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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-3/2022-23

Dated Kohima, the 29th May, 2023

Subject: Closing Order of Complaint Case.

WHEREAS, the Commission had on 07.09.2022 at 12.30 P.M. heard the complaint dated 22.03.2021 submitted by Shri. Khekiye K Sema, IAS (Rtd), President, Senior Citizens' Association Nagaland (SCAN) HQ Kohima Nagaland, C/o. Seyie Gas Service, P.R. Hills, Kohima, Nagaland- 797001, Mobile No. 8787607787 and Shri. Medoselhou Keretsu, General Secretary, Senior Citizens' Association Nagaland (SCAN) HQ Kohima Nagaland, House No. B-46, D Khel, Kohima Village, Kohima Nagaland- 797001, Mobile No. 7640812581 against misleading and incomplete information furnished by the PIO to his RTI application dated 14.09.2020.

2. AND WHEREAS, after the hearing held on 07.09.2022 at 12.30 P.M, the Commission had passed decision vide of even No. dated 20.09.2022.

3. AND WHEREAS, in compliance to **Decision Point No. 1** of the above mentioned decision dated 20.09.2022, Shri. T. Aochuba, IFS, Director & PIO, Intanki National Park, Dimapur, Nagaland had, vide letter No. FD/INP/GEN/9/274 dated 30.09.2022 furnished the following supporting documents to the applicants (now complainants), and with a copy to the Commission:-

- 1) *Notification of Intanki as Reserved Forest(Annexure-I)*
- 2) *Notification on addition of area to Intanki Reserved Forests (Annexure-II)*
- 3) *Notification of Intanki as Wildlife Sanctuary (Annexure-III)*
- 4) *Notification of Intanki as National Park (Annexure-IV)*
- 5) *Map of Intanki National Park with area (Annexure-V)*
- 6) *Wildlife Protection Act, 1972 (Annexure-VI)*

4. AND WHEREAS, in compliance to **Decision Point Nos. 2 and 3** of the above mentioned decision, Shri. T. Aochuba, IFS, Director & PIO, Intanki National Park, Dimapur, Nagaland had, vide letter No. FD/INP/GEN/9/271-272 dated 30.09.2022, wrote to the Principal Chief Conservator of Forests & HOFF, Nagaland, Kohima and with a copy to the Commission stating that the information pertaining to query Nos. 3, 4, 5 and 6 on traditional landowners of Intanki National Park was **not available** in his office and therefore had requested to take up the matter with the competent authority at an earlier date.

Further, in regard to query Nos. 7, 8, and 9 on the vacation of the staff quarters in Intanki National Park and query No, 10 on the issue of environmental clearance by the government, it was opined that procedure established by law had not been followed, hence it was requested to apprise the competent authority on the issue and prepare to initiate corrective measures to restore the area post vacation.

5. * AND WHEREAS, the Commission had, vide of even No. dated 17.10.2022 directed Shri. T. Aochuba, IFS, Director & PIO, Intanki National Park, Dimapur, Nagaland to confirm satisfaction or non-satisfaction of the information furnished to the applicants (now complainants) **within thirty (30) days** from the date of receipt of this decision and with a copy to this Commission for further necessary action.

6. AND WHEREAS, Shri. Supongnukshi, IFS, Chief Conservator of Forests (EBR) & PIO, Nagaland, Kohima had, vide letter No. FE-1/15/2010(RTI)/3379 dated 12.10.2022 informed the Commission that the department had, vide letter No. FE-1/15/2010(RTI)/3146 dated 06.10.2022 wrote to the Commissioner & Secretary, Department of Environment, Forests and Climate

Change, Nagaland, Kohima requesting the State Government to take up the matter with their Assam counterpart and also to take needful action to restore the post vacation of the Intanki National Park, Dimapur.

7. AND WHEREAS, the Commission had again, vide directive of even No. dated 09.12.2022 directed Shri. T. Aochuba, IFS, Director & PIO, Intanki National Park, Dimapur, Nagaland to confirm satisfaction or non-satisfaction of the information furnished to the applicants (now complainants) **within fifteen (15) days** from the date of receipt of this decision and with a copy to this Commission for further necessary action.

8. AND WHEREAS, since there was no response or compliance to the Commission's directive, the Commission had again, vide of even No. dated 14.03.2023 directed Shri. T. Aochuba, IFS, Director & PIO, Intanki National Park, Dimapur, Nagaland to confirm satisfaction or non-satisfaction of the information furnished to the applicants (now complainants) **within fifteen (15) days** from the date of receipt of this decision and with a copy to this Commission for further necessary action.

