

NAGALAND INFORMATION COMMISSION
Old Secretariat Complex,
Post Box No. 148
Nagaland, Kohima - 797001.
Tel: 0370-2291041, Fax: 0370-2291774, Website: www.nlsic.gov.in

No. NIC/Appeal-2/2016-17

Dated Kohima, the 12th May, 2016.

Subject: Notice for Hearing on 7th June, 2016 (Tuesday) at 11:00 AM.

WHEREAS under Section 19 of the Right to Information Act, 2005, a second appeal dated 18.04.2016 has been received on 18.04.2016 from Shri. Vinoka Aye, Consumer Society Dimapur, Top Floor 2/3, Millennium Building, Near Durga Mandir, Dimapur, Nagaland – 797112, Mobile No. 8974156706/ 9089289020, stating that in response to his First Appeal dated 23.03.2016 which was submitted against the incomplete, false and misleading information received from the PIO in reply to his RTI application dated 15.02.2016, the Director & First Appellate Authority, Food & Civil Supplies, Nagaland, Dimapur had denied to furnish him the information sought and has misinterpreted his First Appeal dated 23.03.2016 stating that his RTI application dated 15.02.2016 was not specific and that he had applied for information pertaining to only Dimapur district.

AND WHEREAS the above applicant had earlier submitted an RTI application dated 15.02.2016 addressed to the PIO, Food & Civil Supplies Directorate, Dimapur, Nagaland alongwith the prescribed application fee of Rs. 10/- (Rupees ten only) paid through Treasury Challan No. 2 dated 11.02.2016 seeking the following information:-

1. *List of items and total quantity of the items received under Public Distribution System (PDS) from the Central Government alongwith monthly Utilisation Certificate and Issue Register thereof with effect from April 2013 till February, 2016.*
2. *List of Stockist/nominee and Suppliers with proper address.*
3. *List of beneficiaries and Ration Card holders under:-*
 - i. *BPL – Below Poverty Line;*
 - ii. *APL – Above Poverty Line;*
 - iii. *AAY – Antyodaya Anna Yojana;*
 - iv. *Annapurna Scheme;*
in Dimapur district with proper address.
4. *List of Fair Price Shops in Dimapur district with proper address.*
5. *List of items and total quantity of additional Adhoc allocation for additional BPL families under Targeted Public Distribution System (TPDS) alongwith monthly Utilisation Certificate and Issue Register thereof with effect from April 2013 till February, 2016.*
6. *List of beneficiaries and Card holders under Targeted Public Distribution System (TPDS) with proper address.*
7. *Quantity of Kerosene Oil received under PDS alongwith monthly Utilisation Certificate and Register thereof with effect from April 2013 till February, 2016.*
8. *List of Stockist/nominee and Suppliers of Kerosene Oil with proper address.*

AND WHEREAS the RTI application dated 15.02.2016 was received by the public authority on the same date i.e 15.02.2016 as evidenced on the body of the RTI application.

AND WHEREAS on receipt of the RTI application dated 15.02.2016, Smti. Apokla Jamir, Additional Director & PIO, Food & Civil Supplies, Nagaland, Dimapur had, vide letter No. DSE/RTI-1/2015-16/290 dated 15.03.2016 (but signed on 14.03.2016) informed the applicant the cost of information amounting to Rs. 5014/- (Rupees five thousand and fourteen only) and had requested to collect it on payment.

AND WHEREAS on receipt of the information on 17.03.2016 from the PIO, the applicant had submitted a First Appeal dated 23.03.2016 to the Director & First Appellate Authority, Directorate of Food & Civil Supplies, Nagaland, Dimapur stating that the information has not been duly/fully furnished to him and had enclosed the following table for reference:-

Queries No.	Information not despatched/furnished by the PIO
1	Monthly Utilisation Certificate of all items under PDS in Nagaland and the Issue Register from April 2013 to Feb. 2016.
2	No proper address
3	-----
4	No proper address
5	Monthly Utilisation Certificate of <i>additional Adhoc allocation under TPDS</i> in Nagaland and the Issue Register from April 2013 to Feb. 2016.
6	-----
7	Monthly Utilisation Certificate of Kerosene Oil in Nagaland and the Issue Register from April 2013 to Feb. 2016.
8	No proper address

AND WHEREAS on receipt of the First Appeal dated 23.03.2016, the Director & First Appellate Authority, Food & Civil Supplies, Nagaland, Dimapur had, vide letter No. DSE/RTI/2015-16/382 dated 04.04.2016 informed the applicant (now appellant) that since he had not specified the information pertaining to the whole of Nagaland except Dimapur district in his original RTI application, the applicant was advised to apply a fresh RTI application addressed to the concerned PIO of the Directorate or the designated PIOs of the respective districts relating to Query No. 7 in order to save time in furnishing the necessary information.

AND WHEREAS on being not satisfied with the response to his First Appeal dated 23.03.2016, the applicant (now appellant) had preferred a second appeal dated 18.04.2016 before this Commission stating that the Director & First Appellate Authority, Food & Civil Supplies, Nagaland, Dimapur had denied to furnish him the information sought and has misinterpreted his First Appeal dated 23.03.2016 stating that his RTI application dated 15.02.2016 was not specific and that he had applied for information pertaining to only Dimapur district. Further, he stated that he had specifically and clearly sought the information with regards to PDS for the State of Nagaland, as the PDS covered the whole of Nagaland State and not only for the district of Dimapur. He clarified that information sought for Dimapur District was in regard to Query No. 3 and 4 only.

AND WHEREAS, the Commission has decided to hear the appeal, giving opportunity to all the parties on **7th June, 2016 (Tuesday) at 11:00 AM** in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima.**

NOW THEREFORE, it is notified that the following concerned 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.

- i) The Director & First Appellate Authority, Food & Civil Supplies, Nagaland, Dimapur.
- ii) The PIO, Food & Civil Supplies, Nagaland, Dimapur.
- iii) The applicant (now appellant), Shri. Vinoka Aye, Consumer Society Dimapur, Top Floor 2/3, Millennium Building, Near Durga Mandir, Dimapur, Nagaland – 797112, Mobile No. 8974156706/ 9089289020.

Sd/-

TOSHI AIER, IAS (Retd.)

Chief Information Commissioner

Dated Kohima, the 12th May, 2016.

No. NIC/Appeal-2/2016-17

Copy to:-

1. The P.S to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The P.A to the State Information Commissioner, Nagaland Information Commission for kind information of the SIC.
3. The Director & FAA, Food & Civil Supplies, Nagaland, Dimapur.
4. The PIO, Food & Civil Supplies, Nagaland, Dimapur.
5. The applicant (now appellant), Shri. Vinoka Aye, Consumer Society Dimapur, Top Floor 2/3, Millennium Building, Near Durga Mandir, Dimapur, Nagaland – 797112, Mobile No. 8974156706/ 9089289020.
6. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
7. Office Copy.

(WORHONTHUNG EZUNG)

Secretary