



**THE NAGALAND GAZETTE
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**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 (e) of sub-section (2) of the section 27 of the right of 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** -(1) 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;

d) 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 the 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 of 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 interested person;
 - (ii) peruse or inspect documents, public records or copies thereof;
 - (iii) inquire through authorized 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 Service;
 - (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 authorized by the Commission for the purpose.

Sd/- P.TALITEMJEN AO

Chief Secretary to the Govt. of Nagaland.