

# NAGALAND INFORMATION COMMISSION

Nagaland Commissions' Complex

Below NBCC Convention Centre

Nagaland: Kohima – 797004

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No. NIC/APPEAL-42/2022-23

Dated Kohima, the 10<sup>th</sup> August, 2023

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

WHEREAS, under Section 19 of the RTI Act, 2005 and in accordance to the Nagaland State Information Commission (Appeal Procedure) Rules, 2005, the Commission had on **19.01.2023 at 12.30 PM** and **15.03.2023 at 12.30 PM** heard the Second Appeal dated **08.12.2022** (received on 09.12.2022) submitted by Shri. Kiboto Sumi, Dimapur, M/No. 9362358838 against the non-response of the FAA to the First Appeal dated **10.10.2022** which was submitted against the non-response of the PIO to his RTI application dated **30.08.2022**.

2. AND WHEREAS, after the hearings held on **19.01.2023 at 12.30 PM** and **15.03.2023 at 12.30 PM**, the Commission had passed decisions of even No. dated **20.01.2023** and **20.03.2023** respectively.

3. AND WHEREAS, after the second hearing held on **15.03.2023 at 12.30 PM**, the Commission had passed decision of even No. dated **20.03.2023** wherein, in **Point No. 1**, since the applicant (now appellant) had received the information during the hearing, he was to submit his satisfaction or non-satisfaction to the PIO and with a copy to the Commission **within 15 (fifteen) days** from the date of receipt of the information. In case, no confirmation is received from the applicant (now appellant) within the time frame given by the Commission, the case shall be presumed as satisfied and no further request to re-open the case shall be entertained.

3. AND WHEREAS, in compliance to **Point No. 2** of the above mentioned decision, Shri. Lhouchalie Viya, IAS, Commissioner & Secretary & PIO, NSDMA, Home Department, Nagaland, Kohima had, vide letter No. **NSDMA/RTI/274/2019(Pt.)/400** dated **19.04.2023** (received on 28.04.2023) submitted to the Commission the Treasury Challan (in original) bearing Challan No. **7** dated **17.04.2023** for the penalty amount of **Rs. 25,000/- (Rupees twenty five thousand only)** which was imposed on him for contributing to the delay in furnishing the information to the applicant (now appellant).

4. AND WHEREAS, in compliance to the **Point No. 3** of the above mentioned decision, the Public Authority i.e. the NSDMA, Home Department, Nagaland, Kohima had reviewed its Notification dated **28.10.2022** and had issued the updated Notification vide No. **NSDMA/RTI/274/2019/387** dated **18.04.2023** regarding the appointment of FAA, PIO & APIO and with a copy endorsed to the Commission.

5. AND WHEREAS, referring to the **Point No. 1** of the decision of the Commission, since sufficient time has lapsed and there was no response from the applicant (now appellant), suggesting that the applicant (now appellant) was satisfied with the information and have no further interest in his RTI case, the Commission has decided to declare the appeal as closed.

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

1. Shri. Abhijit Sinha, IAS, Home Commissioner & former FAA, NSDMA, Home Department, Nagaland, Kohima, now Principal Secretary to Chief Minister and Development Commissioner, Nagaland.
2. Shri. Lhouchalie Viya, IAS, Commissioner & Secretary & former PIO, NSDMA, Home Department, Nagaland, Kohima-797001, *M/No. 7085053755*.
3. The applicant (now appellant), Shri. Kiboto Sumi, Dimapur, *M/No. 9362358838*.

Sd/-

**I. MEYIONEN JAMIR**

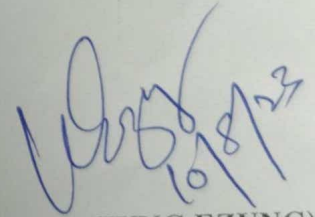
Chief Information Commissioner

**Dated Kohima, the 10<sup>th</sup> August, 2023**

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Copy to:-

1. PS to the CIC for kind information of the Chief Information Commissioner, Nagaland.
2. PA to the SIC (N) for kind information of the State Information Commissioner, Nagaland.
3. PA to the SIC (K) for kind information of the State Information Commissioner, Nagaland.
4. Shri. Abhijit Sinha, IAS, Home Commissioner & former FAA, NSDMA, Home Department, Nagaland, Kohima, now Principal Secretary to Chief Minister and Development Commissioner, Nagaland, Kohima.
5. Shri. Lhouchalie Viya, IAS, Commissioner & Secretary & former PIO, NSDMA, Home Department, Nagaland, Kohima-797001, *M/No. 7085053755*.
6. The Accounts Officer, Nagaland Information Commission for information.
- ✓ 7. The Computer Programmer, Nagaland Information Commission for uploading on the website.
8. The applicant (now appellant), Shri. Kiboto Sumi, Dimapur, *M/No. 9362358838*.
9. Office Copy.



**(WORHONTHUNG EZUNG)**

Deputy Secretary

Nagaland Information Commission