

c.f.

NAGALAND INFORMATION COMMISSION

Nagaland Commissions' Complex

Below NBCC Convention Centre

New Capital Complex

Nagaland: Kohima-797004

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



No. NIC/APPEAL-22/2025-26

Dated Kohima, the 15th April, 2026

Subject: - Closing Order of Appeal Case

WHEREAS, the Commission had received a Second Appeal dated **28.11.2025** from Shri. **Inato Chisho** (Ph. No. 9863302011), Shri. **Zato Sumi** (Ph. No. 7005409209), and Shri. **Boto Swu** (Ph. No. 7005409209) against the Agriculture Production Commissioner & FAA, Nagaland for failure to hear their First Appeal dated **Nil** which was submitted against the unsatisfactory response of the PIO & State Project Officer – Project FOCUS & ELEMENT, APC Cell, Nagaland, Kohima to their RTI application dated **19.08.2025**.

2. AND WHEREAS, the above applicants had submitted a RTI application dated 19.08.2025 to the PIO & State Project Officer – Project FOCUS & ELEMENT, APC Cell, Nagaland, Kohima seeking the following information relating to Project FOCUS & ELEMENT implemented under the APC Cell, Kohima Nagaland:-

i. *Sanction & Funding Details.*

(Sought under Section 2(f), 2(i), and 2(j) of the RTI Act, 2005)

- a. *Certified copies of all sanction orders, fund release orders, and budget allocation documents (both State and Central) for Project FOCUS and Project ELEMENT, from inception to the present date, without omission.*
- b. *Complete year-wise and component-wise breakup of funds sanctioned, released, and received under these projects, along with dates of release and responsible authority.*
- c. *Clear details of whether Project FOCUS and/or Project ELEMENT have been wholly or partly financed from any other Ministry, Central/State scheme, donor agency, externally aided project, or grant, prior to or in addition to the present sanction. If yes, kindly furnish certified copies of all such sanction orders, grant letters, approval notes and financial allocation records.*
- d. *Since both Project FOCUS and Project ELEMENT are understood to be Externally Aided Projects (EAPs), kindly furnish certified copies of all agreements/MoUs with donor agencies, loan/credit arrangements (if any), funding patterns, repayment obligations, and conditions imposed.*
- e. *Clarify whether Project FOCUS and Project ELEMENT are entirely new projects or an upgradation/continuation of earlier schemes. If the latter, provide certified copies of approval notes, DPRs, and sanction documents linking the old and new phases.*

ii. *Implementation & Beneficiary Details.*

- a. *Certified list of all beneficiaries under Project FOCUS and Project ELEMENT, including name, village, district, category of assistance received, phone number, Aadhaar number (last four digits), and the exact amount/value of assistance (cash/kind) provided to each beneficiary as per official records.*

(Sought under Sections 2(f), 2(i), and 2(j) of the RTI Act, 2005. Disclosure of such details is justified under Section 8(2) in larger public interest to ensure transparency, prevent duplication, and detect misuse of public funds).

- b. *Certified copies of all Detailed Project Reports (DPRs), work orders, and agreements issued to implementing agencies/contractors/NGOs from inception till date. (Sought under Sections 2(f), 2(i), and 2(j) of the RTI Act, 2005).*

iii. *Financial Records & Utilization.*

(Sought under Sections 2(f), 2(i), 2(j), and 4(1)(b) of the RTI Act, 2005)

- a. *Certified copies of complete bank account statements (including passbooks, ledgers, and electronic transaction records) of all official bank accounts operated exclusively for Project FOCUS and Project ELEMENT, from the date of project inception till date, clearly reflecting all credits (fund releases from State/Central/External Agencies) and debits (payments to beneficiaries, contractors, or vendors).*
- b. *Certified copies of Utilization Certificates (UCs), audit reports, and inspection reports for each financial year.*
- c. *Certified PFMS (Public Funds Management System) transaction details and/or cheque/DD issue registers showing payment IDs, sanction numbers, cheque numbers, dates, and amounts, linking each disbursement to the corresponding beneficiary.*

iv. *Monitoring & Verification.*

(Sought under Sections 2(f), 2(i), 2(j), and 4(1)(b) of the RTI Act, 2005)

- a. *Certified geo-tagged photographs (with date, time, GPS coordinates, and project identifiers) of all works, assets, and activities created/executed under Project FOCUS and Project ELEMENT.*
- b. *Certified copies of progress reports submitted to the State Government, Central Government, or donor agencies.*

