

NAGALAND INFORMATION COMMISSION

Nagaland Commissions' Complex

New Capital Complex

Nagaland: Kohima – 797004

Email: cic.nagaland@gmail.com | Website: www.nlsic.nagaland.gov.in



No. NIC/APPEAL-14/2023-24

Dated Kohima, the 14th February, 2024

Subject: Notice for Hearing on 21st February, 2024 (Wednesday) at 11:00 A.M.

WHEREAS, the Commission had, on **03.10.2023**, received a Second Appeal dated *NIL* from **Dr. Roland Lotha**, Politician & Social Worker, Sovima, Dimapur, Mobile Nos. 7005111421/ 9862267010 against non-response of the FAA, NSDMA, Nagaland to his First Appeal dated **16.08.2023**, which was submitted against the non-response of the PIO, NSDMA, Nagaland to his RTI application dated *NIL* (received by the office of the Deputy Commissioner, Dimapur on **03.07.2023**).

AND WHEREAS, the applicant had submitted an RTI application dated *NIL* addressed to the PIO, NSDMA, Govt. of Nagaland and along with application fee of Rs. 10/- through the District Magistrate/ Chairman, DDMA, Dimapur seeking the following information: -

- i. *Kindly furnish the total amount sanctioned orders of funds released by the central Government for the State of Nagaland for the financial years of 2018-2022.*
- ii. *Kindly furnish the detailed list of the complete works in District wise, Block and village wise.*
- iii. *Please respond within 30-35 days guarantees under the RTI Act 2005 and the necessary information sought, be provided through Hard copies/ soft copies.*
- iv. *Please furnish drawal authority/ True Certified copies issued by the State Finance Department for the financial years of 2018-2022.*
- v. *Please furnish Audit and Accounts submitted before the Accountant General AG Nagaland: Kohima for the financial years of 2018-2022.*
- vi. *Please furnish the photograph of the project implemented side and audio visual for the year 2018-2022.*
- vii. *Please furnish True Certified copies issued by all Chairman's of DDMA for the financial years of 2018-2022.*

AND WHEREAS, on receipt of the above RTI application dated *NIL* on **03.07.2023**, Smti. **Imlijungla Lemtur**, NCS, EAC & APIO, Office of the Deputy Commissioner, Dimapur had, vide letter No. **RTI-16/2021-D/3261** dated **03.07.2023**, transferred the RTI application along with the application fee of Rs. 10/- to the PIO, NSDMA, Nagaland, Kohima.

AND WHEREAS, on not getting any information to his RTI application even after 40 days, the applicant had, through the ADC & PIO, Dimapur, submitted a First Appeal dated **16.08.2023** addressed to the FAA, NSDMA, Nagaland, Kohima.

AND WHEREAS, again on not getting information from the FAA, NSDMA, Nagaland, Kohima to his First Appeal dated **16.08.2023**, the applicant had submitted a Second Appeal dated *NIL* seeking intervention of the Commission in the matter.

AND WHEREAS, on receipt of the above Second Appeal on **03.10.2023**, the Commission had, vide directive No. **NIC/APPEAL-14/2023-24/144** dated **20.10.2023**, directed the Commissioner & Secretary & FAA, NSDMA, Home Department, Nagaland, Kohima to hear the First Appeal along with the appellant and the PIO *within 30 (thirty) days*.

AND WHEREAS, in compliance to the Commission's directive dated **20.10.2023**, the FAA had heard the First Appeal on **28.11.2023** at **12:30 PM** along with the applicant (now appellant), **Dr. Roland Lotha**, the PIO, Shri. **Temsuwangshi Jamir**, and the APIO, Shri. **Kevisede Üsou**.

AND WHEREAS, after hearing the first appeal, the FAA had, vide his decision letter No. NSDMA/RTI/274-1028/2019/1399 dated 28.11.2023, stated that though the PIO had delayed in furnishing, the information had been furnished vide No. NSDMA/RTI/274-1028/2019/1313 dated 07.11.2023 and "the appellant had verbally announced his satisfaction with the reply of the PIO and the information furnished."

AND WHEREAS, on receipt of the information, the applicant (now appellant) had, vide letter dated 29.12.2023, wrote to the FAA, NSDMA, Nagaland, Kohima stating that the information provided by the NSDMA was vague and not satisfactory even after having exceeded 4 (four) months and had, therefore, sought further details of information and clarification from the FAA, NSDMA.

AND WHEREAS, referring to the decision of the FAA dated 28.11.2023, the applicant (now appellant) had, vide letter dated NIL, which was received by the Commission on 29.01.2024, stated that the above statement made by the FAA vide his decision letter dated 28.11.2023 was "misleading and untrue" and hence not satisfactory and not in line with the questionnaire in the application.

AND WHEREAS, since the statements made by the FAA and the applicant (now appellant) are contradictory, the Commission has decided to hear the above mentioned appeal by giving opportunity of being heard to all the parties on 21st February (Wednesday) at 11:00 A.M in the Hearing Room of the Nagaland Information Commission, Nagaland Commissions' Complex, Nagaland, Kohima.

NOW THEREFORE, it is notified that the following parties are directed to attend the hearing in person or through Video Conferencing where the link for attending the hearing via Google Meet, Zoom, or Bharat VC, etc. will be shared 15 minutes before the hearing. Further the respondents are directed to bring or keep ready with the files and relevant documents in question for scrutiny on the above date and time for hearing.

1. Shri. Lhouchalie Viya, IAS, Commissioner & Secretary & FAA, NSDMA, Home Department, Nagaland, Kohima.
2. Shri. Temsuwangshi Jamir, PIO & NO, NSDMA, Home Department, Nagaland, Kohima.
3. The applicant (now appellant), Dr. Roland Lotha, Politician & Social Worker, Sovima, Dimapur, Mobile Nos. 7005111421/ 9862267010.

Sd/-

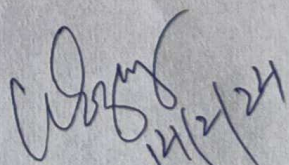
I.MEYIONEN JAMIR
Chief Information Commissioner

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Dated Kohima, the 14th February, 2024

Copy to:

1. The PS to the CIC for kind information of the Chief Information Commissioner.
2. The PA to the SIC (N) for kind information of the State Information Commissioner.
3. The PA to the SIC (K) for kind information of the State Information Commissioner.
4. Shri. Lhouchalie Viya, IAS, Commissioner & Secretary & FAA, NSDMA, Home Department, Nagaland, Kohima.
5. Shri. Temsuwangshi Jamir, PIO & NO, NSDMA, Home Department, Nagaland, Kohima.
6. The applicant (now appellant), Dr. Roland Lotha, Politician & Social Worker, Sovima, Dimapur, Mobile Nos. 7005111421/ 9862267010.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
8. Office Copy.


(WORHONTHUNG EZUNG)
Deputy Secretary
Nagaland Information Commission