



NAGALAND INFORMATION COMMISSION
AGRI-FARM COLONY, LANE-6, H/NO. AFC-587
NAGALAND, KOHIMA-797001

Email: cic.nagaland@gmail.com | Website: www.nlsic.nagaland.gov.in

No.NIC/Appeal-4/2020-21

Dated Kohima, the 01st April, 2021

Subject: Notice for Hearing on 22nd April, 2021 (Thursday) at 1:00 P.M.

WHEREAS, the Commission had received a Second Appeal addressed to the CIC, Nagaland, Kohima dated **20.01.2021** from Shri. Lhousito, President, Naga Tribal Union Chumukedima Town, Ph. No. 7258086245 for incomplete information furnished to his RTI application dated **21.08.2020** vide PIO letter **NO. PHQ (CON-II) 185/RTI/2015-16/1278** dated **28.09.2020** after the expiry of 38 days and dismissal of the case by the FAA to his First Appeal dated **19.10.2020** as being devoid of merits vide Order **NO.PHQ/RTI/APPEAL/2020** dated **17.12.2020**.

AND WHEREAS, the applicant(now appellant), Shri. Lhousito, had initially submitted an RTI application dated **21.08.2020** addressed to the PIO, Director General of Police, Kohima, Nagaland, seeking the following information:

1. *Number of posts advertised under the establishment of Director General of Police, Nagaland, Kohima for the year 2019;*
2. *Number of appointments made under the establishment of Director General of Police, Nagaland, Kohima from 2019 till date;*
3. *Appointment Orders of the following categories of posts for the year 2019-2020;*
 - a) *UBSI (GD)*
 - b) *SI (Opr)*
 - c) *SI (Tech)*
 - d) *ASI*
 - e) *LDA Directorate (PHQ Kohima)*
 - f) *LDA District*
 - g) *Stenographer (GR-III)*
4. *Appointment Orders of Non-Combatant Executives (NCE) w.e.f. 1st Jan, 2018-2020.*

AND WHEREAS, on not receipt of the above mentioned RTI application, Shri. S. Tokiumong Yim, IPS, IGP(Hqr) & PIO (PHQ) had vide letter **NO. PHQ (CON-II) 185/RTI/2015-16/1878** dated **28.10.2020** furnished to the applicant (now appellant), Shri. Lhousito Khro, President, Naga Tribal Union Chiimoukedima Town (NTUCT). However, on not being satisfied, the applicant had vide letter **No. NIL** dated **19.11.2020** submitted the first appeal addressed to the Appellate Authority, Office of the Director General of Police, Nagaland, Kohima.

AND WHEREAS, in response to the first Appeal dated 19.11.2020, Shri. R. Vikram Ezung, NPS, AIGP (Ops) & APIO issued **Notice for Hearing on 09.12.2020 (Wednesday) at 12:00 PM** in the Conference Hall, PHQ vide **NO. PHQ/RTI/APPEAL/2020** dated **05.12.2020**. Accordingly, after hearing the parties i.e., the applicant (now appellant) and the PIO concerned, the FAA had vide Order **NO. PHQ/RTI/APPEAL/2020/1949** dated **17.12.2020** passed the decision/order stating that, considering the 38(thirty eight) days delay in furnishing the information sought by the appellant, it is on record that the whole State was continuing with the lockdown because of COVID-19 pandemic, hence the office of the public authority was under selective roster attendance and in the absence of regular staff, information was not furnished on time by the PIO. And also quoted the Hon'ble Apex Court in Sou moto writ petition No.3/2020, decided on 23.3.2020. Coming to the other grievances of the appellant, it is opined that the information furnished by the **PIO(PHQ) on 28th October, 2020** is as per the records of this public authority. Hence, asking further information on the appeal application will be tantamount to negation of the information already furnished, as such in the interest of justice and fair play, the present appeal is found to be devoid of merits. In view of the aforesaid findings, it is found that no tenable grounds to interfere with the findings of the PIO in the result findings and information dated **28th October, 2020** already furnished to the appellant is hereby upheld. Resultantly, the present appeal filed by the appellate is found to be unsustainable and as such dismissed.

AND WHEREAS, since the Commission is not satisfied and convinced with the above decision / order of the FAA, the Commission has decided to hear the above mentioned appeal giving opportunity of being heard to all the parties on **22nd April, 2021 (Thursday) at 1:00 P.M** in the **Hearing Room of Nagaland Information Commission, Agri-farm Colony, Lane-6, H/No. AFC/578, 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. The following under mentioned officials are requested to attend the hearing with preventive measures such as wearing of face mask and social distancing etc;

1. Shri. T. John Longkumer, IPS, Director General of Police & First Appellate Authority, Office of the Director General of Police, Nagaland, Kohima-797001.
2. Shri. S. Tokiumong Yim, IPS, Inspector General of Police (Hqr) & PIO (PHQ), Office of the Director General of Police, Nagaland, Kohima-797001.
3. The applicant (now appellant), Shri. Lhousito Khro, President, Naga Tribal Union Chiimoukedima Town (NTUCT), Chiimoukedima Town, Ward-2, Mobile No. 7628086245/8837348261.

Sd/-

G. H. RAMLIA

State Information Commissioner

Dated Kohima, the 01st April, 2021

No.NIC/Appeal-4/2020-21

Copy to:

1. The PA to the State Information Commissioner (K), Nagaland Information Commission for kind information of the SIC (K).
2. The PA to the State Information Commissioner (R), Nagaland Information Commission for kind information of the SIC (R).
3. Shri. T. John Longkumer, IPS, Director General of Police & First Appellate Authority, Office of the Director General of Police, Nagaland, Kohima-797001.
4. Shri. S. Tokiumong Yim, IPS, Inspector General of Police (Hqr) & PIO (PHQ), Office of the Director General of Police, Nagaland, Kohima-797001.
5. The applicant (now appellant), Shri. Lhousito Khro, President, Naga Tribal Union Chiimoukedima Town (NTUCT), Chiimoukedima Town, Ward-2, Mobile No. 7628086245/8837348261.
6. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
7. Office Copy.

(OBANGLA JAMIR)

Secretary

Nagaland Information Commission