

C.P.

## NAGALAND INFORMATION COMMISSION

Nagaland Commissions' Complex  
Below NBCC Convention Centre  
New Capital Complex  
Kohima: Nagaland-797004

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No. NIC/APPEAL-21/2023-24

Dated Kohima, the 5<sup>th</sup> May, 2025

**Subject: - Notice for hearing on 20<sup>th</sup> May (Tuesday), 2025 at 11:00 AM.**

WHEREAS, the Commission had received a Second Appeal dated **14.12.2023** from Shri. **P. Sendongmeren**, Lerie Chazou Colony, Kohima, Mobile. No. 9862869828 against the non-response of the FAA, Home Department (Police Establishment Branch), Nagaland, Kohima to his First Appeal dated **19.10.2023** which was submitted against the non-response of the PIO, Home Department (Police Establishment Branch), Nagaland, Kohima to his RTI application dated **13.09.2023**.

AND WHEREAS, the applicant had submitted a RTI application dated **13.09.2023** along with an application fee of Rs. 10/- addressed to the PIO, Home Department (Police Establishment Branch), Nagaland, Kohima seeking the following information: -

1. *The Service Rules on the basis of which current charges were given to the following officers under the Police Department vide Order No. POL-1/ESTT/2013/A/1439 dated 18<sup>th</sup> August 2023.*
  - a. *Shri. Naieem Mustafa Mansury IPS (2012)*
  - b. *Shri. T. Uniel Kichu Ao, IPS (2012)*
  - c. *Shri. Imnalensa, IPS (2012)*
2. *The Charge report of the above officers at the time of joining in the N. P. as ASP.*
3. *The proposal for current charge in respect of the above officers send by PHQ to Home Department.*
4. *The proposal send by PHQ to Home Department for officiating promotion/ current charge the following officers.*
  - a. *Shri. Lerimo Tsopoe Lotha, IPS - IGP to ADG*
  - b. *Shri. Aotemsu, IPS - DIG to IG*
  - c. *Shri. P. Sendongmeren, IPS - DIG to IG*
  - d. *Shri. Videlalie Angami, IPS - DIG to IG*
5. *The reasons for denying officiating promotion/ current charge to Shri. P. Sendongmeren, IPS - DIG to IG, inspite of having clear vacancy in the rank of IGP on the verge of retirement which would not have any financial expenditure to the state exchequer.*
6. *A copy of the Lalthara Committee report. Has this Committee report been approved by the State Government. If so, a copy of the Nagaland Gazette in which the same was published may kindly be produced.*

AND WHEREAS, the above RTI application dated 13.09.2023 was received by the public authority on the same date i.e., 13.09.2023 as evidenced on the body of the application, however on not getting any response from the PIO within the stipulated time frame of 30 days, the applicant had submitted a First Appeal dated **19.10.2023** addressed to the FAA, Home Department (Police Establishment Branch), Nagaland, Kohima.



AND WHEREAS, on not getting any response from the FAA to the First Appeal, the applicant (now appellant) had submitted a Second Appeal dated **14.12.2023** to the Commission for intervention and necessary action.

AND WHEREAS, on receipt of the above Second Appeal, the Commission had, vide Directive of even No. dated **11.01.2024**, directed the FAA, Home Department (Police Establishment Branch), Nagaland, Kohima to take up the First Appeal dated 19.10.2023 by hearing the parties i.e., the applicant and the PIO concerned and pass decision **within 45 (forty five) days** from the date of receipt of its directive and submit a copy of the decision to the Commission.

AND WHEREAS, on non receipt of any action taken report by the FAA on the Commission's Directive dated 11.01.2024 even after lapse of the given 45 (forty five) days time period, the Commission had, vide directive of even No. dated **05.04.2024**, issued a reminder to the FAA to hear the First Appeal dated 19.10.2023 and to submit action taken report **within 7 (seven) days** from the date of receipt of its directive.

