

Government of Nagaland
Personnel and Administrative Reforms Department
(Administrative Reforms Branch)

Dated, Kohima, the 30th November, 2005.

NOTIFICATION

NO. AR-3/Gen-147/2005 (B) : : In exercise of the powers conferred by clauses (c) of sub-section (2) of section 27 of the Right to Information Act, 2005 (Govt. of India Act No. 22 of 2005), the Government of Nagaland hereby makes the following rules, namely:-

1. **Short Title and commencement-** (i) These Rules may be called the Nagaland State Information Commission (Appeal Procedure) Rules, 2005.
(ii) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions-** In the rules, unless the context otherwise requires,-
 - (a) 'Act' means the Right to Information Act, 2005 (Govt. of India Act No. 22 of 2005)
 - (b) 'Section' means section of the Act;
 - (c) 'Commission' means the Nagaland State Information Commission;
 - (c) words and expressions used herein and not defined but defined in the Act shall have the meanings assigned to them in the Act.
3. **Contents of appeal-** An appeal to the Commission shall contain the following information, namely:-
 - (i) name and address of the applicant;
 - (ii) name and address of the Public Information Officer;
 - (iii) particulars of the order against which the appeal is made including number, date and the Public Information Officer who passed the order;
 - (iv) brief facts leading to the appeal;
 - (v) prayer or relief sought;
 - (vi) grounds for the prayer or relief;
 - (vii) provisions of the Act or the rules;
 - (viii) verification by the appellant; and
 - (ix) any other information which the Commission may deem necessary for deciding the appeal.
4. **Documents to accompany appeal-** Every appeal made to the Commission shall be accompanied by the following documents, namely:-
 - (i) attested true copy of the Order against which the appeal is being preferred;
 - (ii) copies of documents relied upon by the appellant and referred to in the appeal; and
 - (iii) an index of the documents referred to in the appeal.
5. **Procedure in deciding appeal -** In deciding the appeal, the Commission shall,
 - (i) hear oral or written evidence on oath or an affidavit from concerned or interested person;
 - (ii) peruse or inspect documents, public records or copies thereof;
 - (iii) inquire through authorised officer further details or facts;

- (iv) hear the Public Information Officer, Assistant Public Information Officer, or such Senior Officer who decide the first appeal, as the case may be;
- (v) hear third party; and
- (vi) receive evidence on affidavits from the Public Information Officer, Assistant Public Information Officer, such Senior Officer who decided the first appeal or third party.

6. **Service of notice by Commission**

Notice to be issued by the Commission may be served in any of the following modes, namely:-

- (i) service by the party itself;
- (ii) by hand delivery (dasti) through Process Server;
- (iii) by registered post with acknowledgement due; or
- (iv) through Head of Office or Department.

7. **Signing of Order-** Order of the Commission pronounced in open proceedings shall be in writing and authenticated by the Registrar or any other officer authorised by the Commission for the purpose.

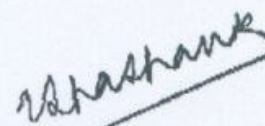
Sd/- P.TALITEMJEN AO
Chief Secretary to the Govt. of Nagaland.

No. AR-3/Gcn-147/2005 (B)

Dated, Kohima, the 30th November, 2005.

Copy to :-

1. The Commissioner & Secretary to the Governor, Nagaland, Raj Bhavan, Kohima.
2. The Addl. Chief Secretary to the Chief Minister, Nagaland Kohima.
3. The P.S. to the Speaker/Deputy Speaker, Nagaland Legislative Assembly, Kohima.
4. The P.S to all Ministers, Nagaland, Kohima.
5. The PPS to the Chief Secretary, Nagaland Kohima.
6. All Additional Chief Secretaries/ Principal Secretaries/Commissioner & Secretaries/Secretaries/Additional Secretaries, Nagaland Kohima.
7. The Secretary, Nagaland Legislative Assembly/NPSC/Vigilance Commission.
8. All Heads of Department.
9. All Deputy Commissioners/Addl. Deputy Commissioner, Nagaland.
10. All Branches in the Nagaland Civil Secretariat.
11. The Publisher, Nagaland Gazette, Kohima to publish in the Extra-ordinary Gazette and furnish 10 (ten) copies of the Gazette to this Department for record.
12. Guard file.



(**V. SHASHANK SHEKHAR**)
Additional Secretary to the Govt. of Nagaland