3. AND WHEREAS, on receipt of the RTI application dated 19.08.2025 by the APC office on 27.08.2025, Shri. Wezope Kenye, IAS, Agriculture Production Commissioner had, vide letter No. APC/CELL/RTI/5/2023/142 dated 15.09.2025, furnished the replies as shown below: -

i. **Sanction and funding details**

Query/ Information sought	Status of the Query
a. <i>Certified copies of all sanction orders, fund release orders, and budget allocation documents (both State and Central) for Project FOCUS and Project ELEMENT, from inception to the present date, without omission.</i>	<i>Under the RTI Act-Exemption from disclosure of information- Section 8(1)(h) of the RTI Act, the information is withheld.</i>
b. <i>Complete year-wise and component-wise breakup of funds sanctioned, released, and received under these projects, along with dates of release and responsible authority.</i>	<i>Under the RTI Act-Exemption from disclosure of information- Section 8(1)(h) of the RTI Act, the information is withheld.</i>
c. <i>Clear details of whether Project FOCUS and/or Project ELEMENT have been wholly or partly financed from any other Ministry</i>	<i>FOCUS is a partnership project of the GoN and IFAD. Under the RTI Act-Exemption from disclosure of information- Section 8(1)(h) of the RTI Act, the information is withheld.</i>
d. <i>Since both Project FOCUS and Project ELEMENT are understood to be Externally Aided Projects (EAPs)</i>	<i>Under the RTI Act-Exemption from disclosure of information- Section 8(1)(h) of the RTI Act, the information is withheld.</i>
e. <i>Clarify whether Project FOCUS and Project ELEMENT are entirely new projects or an upgradation/continuation of earlier schemes. If the latter provide certified copies of approval notes, DPRs, and sanction documents linking the old and new phases.</i>	<i>FOCUS project is an entirely new project.</i>

ii. Implementation & Beneficiary Details

Query/ Information sought	Status of the Query
a. Certified list of all beneficiaries under Project FOCUS and Project ELEMENT, including name, village, district, category of assistance received, phone number, Aadhaar number (last four digits), and the exact amount/value of assistance (cash/kind) provided to each beneficiary as per official records.	Under the RTI Act-Exemption from disclosure of information- Section 8(1)(h) of the RTI Act, the information is withheld. (Available Information Post Seizure of Records by CBI i.e, 13.02.2025 are enclosed)
b. Certified copies of all Detailed Project Reports (DPRs), work orders, and agreements issued to implementing agencies/contractors/NGOs from inception till date.	Under the RTI Act-Exemption from disclosure of information- Section 8(1)(h) of the RTI Act, the information is withheld.

iii. Financial Records & Utilization

Query/ Information sought	Status of the Query
a. Certified copies of complete bank account statements (including passbooks, ledgers, and electronic transaction records) of all official bank accounts operated exclusively for Project FOCUS and Project ELEMENT, from the date of project inception till date, clearly reflecting all credits (fund releases from State/Central/External Agencies) and debits (payments to beneficiaries, contractors, or vendors).	Under the RTI Act-Exemption from disclosure of information- Section 8(1)(h) of the RTI Act, the information is withheld.
b. Certified copies of Utilization Certificates (UCs), audit reports, and inspection reports for each financial year.	Under the RTI Act-Exemption from disclosure of information- Section 8(1)(h) of the RTI Act, the information is withheld.
c. Certified PFMS (Public Funds Management System) transaction details and/or cheque/DD issue registers showing payment IDs, sanction numbers, cheque numbers, dates, and amounts, linking each disbursement to the corresponding beneficiary.	PFMS system is not followed in the Project.

iv. Monitoring and Verification

Query/ Information sought	Status of the Query
a. Certified geo-tagged photographs (with date, time, GPS coordinates, and project identifiers) of all works, assets, and activities created/executed under Project FOCUS and Project ELEMENT.	Under the RTI Act-Exemption from disclosure of information- Section 8(1)(h) of the RTI Act, the information is withheld. Not available.
b. Certified copies of progress reports submitted to the State Government, Central Government, or donor agencies.	Not available.

4. AND WHEREAS, on receipt of the above reply to their RTI application, the applicants had submitted a First Appeal dated NIL addressed to the FAA, stating that they were gravely dissatisfied with the reply furnished by the PIO as *the PIO had deliberately evaded disclosure by misapplying Section 8(1)(h) of the Act, citing an ongoing CBI investigation, and by denying access to routine administrative and financial records.*

5. AND WHEREAS, on receipt of the above First Appeal by the department on 26.09.2025 as evident on the body of the First Appeal, Shri. V. Shashank Shekhar, IAS, APC & FAA had, vide letter No. APC/CELL/RTI/5/2023 dated 24.10.2025, called for hearing of the First Appeal on 27.10.2025 at 02:30 PM at the FAA's official chamber.

