

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-47/2022-23

Dated Kohima, the 30th March, 2023

Subject: Notice for Hearing on 19th April, 2023 (Wednesday) at 11:00 A.M.

AND WHEREAS, the Commission had on **14.02.2023** received a second appeal dated **14/02/2023** from Shri. **Vantan Murry**, C/o I. Imti Longchar, Advocate & Associates, B3, Basement, West Road mall, Jail Colony, Kohima, Nagaland, Mb- 9436000489 against the non-satisfactory reply of the APC & FAA, Agriculture Department, Nagaland to his First Appeal dated **15.12.2022**, which was submitted against non-satisfactory response of the APIO to his RTI application dated **09.11.2022**.

AND WHEREAS, the applicant had, submitted an RTI application dated 09/11/2022 along with application fee of Rs. 10/- addressed to the PIO, O/o the APC and Commissioner & Secretary, Agriculture Department, Nagaland, Kohima seeking the following information: -

1. *“Decision taken during consultative meeting on the land issue at Old DAO Office Complex, Wokha, held on 04-03-2021 under the Chairmanship of the Agriculture Production Commissioner” as clearly stated in Office Notification No. AGR/GEN-6/2009 dated 5/3/2021. (Enclosure-1)*
2. *Committee Report with all relevant documents and cadastral survey as directed by office Notification dated 5/3/2021.*
3. *Meeting convened (Enclosure-2 call for the meeting through WhatsApp for your ready reference) by the APC and Commissioner & Secretary on the 27th September, 2021.*
 - a. *Meeting Minutes with Attendance Sheet of 27th September, 2021; and*
 - b. *Video recording of meeting proceedings of 27th September, 2021 with the land owner party;*
 - c. *Decision of the 27th September, 2021 meeting as assured to undersigned.*

AND WHEREAS, on receipt of the above RTI application dated 09/11/2022 on 09/11/2022, Smti. **V. Angela Sophie**, Under Secretary & APIO, Agriculture Department, Nagaland had, vide letter No. **AGR/RTI-2/48/2019/728** dated **21.11.2022**, furnished reply to the applicant as below:-

1. *Reply regarding query No.1 “Decision taken during the consultative meeting on land issue at Old DAO Office Wokha held on 04/03/2021 under the chairmanship of the APC” is enclosed at Annexure –I.*
2. *Reply regarding query No.2 “Committee Report with all relevant documents and cadastral survey” cannot be disclosed by the Government under Section 8 of the RTI Act 2005.*
3. *Regarding your query No.3:*
 - a. *Meeting minutes with attendance sheet:*

The office does not keep record/s of any informal meetings with any individual/ society/organization etc.
 - b. *Video recording of the meeting:*

The office does not keep/ take video recordings of meeting proceedings. The APC office chamber has CCTV cameras installed in the Office entrance and in the Conference Hall for security purpose only.
 - c. *Decision of the meetings:*

No official decision/s were made.

A request confirmation to meet the APC, through WhatsApp message/ text message/ telephonic conversation etc, cannot be treated/ considered/ claimed as a meeting convened by the Agriculture Production Commissioner, Nagaland.

In connection to reply to query No.1, a copy of “Minutes of consultation meeting held on **04/03/2021**” vide **No.AGR/GEN-6/2009** dated **09/03/2021** was enclosed as Annexure-I

AND WHEREAS, on being not satisfied with the information furnished by the APIO, the applicant had submitted a First Appeal dated **15/12/2022** to the FAA, O/o the APC & Commissioner & Secretary, Agriculture Department, Nagaland.

AND WHEREAS, on receipt of the First Appeal, Smti. **V. Angela Sophie**, Under Secretary & APIO, Agriculture Department, Nagaland had, vide letter **No. AGR/RTI-2/48/2019/884** dated **13/01/2023**, conveyed that the Government stands by its earlier reply of the APIO vide letter **No. AGR/RTI-2/48/2019/728** dated **21/11/2022**, and also since the Government is yet to approve/ take decision on the report of the Committee, it cannot be furnished. Further, a copy of the Notification issued by the Department of Land Revenue vide **No.LR/7-58/BRIT/09** dated **25/09/2009** where it states that “*No claim for Land Compensation would be entertained by the Government for Land falling under the British Occupied Territory*” was also enclosed.

AND WHEREAS, on not being satisfied by the response of the FAA, the applicant (now appellant) had submitted second appeal dated **14/02/2023** to the Nagaland Information Commission which was received by the Commission on the same date.

AND WHEREAS, since the applicant (now appellant) is still not satisfied with the information furnished by the Public Authority, the Commission has decided to hear the above mentioned Second Appeal by giving opportunity of being heard to all the parties on **19th April, 2023 (Wednesday) at 11:00 A.M in the Hearing Room of the Nagaland Information Commission, Agri-Farm Colony, Lane-6, H/No. AFC/578, Nagaland, Kohima.**

NOW THEREFORE, it is notified that 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 with preventive measures such as wearing of face mask and social distancing:

1. The APC & FAA, O/o the APC, Agriculture Department, Nagaland, Kohima.
2. The PIO, O/o the APC, Agriculture Department, Nagaland, Kohima.
3. Smti. V. Angela Sophie, Under Secretary & APIO, O/o the APC, Agriculture Department, Nagaland, Kohima.
4. The applicant (now appellant), Shri. Vantan Murry, C/o I. Imti Longchar, Advocate & Associates, B3, Basement, West Road mall, Jail Colony, Kohima, Nagaland, Mb-9436000489.

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Copy to:

1. The PS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The PA to the SIC(N), for kind information of the State Information Commissioner.
3. The PA to the SIC(K), for kind information of the State Information Commissioner.
4. The APC & FAA, O/o the APC, Agriculture Department, Nagaland, Kohima.
5. The PIO, O/o the APC, Agriculture Department, Nagaland, Kohima
6. Smti. V. Angela Sophie, Under Secretary & APIO, O/o the APC, Agriculture Department, Nagaland, Kohima.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
8. The applicant (now appellant), Shri. Vantan Murry, C/o I. Imti Longchar, Advocate & Associates, B3, Basement, West Road mall, Jail Colony, Kohima, Nagaland, Mb-9436000489.
9. Office Copy.

Sd/- **I. MEYIONEN JAMIR**
Chief Information Commissioner
Dated Kohima, the 30th March, 2023

(WORHONTHUNG EZUNG)
Deputy Secretary
Nagaland Information Commission