

C.P.

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No. NIC/APPEAL-26/2024-25

Dated Kohima, the 13th October, 2025

Subject: Closing Order of Appeal Case.

1. WHEREAS, the Commission had heard the Second Appeal dated 27/01/2025 on 20/05/2025 at 11:30 AM and 19/08/2025 at 01:30 PM which was submitted by Shri. K. Arkha Achumi, Old Minister's Hill, Kohima, Nagaland, Mobile No. 8448912183, against the inaction of the FAA to his First Appeal dated 18/11/2024 and which was submitted against the non-furnishing of the PIO to his RTI application dated 30/09/2024.
2. AND WHEREAS, the Commission had, after the Second Hearing held on 19/08/2025 at 01:30 PM, passed decision of even No. dated 22/08/2025, directing the details and dates of handling the RTI application among the AIG(Ops) & APIO, the AIG(Admn) and the IGP(Admn) & PIO or any other officer(s) in the PHQ, along with sufficient and convincing grounds for considering the penalty be submitted to the Commission for further examination and final decision.
3. AND WHEREAS, in compliance to the decision of the Commission dated 22/08/2025, the new PIO, Shri. Videlalie Zashumo, IPS, Inspector General of Police (Adm), PHQ, Nagaland had, vide letter No. PHQ/RTI-1/APPEAL/2020/964 dated 27/08/2025, submitted for a review of penalty imposed on Shri. Joseph Hesso, IPS (Retd.), IGP (Adm) & PIO (former), PHQ, Nagaland, stating that on receipt of the RTI application on 30/09/2024, the PIO had sought requisite information from AIGP (Adm). The requested information was submitted to the PIO on 23/10/2024, however, since the information was found to be incomplete, with a view to provide complete and correct information as sought by the applicant, a WT message was originated to the various units/establishments on 05/11/2024 to trace and retrieve all the available records. However, since the records were old, dating back to the year 1988, and were already destroyed or archived following the direction of the P&AR Memorandum No. RC-79/2000 Dt. 19/03/2004, and subsequent order of PHQ, considerable time was taken to trace and retrieve the available records causing delay in furnishing the information to the applicant. In good faith, the applicant was informed telephonically about the delay and challenges in retrieving old records and that additional time would be required to compile and process the requested information in order to ensure that the applicant was apprised of the status of his request. The PIO further stated that there was no refusal, negligence or intention to obstruct the applicants's right to information and the available records received from the different Police units were compiled and the complete and correct information was furnished to the applicant vide letter No. PHQ/RTI-11/2022/1178 dated 28/01/2025.
4. AND WHEREAS, Shri. Videlalie Zashumo, IPS, Inspector General of Police (Adm), PHQ, Nagaland, had also submitted to the Commission to reconsider the imposition of penalty since the inordinate delay was not intentional or deliberate but occurred due to the following genuine constraints:
“(a) The records requested were very old, dating back to 1988, and scattered across various units/establishments, which required considerable time for tracing and retrieving the available records.
(b) The office was simultaneously handling heavy workload and administrative exigencies, especially due to the preparations for the ensuing 25th Edition of the International Hornbill Festival 2024 and with the limited staff availability and the festive holidays thereafter has contributed to the delay in compilation of the replies of the units/establishments for furnishing the complete and correct information to the applicant as sought.

(c) At no stage was there any intention to withhold or deny the information sought. The delay was purely due to procedural and logistical difficulties and the applicant was communicated of the difficulties faced and the status of his request. Once the records were traced, the information was duly provided to the applicant who was satisfied with the information provided."

5. AND WHEREAS, on receipt of the above submission of the PIO, the Commission had examined and was convinced that the delay was not intentional but only on bonafide difficulties faced by the department and hence decided to exempt the penalty imposed on the PIO as the applicant (now appellant) was satisfied with the information and had already withdrawn his appeal.

6. AND WHEREAS, since all the compliances to the Commission's decision of even No. 22/08/2025 have been received, the Commission has decided to declare the appeal as closed.

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

1. Shri. Rupin Sharma, IPS, DGP & FAA, PHQ, Nagaland, Kohima.
2. Shri. Joseph Hesso, IPS (Retd.), IGP (Adm) & PIO (former), PHQ, Nagaland, Kohima.
3. Shri. Videlalie Zashumo, IGP (Adm) & PIO, PHQ, Nagaland, Kohima, Mobile No. 9436002396.
4. The AIG (Ops) & APIO, PHQ, Nagaland, Kohima.
5. The AIG (Adm), PHQ, Nagaland, Kohima.
6. The applicant (now appellant), Shri. K. Arkha Achumi, Old Minister's Hill, Kohima, Nagaland-797001, Mobile No-8448912183.

Sd/-

KEVISA KENSE, IAS (Retd.)

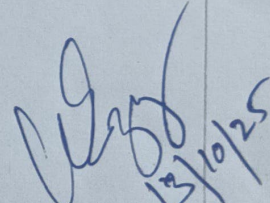
Chief Information Commissioner

Dated Kohima, the 13th October, 2025

No. NIC/APPEAL-26/2024-25/762

Copy to:

1. Shri. Rupin Sharma, IPS, DGP & FAA, PHQ, Nagaland, Kohima.
2. Shri. Joseph Hesso, IPS (Retd.), IGP (Adm) & PIO (former), PHQ, Nagaland, Kohima.
3. Shri. Videlalie Zashumo, IGP (Adm) & PIO, PHQ, Nagaland, Kohima, Mobile No. 9436002396.
4. The AIG (Ops) & APIO, PHQ, Nagaland, Kohima.
5. The AIG (Adm), PHQ, Nagaland, Kohima.
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. K. Arkha Achumi, Old Minister's Hill, Kohima, Nagaland-797001, Mobile No-8448912183.
9. Office Copy.


(WORHONTHUNG EZUNG)
Deputy Secretary