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**NAGALAND INFORMATION COMMISSION**

Nagaland Commissions' Complex  
Below NBCC Convention Centre,  
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Nagaland, Kohima - 797004

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No. NIC/COMPLAINT-2/2023-24

Dated Kohima, the 20<sup>th</sup> December, 2023

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

WHEREAS, the Commission had, on 17.08.2023 received a Complaint dated 17.08.2023 from Shri. Vethisa Lohe, RTI Petitioner, Yoruba Village, P.O - Chozuba, Phek, Nagaland, Mobile No. 7428496416 against the non-furnishing of information by the PIO, ADC, Chozuba, Phek, Nagaland within the stipulated time.

AND WHEREAS, the applicant had submitted an RTI application dated 10.07.2023 along with Rs. 10/- as application fee and addressed to the PIO, ADC, Chozuba, Phek, seeking the following information with regard to Yorubami Village Council meeting as below:-

1. Appointment of Mr. Mudihi Lohe, Head GB as caretaker VCC Yoruba (official order or copy)
2. Appointment order/meeting decision by appointment Mr. Kuvezuyi Lohe, GB as VCC Yoruba (copies)
3. Copy of search Committee Meeting and name of members selected as search committee.

AND WHEREAS, on not getting any information to his RTI application dated 10.07.2023, the applicant had submitted a complaint dated 17.08.2023 before the Nagaland Information Commission.

AND WHEREAS, on receipt of the above complaint dated 17.08.2023, the Commission had, vide letter of even No. dated 29.08.2023, directed the ADC & PIO, Chozuba, Phek, Nagaland, to furnish the information within 30 (thirty) days to the applicant (now complainant) and submit a copy of the information so furnished to the Commission for further necessary action.

AND WHEREAS, in compliance to the Commission's directive dated 29.08.2023, Smti. Imokokla, ADC & PIO, Chozuba, Phek had, vide letter No. CZBA/RTI-1/2010-11/242 dated 12.09.2023, submitted that the Office of the ADC & PIO, Chozuba had received the RTI application from the above applicant who was the then Village Council Chairman (VCC) of Yoruba Village on 10.07.2023 and had furnished the reply vide letter No. CZBA/RTI-1/2010-11 dated 11.07.2023, the details of information which is as shown below:-

Sl. No.	Information sought	Remarks
1.	Appointment of Mr. Mudihi Lohe, Head GB as caretaker VCC Yoruba (Official order or copy)	Since the services of the incumbent VCC has not been terminated/removed by any competent authority till the date of the RTI application i.e, 10.07.2023, there is no question of appointment of Mr. Mudihi Lohe, Head GB as caretaker VCC, Yoruba. Therefore, the information sought is null and void.
2.	Appointment order/ Meeting decision by appointment of Mr. Kuvezuyi Lohe GB as VCC Yoruba (copies)	The undersigned office has never received any official order from competent authority or issued any order with regard to change/appointment of a new VCC of Yoruba Village. Therefore, the appointment of Mr. Kuvezuyi Lohe, GB as VCC Yoruba does not arise.
3.	Copy of search Committee Meeting and name of members selected as search committee.	Neither the competent authority in the government not the undersigned office has ever authorized any individual/ groups with regard to formation of Search Committee for Yoruba Village. Therefore, any issue in regard to the Search Committee as mentioned in respect of Yoruba Village is totally out of the purview of the government.



However, since no contact detail was provided in his RTI application and that the complainant was unavailable and had mostly remained out of station of the sub-division, the information could not be furnished to him inspite of several efforts made by the office to reach him.

AND WHEREAS, in compliance to the Commission's directive dated **29.08.2023**, Smti. Imokokla, ADC & PIO, Chozuba had, vide letter No. CZBA/RTI-1/2010-11/248 dated **15.09.2023**, informed the Commission that efforts were made again to contact the applicant at the given contact number, however the applicant could not be contacted. Hence, a Dobashi of ADC Office, Chozuba was sent to his residence and verbally informed to come and collect his RTI reply from the office which was declined on **12.09.2023**. Furthermore, the same Dobashi was again sent to deliver the letter by hand on **14.09.2023** and **15.09.2023** but he still refused to accept the RTI reply.

AND WHEREAS, since the applicant (now complainant) had refused to accept the RTI reply, the Commission had taken a serious view that when a citizen had sought for information through RTI and later refusing to receive or accept the information being furnished, it amounts to not only harassing the public authority in wasting their time, effort and resources but also in misusing and abusing of the RTI tool on the part of the applicant. The Commission had therefore, vide letter of even No. dated **22.09.2023**, directed the applicant (now complainant) to collect the RTI reply and report compliance including his satisfaction or non-satisfaction within 7 (seven) days from the date of receipt of its directive and submit a copy of the decision to the Commission.

AND WHEREAS, on the above directive of the Commission dated **22.09.2023**, the applicant (now complainant) had finally received the RTI reply on **30.09.2023** as evidenced on the copy of the Peon Book, however he did not submit any satisfaction or non-satisfaction of the RTI reply and instead filed a case to the High Court (Kohima Bench) regarding his removal from the post of VCC of Yoruba Village.

AND WHEREAS, since there was no confirmation of satisfaction or non-satisfaction from the applicant (now complainant) and that he had instead approached the higher court, the Commission observed that the applicant (now complainant) had no further interest in his RTI matter and hence decided to close the complaint.

NOW THEREFORE, the following parties are notified that this complaint is now **closed**.

1. The ADC & PIO, Office of the Additional Deputy Commissioner, Chozuba, Phek, Nagaland.
2. The applicant (now complainant), Shri. Vethisa Lohe, RTI Petitioner, Yoruba Village, P.O - Chozuba, Phek, Nagaland, Mobile No. 7428496416.

Sd/-

**I. MEYIONEN JAMIR**

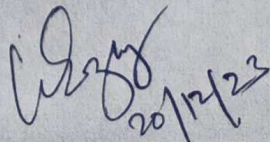
**Chief Information Commissioner**

Dated Kohima, the 20<sup>th</sup> December, 2023

No. NIC/COMPLAINT-2/2023-24 /241

Copy to :-

1. The PS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The PA to SIC (N), for kind information of the State Information Commissioner.
3. The PA to SIC (K), for kind information of the State Information Commissioner.
4. The ADC & PIO, Office of the Additional Deputy Commissioner, Chozuba, Phek, Nagaland.
5. The applicant (now complainant), Shri. Vethisa Lohe, RTI Petitioner, Yoruba Village, P.O - Chozuba, Phek, Nagaland, Mobile No. 7428496416.
6. The Computer Programmer, Nagaland Information Commission, for uploading on the website.
7. Office copy.

  
(WORHONTHUNG EZUNG)  
Deputy Secretary