

NAGALAND INFORMATION COMMISSION

Below Raj Bhavan, Officers' Hill Colony

Post Box No. 148

Nagaland: Kohima-797001

Tel: 0370-2242366 | Fax: 0370-2242368

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

Facebook: Nagaland Information Commission | Twitter: [nlsic_nagaland](https://twitter.com/nlsic_nagaland)



No.NIC/Appeal-24/2017-18.

Dated Kohima, the 30th October, 2018.

Sub: Closing Order for Appeal Case.

WHEREAS, under Section 19 of the RTI Act, 2005 and in accordance to the Nagaland Information Commission (Appeal Procedure) Rules, 2005, the Commission had, on 24.04.2018 at 1:30 P.M. heard the second appeal dated 29.09.2017 submitted by Shri. Hemant Paliwal, S/o Om Prakash Paliwal, 47, Krishnapura, Road No.4, Near St. Paul's School, Udaipur, Rajasthan-313001, Mobile No. 9468577072 against the non-response of the Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima to his first appeal dated 08.09.2017 which was submitted against the non-response of the DTO & PIO, Tuensang, Nagaland to his RTI application dated 02.08.2017.

AND WHEREAS, after the hearing on 24.04.2018 at 1:30 P.M, the Commission had passed the decision of even No. dated 30.04.2018.

AND WHEREAS, in compliance to the direction of the Commission in the hearing on 24.04.2018, Shri. Tsuknungmeren, DTO & PIO had, vide letter No.DTO-T/MV/21/08/414 dated 04.06.2018 submitted that he had, vide letter No.DTO-T/MV/21/08/020A dated 26.04.2018 re-furnished the photocopies of completed certified copies of computer summary and the certified copy of confirmation of Driving Licence No.-0320090010015 valid for driving the TR.

AND WHEREAS, in compliance to the decision of the Commission dated 30.04.2018, the DTO & PIO, Tuensang had, vide letter No.DTO-T/MV/21/08/030A dated 09.07.2018 submitted the following:-

1. The information had been re-furnished to the applicant (now appellant) vide letter No.DTO-T/MV/21/08/020A dated 26.04.2018.
2. While furnishing the information vide No.DTO-T/MV/21/08/020A dated 26.04.2018 to the applicant, he had informed the applicant (now appellant) to confirm satisfaction or non-satisfaction within 1 month w.e.f. 26.04.2018, however, there was no response from the applicant (now appellant) within the given time.
3. Since there was no response from the applicant (now appellant) even after the expiry of the one (1) month's time given by the PIO to confirm satisfaction or non-satisfaction, the information was considered/ deemed as satisfied.
4. An Inquiry Committee had been constituted vide Order No.DTO-T/MV/21/08/019A dated 26.04.2018 to inquire into the loss of the reply to the RTI application dated 02.08.2017 along with its finding report of the missing document pertaining to despatch No.5323 dated 24.08.2017 of the RTI reply sent to the applicant (now appellant) for DL.No.NL-0320090010015. However, the Inquiry Committee had submitted its report dated NIL stating that the document could not be traced out.

AND WHEREAS, though the Inquiry Committee had submitted its finding report, since the findings was not submitted in the form of sworn affidavit, the Commission had, vide letter of even

No. dated 30.08.2018 directed the DTO & PIO, Tuensang to comply to the decision of the Commission dated 30.04.2018 within 15 days from the date of receipt of the directive.

AND WHEREAS, in compliance to the above directive of the Commission of even No. dated 30.08.2018, Shri. Tsuknungmeren, DTO & PIO had, vide letter No.DTO-T/MV/21/08/047A dated 03.10.2018 submitted the findings of the Inquiry Committee in the form of sworn affidavit dated 01.10.2018.

AND WHEREAS, since all the above compliances have been received from the Public Authority and though sufficient time had lapsed, there was no response from the applicant (now appellant) suggesting that the applicant have no interest to pursue his case further, the Commission has decided to close the appeal case.

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

1. Shri. Elias T. Lotha, Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima.
2. Shri. Tsuknungmeren, District Transport Officer & PIO, Tuensang, Nagaland.
3. The applicant (now appellant), Shri. Hemant Paliwal, Udaipur, Rajasthan.

Sd/-
CHANBEMO LOTH
Chief Information Commissioner

No.NIC/Appeal-24/2017-18.
Copy to.

Dated Kohima, the 30th October, 2018.

1. The PPS to the Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The PA to the State Information Commissioner (K), Nagaland Information Commission for kind information of the SIC (K).
3. The PA to the State Information Commissioner (R), Nagaland Information Commission for kind information of the SIC (R).
4. Shri. Elias T. Lotha, Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima.
5. The District Transport Officer & PIO, Motor Vehicles Department, Tuensang, Nagaland, Mobile No.9436002510.
6. The applicant (now appellant), Shri. Hemant Paliwal, S/o Om Prakash Paliwal, 47, Krishnapura, Road No.4, Near St. Paul's School, Udaipur, Rajasthan-313001, Mobile No. 9468577072.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
8. Office Copy.

(WORHONTHUNG EZUNG)
Secretary