

**NAGALAND INFORMATION COMMISSION**

NAGALAND COMMISSIONS' COMPLEX

POST BOX NO. 148

NAGALAND, KOHIMA-797001

Email: [cic.nagaland@gmail.com](mailto:cic.nagaland@gmail.com), Website: [www.nlsic.nagaland.gov.in](http://www.nlsic.nagaland.gov.in)



No. NIC/APPEAL-23/2022-23

Dated Kohima, the 9<sup>th</sup> August, 2023.

**Subject: Rejection of Appeal and closing order thereof.**

WHEREAS, the Nagaland Information Commission had on 29/07/2022, received a second appeal dated 29/07/2022 filed by Shri. Kevito Peter Zhimomi, Mobile No- 7085667147 against the rejection of the Appeal by the DGP & FAA, O/o the Director General of Police, Nagaland, Kohima to his First Appeal which was submitted against the non-furnishing of information to his 2 (two) RTI applications dated 14/04/2022 and 14/04/2022.

AND WHEREAS, the applicant had submitted RTI application dated 14/04/2022 addressed to the PIO, O/o the Director General of Police, Nagaland, Kohima - 797001 seeking the following information:-

1. The amount allocation under Modernization of State Police Force (MPF) Scheme since its inception in year wise.
2. The amount utilization in detail providing Utilization Certificate of the mentioned scheme.
3. The amount allocation for all civil works and police engineering project and the subsequent completion of such work with fund utilization in detail.
4. The amount allocation for miscellaneous works such as "Supply of Police Vehicles parts" and "Supply of Police ration" and its detail utilization/ record certificate since 2018.
5. The total number of vehicles purchased by the department since 2018 with vehicle details.
6. The total number of condemned vehicle of the department since 2018 with vehicle details.

AND WHEREAS, the applicant had also submitted another RTI application dated 14/04/2022 addressed to the PIO, O/o the Director General of Police, Nagaland, Kohima - 797001 seeking the following information:-

1. The number of Police Check posts under Kohima District along with précised location.
2. The total amount collected through fines imposed against all the commercial vehicles in detail since 2018.
3. The date or record of such collected fines and if the said amount is deposited to the State Government Exchequer or Utilized by the concern department.
4. The mode/ pattern of utilization of such collected fines from all the commercial vehicles.

AND WHEREAS, on receipt of the above 2 (Two) RTI applications on 20/04/2022, Shri. S. Tokiumong Yim, IPS, Inspector General of Police & PIO, O/o the Director General of Police, Nagaland, Kohima had, vide letter No. **PHQ/RTI-1/2020/194** dated 05/05/2022 replied that the information sought cannot be furnished since it is sub-judiced in **WP(C) 39/2022** and protected under Section 8 (1) (b) & (h) of the RTI, Act, 2005.

AND WHEREAS, on receipt of reply from the PIO, the applicant had submitted first appeal to the DGP & FAA, O/o the Director General of Police, Nagaland, Kohima.

AND WHEREAS, on receipt of the first appeal, Shri. T. John Longkumer, IPS, Director General of Police & FAA, O/o the Director General of Police, Nagaland, Kohima had, vide letter No. **PHQ/RTI-1//APPEAL/2020/670** dated 26/05/2022 reiterated the stand of the PIO and hence rejected the appeal.



AND WHEREAS, on being not satisfied with the reply of the FAA and the PIO, O/o the Director General of Police, Nagaland, Kohima, the applicant (now appellant) had preferred Second Appeal dated 29/07/2022 to the Nagaland Information Commission, Nagaland, Kohima.

AND WHEREAS, on examination of the above second appeal dated 29/07/2022, the Commission had observed that the 2 (two) RTI applications and his first appeal did not mention any name of the applicant, but only as "The President, Assembly Constituency Youth Congress, 9<sup>th</sup> Kohima Town, Mobile No- 7085667147". The PIO and the FAA had also, in their replies to the applicant addressed to as the "The President, Assembly Constituency Youth Congress, 9<sup>th</sup> Kohima Town, Mobile No- 7085667147". It was only at the time of his Second Appeal dated 29/07/2022 to this Commission, that the applicant had given his name & address as "Kevito Peter Zhimomi, Mobile No- 7085667147". The Commission had also observed that it is not known whether the applicant had paid the application fee of Rs. 10/- each towards his 2 (two) RTI applications.

AND WHEREAS, relying on the Decision of Central Information Commission, New Delhi, vide No.CIC/SM/A/2011/000780 dated 20/03/2012 this Commission also reject the instant appeal which is reproduced below:-

"4. ....Besides, in this case, the information seeker had not disclosed his name anywhere. The application had been made in the name of some company. Such applications should not be entertained in the first place. In the Right to Information (RTI) Act, it is clearly provided that only a citizen can seek information from any public authority. This implies that the citizen must disclose his name and contact address. In this case, the identity of the information seeker is totally unclear. Even on this ground, the information need not have been disclosed".

NOW THEREFORE, it is notified to the following parties that the Appeal is hereby **rejected** and hence declared as **closed**:-

1. The Director General of Police & FAA, O/o the Director General of Police, Nagaland, Kohima.
2. The PIO, O/o the Director General of Police, Nagaland, Kohima.
3. The applicant (now appellant), Shri. Kevito Peter Zhimomi, Mobile No- 7085667147.

Sd/-

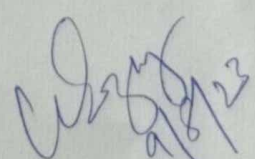
**I.MEYIONEN JAMIR**  
Chief Information Commissioner

No. NIC/APPEAL-23/2022-23 / 85

Dated Kohima, the 9<sup>th</sup> August, 2023.

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, Nagaland Information Commission for kind information of the SIC(N).
3. The PA to the State Information Commissioner, Nagaland Information Commission for kind information of the SIC(K).
4. The Director General of Police & FAA, O/o the Director General of Police, Nagaland, Kohima.
5. The PIO, O/o the Director General of Police, Nagaland, Kohima.
6. The Computer Programmer, Nagaland Information Commission for uploading on the website.
7. The applicant (now appellant), Shri. Kevito Peter Zhimomi, Mobile No- 7085667147.
8. Office Copy.

  
(WORHONTHUNG EZUNG)  
Deputy Secretary  
Nagaland Information Commission