

C.P.

**NAGALAND INFORMATION COMMISSION**

**Nagaland Commission's Complex**

**New Capital Complex**

**Nagaland: Kohima-797004**

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**No. NIC/APPEAL-34/2022-23**

**Dated Kohima, the 23<sup>rd</sup> April, 2024**

**Subject: Notice for Fourth Hearing on 17<sup>th</sup> May, 2024 (Friday) at 12:00 Noon**

WHEREAS, the Commission had, after the 3<sup>rd</sup> Hearing of the Second Appeal dated 29.09.2022 on 22.11.2023 at 01:30 PM submitted by Smti. *Nuksungtila*, M. No. 9862375703, passed decision of even No. dated 04.12.2023.

AND WHEREAS, in compliance to the order of the Commission dated 04.12.2023, Shri. *Temsuwangshi Jamir*, Assistant Manager (Research & Planning) & PIO, NSDMA had, vide letter No. *NSDMA/RTI/274-1027/2019/1484* dated *19.12.2023*, furnished the replies to the applicant as shown below: -

Point No. 02: i.e. for Query No. 06, *the corrected copy of Utilization Certificate for 2017-18 has been furnished as Annexure-I.*

Point No. 03: i.e. for Query No. 11(a), *capturing and providing of the contact Nos. for 23,547 beneficiaries within 15 days will not only divert the resources of the Authority but also hamper office operations. However, it is suggested that the applicant (now appellant) may come for inspection of the said forms with prior intimation to the Authority.*

Point No. 05: i.e. for Query No. 11(c), *the amount of fund released from the Government of India against disaster or natural calamities from 2013-2021 as per the records available with the Authority is stated below:*

<b>Year</b>	<b>Amount (in Rupees)</b>
2012-13	₹ 52,228,000
2013-14	₹ 51,800,000
2014-15	₹ 87,778,000
2015-16	₹ 90,000,000
2016-17	₹ 11,97,50,000
2017-18	₹ 36,28,90,000
2018-19	₹ 207,53,34,000
2019-20	₹ 35,55,87,000
2020-21	₹ 45,55,56,000
2021-22	₹ 36,52,84,000

AND WHEREAS, also in compliance to the order of the Commission, Shri. *Kevisede Üsou*, APIO, NSDMA, Home Department had, vide letter No. *NSDMA/RTI/274-1027/2019/26* dated *31.01.2024*, forwarded the findings of the search committee report vide No. *NSDMA/RTI/274-1027/2019* dated *24.01.2024* which is reproduced as below: -

Point No. 04: i.e. for Query No. 11(b), *the APRs from 2010-2016 were destroyed during the public arson of 2<sup>nd</sup> February 2017 wherein the State Emergency Operations Centre (SEOC), NSDMA located at Old MLA Assembly Complex, Kohima was completely burnt down is enclosed at Annexure-III. The newspaper clippings of the incident is enclosed herewith at Annexure-IV for kind reference.*

Point No. 06: i.e. for Query No. 15, *copies of the note sheets wherein the approving authority had vetted for relief beneficiaries during 2017-2021.*

AND WHEREAS, on receipt of the above information furnished by the PIO and APIO, NSDMA, the applicant (now appellant) had, vide letter dated **21.02.2024**, requested the Commission **to grant 15 days more** to file her reply.

AND WHEREAS, on receipt of the above request, the Commission had, vide letter of even No. dated **22.02.2024**, accepted her request for extension of time for 15 days.

AND WHEREAS, on the reply to point No. 05, i.e. Query No. 11(c) regarding the amount released for different years, the applicant (now appellant) had again requested the Commission vide letter dated **11.03.2024** for further extension of time for **another 30 days** in order to enable her study the document provided by the NSDMA.

AND WHEREAS, on receipt of the above request, the Commission had, vide letter of even No. dated **18.03.2024**, agreed to extend a period of **15 days more** to the applicant (now appellant) while conveying that no further extension shall be entertained.

