

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



No. NIC/Appeal-12/2017-18

Dated Kohima, the 28th March, 2018

Subject: Notice for Hearing on 8th May, 2018 (Tuesday) at 12:00 P.M.

WHEREAS, under Section 19 of the RTI Act, 2005, the Nagaland Information Commission had received a second appeal vide letter No. vide letter No. S&A:UIIC/Ambala D.O./RTI/2016/0137 dated 24.05.2017 from Shri. Devinder Sharma, Krishna Cottage, 27-D, Dayal Bagh, Ambala Cantt. 133001 (HR), Mobile No.9876140198, email: sharmadevinder1953@gmail.com against the non-response of the First Appellate Authority to his first appeal dated 30.03.2017 which was preferred against the non-response of the DTO, Kohima to his RTI application dated 31.10.2016.

AND WHEREAS, the applicant, Shri. Devinder Sharma had submitted an RTI application vide letter No. S&A:UIIC/Ambala D.O./Net/RTI/2016/0137 dated 31.10.2016 addressed to the DTO & PIO, Kohima along with an application fee of ` 50/- paid through IPO bearing No. 92G 199847 dated 31.10.2016 by speed post bearing No. EH694928875IN on 04.11.2016 seeking verification report on the following points regarding driving license No. NL-0120110040082 dated 22.7.2015, A/c Mr. Surinder Yadav s/o Shri. Jai Ram Yadav:

1. Amount of fee collected for issue of driving license No. NL-0120110040082 dated 22.7.2015, A/c Mr. Surinder Yadav s/o Shri. Jai Ram Yadav and certified copy of its receipt.
2. Application of the applicant Mr. Surinder Yadav s/o Shri. Jai Ram Yadav for the issue of driving license with computerized No. NL-0120110040082 dated 22.7.2015.
3. Old driving license No. on the basis of which the computerized (Smart card) driving license No. NL- 0120110040082 dated 22.7.2015 was issued to the applicant.
4. Complete verification report of driving license No. NL- 0120110040082 dated 22.7.2015.

AND WHEREAS, on not getting any response to his RTI application dated 31.10.2016 from the DTO & PIO, Kohima, the applicant had, vide letter No. S&A: UIIC/Ambala D.O./RTI/2016/0137 dated 30.03.2017 submitted a first appeal addressed to the Transport Commissioner & First Appellate Authority, Motor Vehicles Department, Nagaland, Kohima.

AND WHEREAS, on not getting any response from the Transport Commissioner & First Appellate Authority, Motor Vehicles Department, Nagaland, Kohima to his first appeal dated 30.03.2017, the applicant (now appellant) had, vide letter No. S&A:UIIC/Ambala D.O./RTI/2016/0137 dated 24.05.2017 preferred a second appeal before this Commission.

AND WHEREAS, on receipt of the second appeal dated 24.05.2017, since the first appeal was not heard by the First Appellate Authority, the Commission had vide letter of even No. dated 28.08.2017 directed that the First Appellate Authority take up the first appeal by hearing the parties i.e., the applicant and the PIO concerned and pass decision within 1 (One) month from the date of receipt of the directive and submit a copy of the decision to the Commission.

AND WHEREAS, on receipt of the directive of the Commission of even No. dated 28.08.2017, the Transport Commissioner & First Appellate Authority, Motor Vehicles Department, Nagaland, Kohima had, vide letter No. TC/ESTT-RTI/APPEAL/302/2014/5355 dated 28.09.2017 submitted to this Commission that the first appeal was already heard by the First Appellate Authority on 20.06.2017 at 1:00 P.M and had, vide letter No. TC/Estt-RTI/Appeal/302/2014(162)/4518-21 dated 03.07.2017 passed its decision and closed the appeal case.

AND WHEREAS, since the above compliance submitted by the Transport Commissioner & First Appellate Authority, Motor Vehicles Department, Nagaland, Kohima pertained to another appeal caseregarding verification of Driving License No. NL-0120120040864 dated 24.02.2012, A/C Mr. Virender Singh S/o Shri Babu Ram and not to the present case which the

applicant had sought regarding verification report of Driving License No. NL-0120110040082 dated 22.7.2015 A/C Mr. Surinder Yadav S/o Shri Jai Ram Yadav, the Commission had again vide letter of even No. dated 08.11.2017 directed the Transport Commissioner & FAA to hear the first appeal and pass decision within 1 (One) month from the date of receipt of the directive and submit a copy of the decision to the Commission.

AND WHEREAS, in compliance to the above directive, the Transport Commissioner & FAA had, vide letter No. TC/Estt-RTI/Appeal/302/DevinderShgarma/2017(171)/5864-66 dated 04.12.2017 issued Notice for Hearing on 12.12.2017 at 11:00 A.M.

AND WHEREAS, after the hearing of the first appeal on 12.12.2017 at 11:00 A.M, the Transport Commissioner & FAA had, vide letter No. TC/Estt-RTI/Appeal/302/DevinderShgarma/2017(171)/6001-03 dated 19.12.2017 passed its decision closing the appeal case since the Driving License holder, Shri. Surender Yadav had personally appeared before the RTO & PIO, Kohima for conversion of his old Driving License No. 2144/TSG/PROF/2010 to Smart Card Driving License No.NL-0120110040082.

AND WHEREAS, on receipt of the above decision, the applicant (now appellant), had by email dated 13.01.2018 informed the Transport Commissioner & FAA regarding his non-satisfaction with a copy to this Commission.

AND WHEREAS, the Commission has decided to hear the appeal giving opportunity of being heard to all the parties on **8th May, 2018 (Tuesday) at 12:00 P.M** in the **Hearing Room of Nagaland Information Commission, Below Raj Bhavan, Officers' Hill Colony, Nagaland, Kohima.**

NOW THEREFORE, it is notified that the following parties are directed to appear before this Commission and **also to bring the files and relevant documents** in question for scrutiny on the above date and time for hearing.

1. Shri. Elias T. Lotha, Transport Commissioner & First Appellate Authority, Motor Vehicles Department, Nagaland.
2. The Regional Transport Officer & PIO, Motor Vehicles Department, Kohima.
3. The applicant (now appellant), Shri. Devinder Sharma.

Sd/-

CHANBEMO LOTH

Chief Information Commissioner

Dated Kohima, the 28th March, 2018

No. NIC/Appeal-12/2017-18

Copy to:-

1. The PA to the State Information Commissioner (C), Nagaland Information Commission for kind information of the SIC (C).
2. The PA to the State Information Commissioner (K), Nagaland Information Commission for kind information of the SIC (K).
3. Shri. Elias T. Lotha, Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima, Mobile No. 9436011036.
4. The Regional Transport Officer & PIO, Motor Vehicles Department, Kohima, Nagaland.
5. The applicant (now appellant), Shri. Devinder Sharma, Krishna Cottage, 27-D, Dayal Bagh, Ambala Cantt. 133001 (HR), Mobile No.9876140198, email: sharmadevinder1953@gmail.com
6. The Computer Programmer, Nagaland Information Commission, Nagaland, Kohima for uploading on the Commission's website and Notice Board.
7. Office Copy.

(WORHONTHUNG EZUNG)

Secretary