüle Ate Loucü, C/o Avino Pusa, Directorate of Soil & Water Conservation, Nagaland, Kohima filed second appeal dated 16.09.2013 before the Nagaland Information Commission, which was received by the Commission on 19.09.2013.

The Commission had vide letter No.NIC/RTI-3/2012-2013 dated 25.11.2013 written to the Home Department to confirm whether or not the information sought by the appellant had been furnished. 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.

Since the Nagaland Information Commission has received a Second Appeal dated 16.09.2013 from the appellant, notwithstanding the reports that information sought by the appellant have been forwarded by the concerned PIOs, the Nagaland Information Commission admitted the appeal and fixed hearing on 29.01.14 since the appellant has not formally withdrawn her appeal nor reported satisfaction with information furnished by the concerned PIOs. There is also an ambiguity regarding the reliable address of the appellant. She has also not acknowledged receipt of the information personally.

### **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 12<sup>th</sup> 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 K. Walling, Addl. Superintendent of Police, Longleng, 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.

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

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

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

**(BUKCHEM PHOM)**  
State Information Commissioner,  
Nagaland, Kohima