AND WHEREAS, in response to the Commission's directive dated 11.01.2024, Smti. **Chubasangla Longkumer**, Deputy Secretary, Home Department (Police Establishment Branch), Nagaland, Kohima had, vide letter No. **POL/ESTT-3/08/2016/212** dated **28.02.2024**, informed the Commission that the department had, vide Order No. **POL/ESTT-3/08/2016/183** dated **23.02.2024**, fixed a hearing of the above First Appeal on **27.02.2024** at **12:00 Noon**, however, the hearing was postponed on the request of the applicant vide letter dated 26.02.2024 to defer the hearing to after 20<sup>th</sup> March, 2024 as he would be out of station for medical treatment.

AND WHEREAS, the applicant had, vide letter dated 22.04.2024 requested the Addl. Secretary (Home) & FAA, Police Establishment Branch, Home Department to refix the date of hearing which was postponed earlier.

AND WHEREAS, even after sufficient time had passed, since no action taken report had been received from the public authority in spite of directives dated 11.01.2024 and 05.4.2024, the Commission had, vide directive of even No. dated **12.07.2024**, issued another reminder to the FAA to hear the First Appeal and submit action taken report **within 7 (seven) days** from the date of receipt of its reminder.

AND WHEREAS, Smti. **Chubasangla Longkumer**, Deputy Secretary, Home Department (Police Establishment Branch), Nagaland, Kohima had, vide No. **POL/ESTT-3/08/2016/822** dated **17.07.2024**, informed the Commission that the First Appeal hearing was held on **11.06.2024** at **01:00 PM** and the requisite information was furnished to the applicant on **21.06.2024**.

AND WHEREAS, Shri. **Kuko Mero**, NCS, Secretary & FAA, Home Department (Police Establishment Branch), Nagaland, Kohima had, vide No. **POL/ESTT-3/08/2016/** dated **30.09.2024**, informed the Commission that the First Appeal hearing was held on 11.06.2024 and the information was furnished to the applicant by the PIO vide letter No. **POL/ESTT-3/08/2016/717** dated **21.06.2024** as shown below: -

1. *The Service Rules on the basis of which current charges were given to the following officers under the Police Department vide Order No. POL-1/ESTT/2013/A/1439 dated 18<sup>th</sup> August 2023.*
  - d. *Shri. Naieem Mustafa Mansury IPS (2012)*
  - e. *Shri. T. Uniel Kichu Ao, IPS (2012)*
  - f. *Shri. Imnalensa, IPS (2012)*

*Ans: Current charge was issued on the recommendation of the Police Establishment Board (PEB) copy enclosed.*



2. The Charge report of the above officers at the time of joining in the N. P. as ASP.

*Ans: Charge report copy enclosed.*

3. The proposal for current charge in respect of the above officers send by PHQ to Home Department.

*Ans: PHQ proposal copy enclosed.*

4. The proposal send by PHQ to Home Department for officiating promotion/ current charge the following officers.

e. Shri. Lerimo Tsopoe Lotha, IPS - IGP to ADG

f. Shri. Aotemsu, IPS - DIG to IG

g. Shri. P. Sendongmeren, IPS - DIG to IG

h. Shri. Videlalie Angami, IPS - DIG to IG

*Ans: PHQ proposal copy enclosed.*

5. The reasons for denying officiating promotion/ current charge to Shri. P. Sendongmeren, IPS - DIG to IG, inspite of having clear vacancy in the rank of IGP on the verge of retirement which would not have any financial expenditure to the state exchequer.

*Ans: The Police Establishment Board (PEP) has not recommended for officiating promotion/ current charge.*

6. A copy of the Lalthara Committee report. Has this Committee report been approved by the State Government. If so, a copy of the Nagaland Gazette in which the same was published may kindly be produced.

*Ans: NIL*

AND WHEREAS, on receipt of the letter No. POL/ESTT-3/08/2016/822 dated 17.07.2024, the Commission had, vide Directive of even No. dated 24.10.2024, directed the Deputy Secretary & PIO, Home Department (Police Establishment Branch), Nagaland, Kohima to confirm satisfaction/ non-satisfaction from the applicant (now appellant) *within 30 (thirty) days* and thereafter, submit a copy of the confirmation along with the information furnished to him for further necessary action.

