

NAGALAND INFORMATION COMMISSION
AGRI-FARM COLONY, LANE-6, H/NO. AFC-578
NAGALAND, KOHIMA-797001



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

No. NIC/APPEAL-7/2022-23

Dated Kohima, the 24th June, 2022

Subject: Notice for Hearing on 15th July, 2022 (Friday) at 11:30 A.M.

WHEREAS, the Commission had received an appeal dated *NIL* on **14.06.2022** submitted by Shri. Boto Y Swu, Social Activist, *M/No. 7005409209* & Shri. Rikato Chophy, Dimapur, *M/No. 9774482802* for furnishing fabricated and biased information by the PIO, Nagaland State Disaster Management Authority (NSDMA) which was received by the applicants (now appellants) vide letter *No. NSDMA/RTI/274/2019(pt)/5888 dated 18.12.2021* and for furnishing misleading, part and partial information even after the First Appeal hearing by the FAA on **19.03.2022** and Order passed on **19.04.2022**.

AND WHEREAS, the applicants (now appellants), Shri. Boto Y Swu & Shri. Rikato Chophy, had submitted an RTI application dated *NIL* alongwith an application fee of Rs. 10/- paid in cash and received by the Nagaland State Disaster Management Authority (NSDMA) on **23.11.2021** addressed to the PIO, NSDMA, Nagaland, Kohima, seeking the following information;

To kindly furnish the information on the implementation of State Disaster Relief Fund during the Financial Year 2019 till date.

- 1. Sanction Order of Fund released by Central/State Government.*
- 2. Utilization Certificate.*
- 3. Total amount of fund received from both Central and State Government.*
- 4. List of beneficiaries and details of all the Project in all the Districts.*

AND WHEREAS, on not receiving complete information as sought from the PIO, the applicants (now appellants) had submitted the First Appeal to the Appellate Authority, NSDMA, Nagaland, Kohima vide Appeal dated *NIL* received by the Department on **18.01.2022**.

AND WHEREAS, on receipt of the First Appeal, the FAA had heard the matter on **19.03.2022** and passed an order vide letter *No. NSDMA/RTI/274/2019 (Pt. II)/6203 dated 19.04.2022*. However, even after the order was passed by the FAA, the information furnished to the applicants (now appellants) was found to be completely misleading, therefore, the applicants (now appellants) had submitted an Appeal dated **21.03.2022** and subsequent reminder dated **09.05.2022** to the NSDMA for early action.

AND WHEREAS, in response to the above mentioned Appeal dated **09.05.2022**, the Secretary, NSDMA & PIO had vide letter *NO. NSDMA/RTI/274/2019 (Pt. II)/6371 dated 13.06.2022* conveyed to the applicants (now appellants) that, the FAA finds no reason for a second hearing since the matter had already been discussed and disposed of vide Order *No. NSDMA/RTI/274/2019 (Pt. II)/6203 dated 19.04.2022*.

AND WHEREAS, since the FAA had failed to address their appeals, the applicants (now appellants) had submitted the Second Appeal to the Commission for intervention as per the provision of the RTI Act, 2005.

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 **15th July, 2022 (Friday) at 11:30 A.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. Abhijit Sinha, IAS, Home Commissioner & First Appellate Authority, Home Department, Nagaland, Kohima-797001.
2. Shri. Lhouchalie Viya, IAS, Secretary & PIO, Home Department (NSDMA), Nagaland, Kohima-797001.
3. The applicants (now appellants), Shri. Boto Y Swu, Social Activist, *M/No. 7005409209* & Shri. Rikato Choppy, Dimapur, *M/No. 9774482802*.

Sd/-

I MEYIONEN JAMIR

Chief Information Commissioner

Dated Kohima, the 24th June, 2022

No.NIC/APPEAL-7/2022-23

Copy to:

1. The PS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The PA to the State Information Commissioner (R), Nagaland Information Commission for kind information of the SIC (R).
3. Shri. Abhijit Sinha, IAS, Home Commissioner & First Appellate Authority, Home Department, Nagaland, Kohima-797001.
4. Shri. Lhouchalie Viya, IAS, Secretary & PIO, Home Department (NSDMA), Nagaland, Kohima-797001.
5. The applicants (now appellants), Shri. Boto Y Swu, Social Activist, *M/No. 7005409209* & Shri. Rikato Choppy, Dimapur, *M/No. 9774482802*.
6. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
7. Office Copy.

(OBANGLA JAMIR) IAS

Secretary

Nagaland Information
Commission