

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/COMPLAINT-7/2022-23

Dated Kohima, the 31st October, 2022

Complainant : i). Shri. Vicca S. Aye.
Chekiye Village, Dimapur,
Mb-9862902017, 7005328853

Respondents : (i) Shri. S. Tokiumong Yim, IPS
IGP (Hq) & PIO,
O/o the Director General of Police,
PHQ, Nagaland, Kohima-797001.

(ii) Shri. A. Vikram Ezung,
AIG (OPS) & APIO,
O/o the Director General of Police,
PHQ, Nagaland, Kohima-797001.

Public Authority : Director General of Police, PHQ, Nagaland, Kohima.

Date of hearing : 19/10/2022 at 12:00 Noon.

Date of Decision : 31/10/2022.

Present:

1. Shri. A. Vikram Ezung, APIO, O/o the Director General of Police, PHQ, Nagaland, Kohima.
2. Shri. Asat Haokip, LDA, O/o the Director General of Police, PHQ, Nagaland, Kohima.
3. The applicant (now complainant), Shri. Vicca S. Aye, Chekiye Village, Dimapur, Mb-9862902017, 7005328853.

Shri. S. Tokiumong Yim, IPS, IGP (Hq) & PIO, PHQ did not appear for the hearing.

FACT OF THE CASE

The applicant had submitted an RTI application dated **17.02.2020** along with application fee or **Rs. 10/- only** to the PIO, O/o the Director General of Police, PHQ, Nagaland, Kohima had requested the following information pertaining to the period from March 2018 till date as below:-

1. *List of all appointments under the Police Department in the Rank of SI/ASI/Constables from March 2020 till date.*
2. *Kindly mention the criteria of Appointment i.e, Open recruitment or Direct recruitment. If Open recruitment provide advertisement details.*
3. *Tribe wise break-up of all appointed.*
4. *List of personnel retired/resigned/terminated/expired since March 2018 till date.*
5. *List of recommendations of VIPs against those appointed if any.*
6. *List of names of personnel who will retire in 2020-21.*

On receipt of the RTI application, **Shri. R. Vikram Ezung**, APIO, O/o the DGP, Nagaland had, vide letter **No.PHQ(CON-II)185/RTI/2015-16/3655** dated **06.04.2020** conveyed to the applicant about the inability of the department to furnish the information sought due to the Global Pandemic of COVID-19 and Lockdowns as per the Govt. order.

On receipt of the above reply on 23.04.2022, the applicant had submitted a Complaint dated **04.09.2020** to the Commission stating that the concerned public authority has yet to respond to his RTI application even after the lapse of stipulated time frame.

On receipt of the complaint, the Commission had, vide letter **No.NIC/Gen/RTI-19/17/1203** dated **21.09.2020** advised the applicant to submit first appeal to the DGP & FAA, O/o the Director General of Police, PHQ, Nagaland, Kohima.

Since there was no response from either the applicant or the public authority, the Commission has decided to hear the above mentioned complaint giving opportunity of being heard to all the parties on **19th October, 2022 (Wednesday) at 12:00 Noon in the Hearing Room of the Nagaland Information Commission, Agri-Farm Colony, Lane-6, H/No. AFC/578, Nagaland, Kohima** and had 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 with preventive measures such as wearing of face mask and social distancing:

1. The Public Information Officer, O/o the Director General of Police, PHQ, Nagaland, Kohima.
2. Shri. A. Vikram Ezung, AIGP (Ops) & APIO, O/o the Director General of Police, PHQ, Nagaland, Kohima.
3. The applicant (now Complainant), Shri. Vicca S. Aye, Chekiye Village, Dimapur, Mb-9862902017, 7005328853.

OBSERVATIONS AND FINDINGS:

The applicant (now complainant) stated that he had filed the RTI during the Covid Pandemic Lockdowns. He informed that he had filed a case in the Lokayukta and the issue was also raised in the Nagaland Legislative Assembly, where the Home Department had furnished the reply. He further stated that he had received the information, though delayed, but now satisfied with the information received.

Shri. A. Vikram Ezung, AIGP (Ops) & APIO, O/o the Director General of Police, PHQ, Nagaland, Kohima, stated that the information could not be furnished on time due to Covid Pandemic Lockdowns and as all the information had to be collected from the Districts offices and Units. Only after the normalization of the Covid Lockdowns and information being received from the Districts Offices and Units the information was furnished to the applicant (now complainant).

The Commission observed that though the information could not be furnished on time due to the Covid lockdowns, Shri. A. Vikram Ezung, AIGP (Ops) & APIO had atleast informed the applicant about his inability to furnish due to the Covid prevailing situation then. Though belatedly, since the information had already been furnished to the applicant (now complainant) vide letter No.PHQ (CON II) 185/RTI/2016/932 dated 07/10/2020 inspite of the lockdowns and that the applicant (now complainant) had expressed satisfaction during the hearing, the Commission took a lenient view and condoned the delay.

DECISION

In view of the above submission and observations, since the delay was condoned and that the applicant (now complainant) had expressed his satisfaction with the information furnished by the PIO, the Commission had decided to declare the complaint case as **closed**.

Decision pronounced in the presence of both parties on 19/10/2022 at 12:00 Noon.

Copies be given to:

1. Shri. S. Tokiumong Yim, IPS, IGP (Hq) & PIO, O/o the Director General of Police, PHQ, Nagaland, Kohima-797001.
2. Shri. A. Vikram Ezung, APIO, O/o the Director General of Police, PHQ, Nagaland, Kohima.
3. The applicant (now Complainant), Shri. Vicca S. Aye, Chekiye Village, Dimapur. (Mobile Nos. 9862902017 | 7005328853)
4. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
5. Office Copy.

Sd/-

I. MEYIONEN JAMIR
Chief Information Commissioner

Authenticated true copy:

(Worhonthung Ezung)
Deputy Secretary