

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/Complaint-4/2013-14

Dated Kohima, the 11th November, 2013.

Subject: Notice for hearing on 28th November, 2013 (Thursday) at 1:00 P.M.

WHEREAS under Section 18 of the Right to Information Act, 2005, the Nagaland Information Commission have received a complaint dated 16.09.2013 from complainants, (i) Shri. N. Yona Konyak, Member, NPCC, Vigilance Cell, Congress Bhavan, Kohima, Mobile No. 9436001872, and (ii) Shri. Wetsah, Member, NPCC, Vigilance Cell, Congress Bhavan, Kohima, Mobile No. 9436001640 stating that the PIO, Office of the Director General of Police, Nagaland, Kohima had denied the information sought in compliance with the Notification of the Government of Nagaland vide No. POL/ESTT-3/44/2006 (PT-I) dated 26.11.2012.

AND WHEREAS, the applicants had earlier submitted a RTI application dated 16.08.2013 alongwith the prescribed fee of Rs. 10/- paid in cash, addressed to the PIO, Office of the Director General of Police, Nagaland, Kohima and which was received by the Office of the Director General of Police, Nagaland, Kohima on 16.08.2013, seeking information on the following:-

1. Total number of Civilian killed in UG related violence.
2. Total number of undergrounds killed in factional clashes.
3. Total number of Arms & ammunition seized, specify types of arms & ammunitions.
4. Total number of arms & ammunition released, specifying type of arms & ammunition.
5. Total number of UG arrests made in connection with killing.
6. Total number of UG arrested for kidnapping civilians.
7. Total number of convicted UG in connection with killing & kidnapping.

AND WHEREAS, Shri. Lungriading, IPS, Inspector General of Police (Hqtr) & PIO, Office of the Director General of Police, Nagaland, Kohima, had vide letter No. PHQ(CON-II) 185/2013 (Pt)/3326 dated 20.08.2013 furnished the reply to the applicants stating that the Government of Nagaland has issued a Notification exempting all matters relating to Crime Branch/INT (Nagaland Police) from the purview of the RTI Act, 2005, and hence the information sought could not be provided. A copy of the Notification of the Government of Nagaland vide No. POL/ESTT-3/44/2006 (PT-I) dated 26.11.2012 was also enclosed.

AND WHEREAS, the applicants (now complainants) in their complaint dated 16.09.2013 before the Nagaland Information Commission also stated that the information sought were regularly made public through various media and had appealed to this Commission to clarify and give decision on the following:-

1. Whether all the information sought is actually exempted from disclosure and if so, under what section of the Act?
2. Whether the Notification of the State Government can prevail over the RTI Act? and
3. Whether the desired information can/should be furnished to the aggrieved petitioners?

AND WHEREAS, the Nagaland Information Commission has decided to hear the complaint, giving opportunity to the parties, on **28th November, 2013 (Thursday) at 1:00 PM** 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. Shri. B. Kezo, IPS, Director General of Police & First Appellate Authority, Nagaland, Kohima.
- ii. Shri. Lungriading, IPS, Inspector General of Police (Hqtr) & PIO, Office of the Director General of Police, Nagaland, Kohima.
- iii. The complainants, (i) Shri. N. Yona Konyak, Member, NPCC, Vigilance Cell, Congress Bhavan, Kohima, Mobile No. 9436001872, and (ii) Shri. Wetsah, Member, NPCC, Vigilance Cell, Congress Bhavan, Kohima, Mobile No. 9436001640.

(SOYIMNA AIER KOZA)
Secretary

Copy to:-

1. The P.P.S. to the Hon'ble Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The P.A to the State Information Commissioner(K), Nagaland Information Commission for kind information of the SIC.
3. The P.A to the State Information Commissioner(B), Nagaland Information Commission for kind information of the SIC.
4. Shri B. Kezo, IPS, Director General of Police & First Appellate Authority, Nagaland, Kohima.
5. Shri. Lungriading, IPS, Inspector General of Police (Hqtr) & PIO, Office of the Director General of Police, Nagaland, Kohima.
6. The complainant, (i) Shri. N. Yona Konyak, Member, NPCC, Vigilance Cell, Congress Bhavan, Kohima, Mobile No. 9436001872,
7. The complainant, (ii) Shri. Wetsah, Member, NPCC, Vigilance Cell, Congress Bhavan, Kohima, Mobile No. 9436001640.
8. The Computer Programmer, Nagaland Information Commission for notifying in the web portal and Notice Board.
9. Office Copy.