

**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-16/2011-12

Dated Kohima, the 24<sup>th</sup> February, 2012.

To,

The Additional Secretary & PIO,  
Department of Food & Civil Supplies,  
Government of Nagaland,  
Nagaland, Kohima.

**Subject: Notice for hearing on 28<sup>th</sup> February, 2012 (Tuesday) at 01:00 PM and request for re-fixation of date of hearing thereof.**

Sir,

I am directed to refer to your letter No. SPLY-10/1/2010 dated 23.02.2012 and to inform you that the matter has been examined by the Commission and to state that the department has no valid grounds to seek postponement of the hearing fixed on **28<sup>th</sup> February, 2012 (Tuesday) at 01:00 PM.**

The Commission emphasizes that the Act provides under section 7(1) that the PIO of the department shall furnish the information to the applicant within 30 days. In case the applicant does not receive any information or only partial information or feels that the information furnished is false and misleading, he can appeal to the First appellate authority who shall dispose the matter after hearing the applicant and PIO within 30 days of the receipt of the petition or a maximum of 45 days on grounds to be recorded by him under section 19 (6)

On a scrutiny of the case records, the Commission observed serious lapses by the PIO and FAA. In brief the PIO of the Department of Food and Civil Supplies received application on 12.09.2011 but failed to furnish any information to the applicant. This lapse attracts penalty under section 20.

Secondly, the FAA who received the first appeal on 21.10.2011 has totally failed to perform his designated responsibility under the Act. The end result is that since the application was filed on 12.09.2011 and till the time of filing of second appeal to the Commission which was registered on 24.01.2012, (133 days), no information whatsoever has been furnished to the appellant.

The Commission, therefore, reiterates that it will hold its hearing as scheduled on 28<sup>th</sup> February, 2012 (Tuesday) at 01:00 PM for which you are directed to appear positively.

Yours faithfully,

**(SOYIMNA AIER KOZA)**

Secretary

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Dated Kohima, the 24<sup>th</sup> February, 2012.

Copy to:-

1. The Secretary & First Appellate Authority, Department of Food and Civil Supplies, Nagaland, Kohima.
2. Office copy.

**(SOYIMNA AIER KOZA)**

Secretary