6. AND WHEREAS, the above applicants (now appellants) had, vide letter dated 25.10.2025, requested the FAA for postponement of the hearing of the First Appeal as they had to be actively engaged in the ANCSU's 22nd Biennial General Conference from 27th to 29th October, 2025 being members of the organizing committee.

7. AND WHEREAS, on receipt of their request for postponement, the FAA had, vide letter No. APC/CELL/RTI/5/2023 dated 27.10.2025, while approving of the request for postponement of the hearing, informed the applicants that they would be notified shortly on the rescheduled date.

8. AND WHEREAS, the above the applicants (now appellants) had submitted a Second Appeal dated 28.11.2025 to the Commission stating that even after lapse of more than 1 (one) month, the FAA had neither heard their First Appeal nor had notified them of the rescheduled date of hearing of the First Appeal.

9. AND WHEREAS, on observing that certain documents were missing from the above Second Appeal dated 28.11.2025, the Commission had, vide its Directive of even No. dated 27.01.2026, directed the applicants (now appellants) to submit copies of the following missing enclosures to the Commission within 15 (fifteen) days from the date of receipt of its directive for further necessary action: -

- i. Copy of the reply of the PIO to their RTI application vide letter dated 15.09.2025.
- ii. Copy of their letter requesting the FAA for postponement of hearing of the First Appeal.
- iii. Copy of the FAA's response vide letter No. APC/CELL/RTI/5/2023 dated 27.10.2025.

10. AND WHEREAS, in compliance to the Commission's directive dated 27.01.2026, the applicants (now appellants) had, vide letter dated 05.02.2026, submitted the above missing enclosures to the Commission.

11. AND WHEREAS, on examination of the reply to the RTI application dated 19.08.2025 given by Shri. Wezope Kenye, IAS, the then APC vide letter No. APC/CELL/RTI/5/2023/142 dated 15.09.2025, the Commission had observed that the replies to certain queries could not be furnished under Section 8(1) (h) of the RTI Act, 2005 since the CBI had seized the records for investigation. However, the list of all beneficiaries which were available post seizure of records by the CBI i.e., 13.02.2025, were furnished to the applicants (now appellants).

12. AND WHEREAS, the Commission had, vide directive of even No. dated 09.02.2026, directed the PIO to submit a copy of the Seizure Memo to the Commission within 15 (fifteen) days from the date of receipt of its directive for further necessary action.

13. AND WHEREAS, in compliance to the above directive of the Commission, Smti. Kedino Zango, PIO, FOCUS-Nagaland had, vide letter No. AGRI/APC-FOCUS/RTI/2023-24/1584 dated 19.02.2026, furnished to the Commission, a copy of the Seizure Memo of files and records which were seized by the CBI on 13.02.2025.

14. AND WHEREAS, though the list of beneficiaries under Query No. 2(a) had been furnished and no delay had been observed, since the Commission is convinced that the remaining

information sought could not be furnished by the public authority as the related files and records were seized for investigation by the CBI, the Commission has decided to close the Appeal case.

15. NOW THEREFORE, it is notified to all the parties that this Appeal case is hereby declared as *closed*.

1. The *Agriculture Production Commissioner & FAA*, O/o the Agriculture Production Commissioner, Nagaland, Kohima.
2. The *PIO* & State Project Officer – Project FOCUS & ELEMENT, APC Cell, Nagaland, Kohima.
3. The Applicants (now appellants), Shri. *Inato Chisho* (Ph. No. 9863302011), Shri. *Zato Sumi* (Ph. No. 7005409209), and Shri. *Boto Swu* (Ph. No. 7005409209).

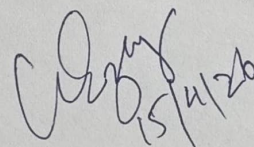
Sd/- **KEVISA KENSE, IAS (Rtd)**
Chief Information Commissioner

No. NIC/APPEAL-22/2025-26

Dated Kohima, the 15th April, 2026

Copy to: -

1. The PS to CIC for kind information of the Chief Information Commissioner.
2. The PA to SIC (J) for kind information of the State Information Commissioner.
3. The PA to SIC (C) for kind information of the State Information Commissioner.
4. The Agriculture Production Commissioner & FAA, O/o the Agriculture Production Commissioner, Nagaland, Kohima.
5. The PIO & State Project Officer – Project FOCUS & ELEMENT, APC Cell, Nagaland, Kohima.
6. Shri. S. Chumbemo Kithan, Computer Programmer, NIC for uploading on the Commission's website.
7. The Applicants (now appellants), Shri. Inato Chisho (Ph. No. 9863302011), Shri. Zato Sumi (Ph. No. 7005409209), and Shri. Boto Swu (Ph. No. 7005409209).
8. Office copy.


(**WORHONTHUNG EZUNG**)
Deputy Secretary