AND WHEREAS, in compliance to the above intimation of the Commission, the applicant (now appellant) had, vide letter dated **02.04.2024**, submitted a report on non-satisfaction of the information received vide letter No. **NSDMA/RTI/274-1027/2019/1484** dated **19.12.2023**, and No. **NSDMA/RTI/274-1027/2019/26** dated **31.01.2024** from the PIO and APIO, NSDMA respectively stating the following reasons: -

- i. *In reply to query No. 6, the NSDMA had in a most casual manner replied that the Utilization Certificate provided to the undersigned was not the corrected one and provided a new corrected copy.*
- ii. *As per the reply to the query No. 11 (a), the NSDMA in a most blatant manner stated that the contact number of the beneficiaries was not included in the application however they have in physical forms.*
- iii. *As per the reply to the query No. 11 (c), this reply is nothing but showing records to the Commission which was provided by the applicant (now appellant) herself in the reply dated 03.11.2023.*

*Further, in reply to a RTI request received from the Finance Department vide letter No. FIN/REV-4/RTI/5/14/38 dated 15.07.2022, the sanction orders from 2013-14 upto 2018-19 issued to the NSDMA are summarized and shown below: -*

Year	Total amount sanctioned (Rs. in Lakhs)
2013-14	2638.89
2014-15	2305.56
2015-16	3075.04
2016-17	2653.893
2017-18	4136.7
2018-19	20733.7
2019-20	21132.53
2020-21	5883.05
2021-22	8043.86

*However, on comparison to the table shown above, the APRs and UCs provided by the NSDMA does not tally/ score with the information/ amount that has been sanctioned by the State Finance Department.*

AND WHEREAS, the applicant (now appellant) had asked as to whether the Commission has the authority to issue/ pass order as under: -

- a. To receive evidence on affidavit pertaining to 2017 arson as per the RTI Act.
- b. On finding reasonable grounds into the matter and to initiate an inquiry in respect thereof.
- c. In exercising its discretionary power, the Commission ought to issue a standing instruction that under the control of the public authority, no such record may be withheld from it on any grounds.
- d. The Commission ought to implead the Finance Department in order to endorse the authenticity of the documents provided.

AND WHEREAS, though sufficient documents have been provided, since the applicant (now appellant) is still not satisfied with the information provided by the department, the Commission has decided to hear the above mentioned appeal once again for the 4<sup>th</sup> time by giving opportunity of being heard to all the parties on **17<sup>th</sup> May, 2024 (Friday) at 12:00 Noon in the Hearing Room of Nagaland Information Commission, Nagaland Commissions' Complex, New Capital Complex, Nagaland, Kohima.**

NOW THEREFORE, it is notified that the following parties are directed to appear before this Commission and **also to bring 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**, Assistant Manager (Research & Planning) & PIO, NSDMA, Home Department, Nagaland, Kohima.
3. Shri. **Kevisede Üsou**, APIO, NSDMA, Home Department, Nagaland Kohima
4. The applicant (now appellant), Smti. **Nuksungtila**, The Chambers, Advocates, Agri-Farm Colony, Kohima, Nagaland, Mb- 9862375703.

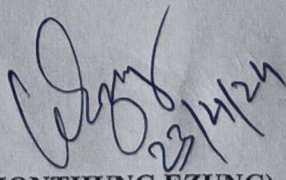
Sd/- **I. MEYTONEN JAMIR**  
Chief Information Commissioner  
Nagaland

No. NIC/APPEAL-34/2022-23/279

Dated Kohima, the 23<sup>rd</sup> April, 2024

Copy to:

1. The PS to the CIC, Nagaland Information Commission for kind information of the Chief Information Commissioner.
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. Shri. Lhouchalie Viya, IAS, Commissioner & Secretary & FAA, NSDMA, Home Department, Nagaland, Kohima.
5. Shri. Temsuwangshi Jamir, Assistant Manager (Research & Planning) & PIO, NSDMA, Home Department, Nagaland, Kohima.
6. Shri. Kevisede Usou, APIO, NSDMA, Home Department, Nagaland Kohima
7. The applicant (now appellant), Smti. Nuksungtila, The Chambers, Advocates, Agri-Farm Colony, Kohima, Nagaland, Mb- 9862375703.
8. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
9. Office Copy.

  
(**WORHONTHUNG EZUNG**)  
Deputy Secretary  
Nagaland Information Commission