9. AND WHEREAS, in compliance to the directive of the Commission of even No. dated 14.03.2023, Shri. T. Aochuba, IFS, Director & PIO, Intanki National Park, Dimapur, Nagaland had, vide letter No. FD/INP/GEN/9/20 dated 03.04.2023, wrote to the applicants (now complainants) to confirm satisfaction or non-satisfaction of the information at the earliest for further submission to the Commission.

10. AND WHEREAS, in reference to his earlier letters No. FD/INP/GEN/9/271-272 dated 30.09.2022, and No. FE-1/15/2010(RTI)/3147-50 dated 06.10.2022, Shri. T. Aochuba, IFS, Director & PIO, Intanki National Park, Dimapur, Nagaland had, vide letter No. FD/INP/GEN/9/32-33 dated 01.05.2023 even reminded the Principal Chief Conservator of Forests & HOFF, Nagaland, Kohima to pursue the records of the traditional landowners of Intanki National Park, Dimapur with Assam counterpart at the highest level of the government as pressed upon by the Commission.

11. AND WHEREAS, RTI is a tool to access information and to provide whatever information is available with a public authority but not to create information for the applicant(s). Hence, the Commission had observed that as far as furnishing of information is concerned, Shri. T. Aochuba, IFS, Director & PIO, Intanki National Park, Dimapur, Nagaland had furnished whatever information was available to the applicants (now complainants) as sought and had also complied with all the decisions of the Commission of even No. dated 20.09.2022.

12. AND WHEREAS, since sufficient time had lapsed, there was no response or further complaint received from the applicants (now complainants), suggesting that the applicants (now complainants) are satisfied with the information so provided and that they had no interest to pursue further with their complaint.

13. AND WHEREAS, the Commission had further observed that through this RTI complaint case, the issue has not only been brought to the knowledge of the Government but had also pressed upon the government for some remedial action, for which it will take its course of time and action. And that since it is now beyond the control of the PIO and the jurisdiction of the Commission, but lies on the prerogative of the government at the highest level, the Commission has decided to declare this **Complaint case as closed.**

14. NOW THEREFORE, it is notified to the following parties that this complaint case is hereby declared **closed**:-

1. Shri. Dharmendra Prakash, IFS, PCCF & HoFF, Nagaland, Kohima.
2. Shri. T. Aochuba, IFS, Director, Intangki National Park, Dimapur, Nagaland.
3. The applicants (now complainants),
 - i. Shri. Khekiye K. Sema, IAS (Rtd), President, Senior Citizens' Association Nagaland (SCAN) HQ Kohima Nagaland, C/o. Seyie Gas Service, P.R. Hills, Kohima, Nagaland- 797001, Mobile No. 8787607787 and

- ii. Shri. Medoselhou Keretsu, General Secretary, Senior Citizens' Association Nagaland (SCAN) HQ Kohima Nagaland, House No- B-46, D Khel, Kohima Village, Kohima Nagaland- 797001, Mobile No. 7640812581.

Sd/-

I. MEYIONEN JAMIR

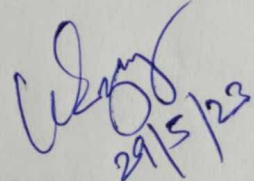
Chief Information Commissioner

Dated Kohima, the 29th May, 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. Dharmendra Prakash, IFS, PCCF & HoFF, Nagaland, Kohima.
5. Shri. T. Aochuba, IFS, Director, Intangki National Park, Dimapur, Nagaland.
6. The applicants (now complainants),
 - i. Shri. Khekiye K. Sema, IAS (Rtd), President, Senior Citizens' Association Nagaland (SCAN) HQ Kohima Nagaland, C/o. Seyie Gas Service, P.R. Hills, Kohima, Nagaland- 797001, Mobile No. 8787607787 and
 - ii. Shri. Medoselhou Keretsu, General Secretary, Senior Citizens' Association Nagaland (SCAN) HQ Kohima Nagaland, House No- B-46, D Khel, Kohima Village, Kohima Nagaland- 797001, Mobile No. 7640812581.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
8. Office Copy.


29/5/23

(WORHONTHUNG EZUNG)

Deputy Secretary

Nagaland Information Commission