AND WHEREAS, on not getting any response from the public authority to the above directive dated 24.10.2024, the Commission had, vide Directive of even No. dated 22.01.2025, issued a reminder to confirm satisfaction/ non-satisfaction from the applicant of the information received and thereafter, submit a copy of the confirmation along with the information furnished to him for further necessary action.

AND WHEREAS, on receipt of the above reminder, Smti. Chubasangla Longkumer, Joint Secretary & PIO, Home Department (Police Establishment Branch), Nagaland, Kohima had, vide No. POL/ESTT-3/08/2016/58 dated 04.02.2025, reminded the applicant to confirm his satisfaction/ non-satisfaction of the information received *within 30 (thirty) days* from the date of issue of the reminder, and failing which, the matter would be considered as satisfied.

AND WHEREAS, in response to the above PIO's letter dated 04.02.2025, the applicant (now appellant) had, vide letter dated *NIL* and with a copy to the Commission submitted that he was not satisfied with the information provided by the public authority with regard to *Query No. 05* of his RTI application dated 13.09.2023 on the following grounds: -



*"In spite of having clear vacancy, officiating promotion/ current charge was denied. On what ground or reason did the PEB not consider? In many uniform services honorary higher rank is given on retirement as a goodwill gesture. (Many such instances have been observed, with example as under)*

*Smti. Imcharenla IPS was given officiating promotion/ current charge as IGP on her retirement without having vacancy in the rank of IGP. Further to state that Shri. Martin Pienyu IPS (INT) was given officiating promotion/ current charge on his retirement superseding 3 (three) officers senior to him. This clearly shows that the PEB (Home Deptt) does not follow the same yardstick and is biased towards the applicant.*

*Requested to furnish the grounds or reason of PEB why officiating promotions/ current charge was denied in spite of having clear vacancy with no financial implication."*

AND WHEREAS, on receipt of the above letter of the applicant (now appellant) on 26.02.2025, the PIO had, vide No. **POL/ESTT-3/08/2016/296** dated **26.03.2025**, informed the applicant (now appellant) and with a copy to the Commission reiterated the decision of the higher authority vide letter dated 21.06.2024 against Query No. 05 of the RTI application dated 13.09.2023 which stated that *"The Police Establishment Board (PEP) has not recommended for officiating promotion/ current charge."*

AND WHEREAS, since the applicant (now appellant) is still not satisfied with the reply to query No. 05 furnished by the public authority, the Commission has decided to hear the above mentioned appeal by giving opportunity of being heard to all the parties on **20<sup>th</sup> May, 2025 (Tuesday)** at **11:00 AM** in the **Hearing Room of Nagaland Information Commission, Nagaland Commissions' Complex, Below NBCC Convention Centre, 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.

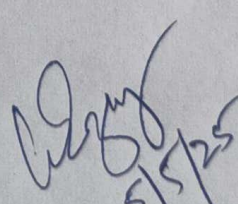
1. The **Secretary & FAA**, Home Department (Police Establishment Branch), Nagaland, Kohima.
2. The **Joint Secretary & PIO**, Home Department (Police Establishment Branch), Nagaland, Kohima.
3. The applicant (now appellant), **Shri. P. Sendongmeren**, Lerie Chazou Colony, Kohima, Ph. No. 9862869828.

Sd/- **KEVISA KENSE, IAS (Rtd)**  
Chief Information Commissioner

**Dated Kohima, the 5<sup>th</sup> May, 2025**

No. **NIC/APPEAL-21/2023-24/622**  
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. The Secretary & FAA, Home Department (Police Establishment Branch), Nagaland, Kohima.
5. The Joint Secretary & PIO, Home Department (Police Establishment Branch), Nagaland, Kohima.
6. The applicant (now appellant), **Shri. P. Sendongmeren**, Lerie Chazou Colony, Kohima, Ph. No. 9862869828.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
8. Office copy.

  
(**WORHONTHUNG EZUNG**)  
Deputy Secretary