

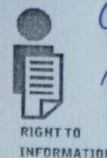
**NAGALAND INFORMATION COMMISSION**

**Nagaland Commissions' Complex**

**Below NBCC Convention Centre**

**NAGALAND, KOHIMA-797004**

**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-29/2022-23**

**Dated Kohima, the 14<sup>th</sup> August, 2023**

**Subject: Closing Order of Appeal Case.**

WHEREAS, the Commission had, on **19.10.2022** at **01.00 P.M.** heard the Second Appeal dated **05.09.2022** submitted by Shri. Odi Jamir & Shri. S.T. Yapang Lkr, RTI Initiative Nagaland, House No. LA-734, Block-C, Lower Agri Colony, Kohima-797001, Nagaland, Ph. No. 9612800973 / 9856714829 against the unsatisfactory response of the FAA, O/o the Deputy Commissioner, Mokokchung to their First Appeal dated **29.07.2022** which was submitted against the non-satisfactory reply of the PIO to their RTI application No. **RTI/No-184/MKG-DC** dated **01.07.2022** and No. **RTI/No-185/NH** dated **04.07.2022**.

2. AND WHEREAS, after the hearing held on **19.10.2022** at **01.00 P.M.**, the Commission had passed decision vide even No. dated **09.11.2022**.

3. AND WHEREAS, in compliance to the Point No. 1 of the Commission's decision dated **09.11.2022**, Shri. Vitolu, EAC & APIO had, vide letter No. **JUD-50(PT)/2020/337** dated **22.12.2022**, informed the applicants (now appellants) to pay the cost of information amounting to Rs. 480/- (240 pages x Rs.2/-) so that the information can be supplied to them. Further, the said EAC & APIO had, again in continuation to his above letter dated **22.12.2022**, informed the applicants (now appellants) to pay Rs. 208/- (104 pages x Rs.2/-) so that the information can be furnished to them. However, the applicants (now appellants) had vide letter dated **12.01.2023** submitted to the Commission that in response to their RTI application dated **01.07.2022**, they had received the RTI reply on **25.07.2022**, "which had only 6 days before the expiry date of 30 days from 01.07.2022 and also it was after the expiry of the 15 days ultimatum given by the Chief Information Commissioner on **09.11.2022**", hence the RTI reply should be given free of cost as it contradicts Section 7(6) of the RTI Act, 2005.

4. AND WHEREAS, on receipt of the above mentioned letter dated **12.01.2023** from the applicants (now appellants), the Commission had examined and observed that as pointed out by the applicants (now appellants) themselves, the RTI application dated **01.07.2022** was replied on **25.07.2022**, which was well within the 30 days time limit, hence there was no delay in giving the reply. Since this was also observed earlier by the Commission during the hearing held on **19.10.2022** at **01.00 P.M.**, the Commission had vide letter of even No. dated **25.01.2023** issued a directive to the applicants (now appellants) to deposit the cost of information as per the prescribed rate and collect the information and thereafter, submit their satisfaction / non-satisfaction to the PIO with a copy to the Commission.

5. AND WHEREAS, in compliance to the above directive of the Commission and Point No. 2 of the Commission's decision dated **09.11.2022**, the applicants (now appellants) had submitted to the PIO, O/o the Deputy Commissioner, Mokokchung and with a copy to the Commission stating that they had collected the information on **01.02.2023** after paying the cost of information and are satisfied with the information so received.

6. AND WHEREAS, since all the compliances to the decision of the Commission of even No. dated **09.11.2022** have been received, the Commission has decided to close the Appeal case.

7. NOW THEREFORE, it is notified to all the parties that this Appeal case is hereby declared as closed.

1. Shri. Shashank Pratap Singh, IAS, Deputy Commissioner & FAA, O/o the Deputy Commissioner, Mokokchung-798601, Nagaland.
2. Shri. Chumlammo Humtsoe, ADC & PIO, O/o the Deputy Commissioner, Mokokchung-798601, Nagaland.
3. The applicants (now appellants), Shri. Odi Jamir & Shri. S.T. Yapang Lkr, RTI Initiative Nagaland, House No. LA-734, Block-C, Lower Agri Colony, Kohima-797001, Nagaland, Ph. No. 9612800973 / 9856714829.

Sd/-

**I. MEYIONEN JAMIR**

Chief Information Commissioner

Dated Kohima, the 14<sup>th</sup> August, 2023

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Copy to:-

1. PS to the Chief Information Commissioner, Nagaland for kind information of the CIC.
2. PA to the State Information Commissioner, Nagaland for kind information of the SIC (N).
3. PA to the State Information Commissioner, Nagaland for kind information of the SIC (K).
4. Shri. Shashank Pratap Singh, IAS, Deputy Commissioner & FAA, Office of the Deputy Commissioner, Mokokchung-798601, Nagaland.
5. Shri. Chumlammo Humtsoe, ADC & PIO, Office of the Deputy Commissioner, Mokokchung-798601, Nagaland.
6. The applicants (now appellants), Shri. Odi Jamir & Shri. S.T. Yapang Lkr, RTI Initiative Nagaland, House No. LA-734, Block-C, Lower Agri Colony, Kohima-797001, Nagaland, Ph. No. 9612800973 / 9856714829.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website.
8. Office Copy.

(WORHONTHUNG EZUNG)

Deputy Secretary

Nagaland Information Commission