

NAGALAND INFORMATION COMMISSION
BELOW RAJ BHAVAN, OFFICERS' HILL COLONY
POST BOX NO. 148
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No. NIC/Appeal-25/2016-17

Dated Kohima, the 10th October, 2017

Subject: Notice for Hearing on 9th November (Thursday), 2017 at 12:00 P.M.

WHEREAS, under Section 19 of the RTI Act, 2005, the Nagaland Information Commission had received a second appeal dated **16.01.2017** by email from Shri. Peina N dang, Telephone Exchange BSNL, Peren, Mobile No. 9402832636, email: cele_joe@yahoo.com against non-response by the PIO and the First Appellate Authority to his RTI application and subsequent first appeal.

AND WHEREAS, the applicant, Shri. Peina N dang had earlier submitted an RTI application dated **16.11.2016** addressed to the PIO, O/o the Executive Engineer, Irrigation & Flood Control, Jalukie, Nagaland along with the application fee of ` 10/- in cash seeking the following information in regard to Peren district for the financial year 2010-11 to 2013-14:

1. *Total number of applicants for various projects and names of the applicants selected with the criteria from the final selection board of Kohima along with their names and addresses.*
2. *Total amount sanctioned for each project and name of the projects along with beneficiary's names and addresses.*
3. *Total amount sanctioned from central government and the total amount utilized on the completion of the projects.*
4. *Total fund balance in hand due to incompleteness of projects.*
5. *Total amount of money paid to different underground groups along with receipts.*
6. *Spot verification of all the completed projects along with the applicant to justify the genuineness of the projects and fund utilized.*

AND WHEREAS, on receipt of the RTI application dated **16.11.2016** on **16.11.2016** as evidenced on the body of the above RTI application, since there is no response to his RTI application dated **16.11.2016** from the PIO, the applicant had submitted a first appeal dated **17.12.2016** by speed post dated 17.12.2016 addressed to the First Appellate Authority, Irrigation & Flood Control, Nagaland, Kohima.

AND WHEREAS, on not getting any response to his first appeal dated **17.12.2016** even after the expiry of the stipulated time limit, the applicant had preferred a second appeal dated **16.01.2017** to this Commission by email.

AND WHEREAS, since the first appeal was not heard by the First Appellate Authority, Irrigation & Flood Control, Nagaland, Kohima, the Commission had vide letter of even No. dated 07.09.2017 directed the Chief Engineer & First Appellate Authority, Irrigation & Flood Control, Nagaland, Kohima to hear the first appeal in the presence of the PIO concerned and the applicant (now appellant) and pass decision within forty five (45) days from the date of issue of the directive and submit a copy of the decision to this Commission.

AND WHEREAS, the Chief Engineer, Irrigation & Flood Control, Nagaland, Kohima had, vide letter No. IFC-RTI-TECH/Case No. 27/2016-17/2166-68 dated 18.09.2017 submitted to this Commission stating that the applicant (now appellant) had, vide letter dated 04.04.2017 withdrawn the RTI application dated **16.11.2016**, and had enclosed a copy of the withdrawal letter which was addressed to the Executive Engineer, Irrigation & Flood Control, Jalukie.

AND WHEREAS, the Commission did not accept the withdrawal letter dated 04.04.2017 submitted by the applicant (now appellant) and therefore decided to hear the appeal case, giving opportunity of being heard to all the parties **on 9th November (Thursday), 2017 at 12:00 P.M.** in the **Hearing Room of Nagaland Information Commission, Below Raj Bhavan, Officers' Hill Colony, Nagaland, Kohima.**

NOW THEREFORE, the following parties 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.

1. The Chief Engineer & First Appellate Authority, Irrigation & Flood Control, Nagaland, Kohima.
2. The concerned PIO, O/o the Executive Engineer, Irrigation & Flood Control, Jalukie, Nagaland.
3. The applicant (now appellant), Shri. Peina N dang, Telephone Exchange BSNL, Peren.

Sd/-

CHANBEMO LOTH

State Information Commissioner

Dated Kohima, the 10th October, 2017

No. NIC/Appeal-25/2016-17

Copy to:

1. The PA to the State Information Commissioner (C), Nagaland Information Commission for kind information of the SIC (C).
2. The PA to the State Information Commissioner (K), Nagaland Information Commission for kind information of the SIC (K).
3. The Chief Engineer & First Appellate Authority, Irrigation & Flood Control, Nagaland, Kohima.
4. The concerned PIO, O/o the Executive Engineer, Irrigation & Flood Control, Jalukie, Nagaland.
5. The applicant (now appellant), Shri. Peina N dang, Telephone Exchange BSNL, Peren, Mobile No. 9402832636, email: cele_joe@yahoo.com.
6. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
7. Office Copy

(WORHONTHUNG EZUNG)

Secretary