

NAGALAND INFORMATION COMMISSION

Below Raj Bhavan, Officers' Hill Colony

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Nagaland, Kohima-797001

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No. NIC/Appeal-24/2017-18

Dated Kohima, the 23rd March, 2018

Subject: Notice for Hearing on 24th April, 2018 (Tuesday) at 1:30 P.M.

WHEREAS, under Section 19 of the RTI Act, 2005, the Nagaland Information Commission had received a second appeal dated **29.09.2017** from 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 preferred against the non-response of the DTO & PIO, Tuensang, Nagaland to his RTI application dated **02.08.2017**.

AND WHEREAS, the applicant, Shri. Hemant Paliwal had submitted an RTI application vide No. **HP/089** dated **02.08.2017** addressed to the District Transport Officer & PIO, Tuensang, Nagaland along with the application fee of ` 10/- paid through IPO bearing No. 40F 737727 by speed post bearing No. RLAD D RR434476903IN seeking the following information in respect of DL No. NL-0320090010015 issued in the name of Shri. Ramesh, S/o Shri. Ruliya Ram, R/o HS Road, Tuensang Town, Nagaland by DTO, Tuensang:

1. *Complete certified copy of that DL along with complete computer summary including all endorsements and all renewals.*
2. *Also confirm that whether on 05.04.2017 the DL is valid for driving the TR or not.*

AND WHEREAS, on not getting any response from the DTO & PIO, Tuensang to his RTI application dated 02.08.2017 within the stipulated time period of 30 (Thirty) days, the applicant had submitted a first appeal dated **08.09.2017** to the Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima by speed post bearing No. RLAD A RR551467334IN.

AND WHEREAS, on not getting any response from the Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima to his first appeal dated 08.09.2017, the applicant (now appellant) had, preferred a second appeal dated 29.09.2017 before this Commission.

AND WHEREAS, on receipt of the second appeal dated 29.09.2017, since the first appeal was not heard, the Commission had vide letter of even No. dated 08.11.2017 directed the First Appellate Authority to 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, the Commission had, vide letter No. TC/Estt-RTI/Appeal/302/2017(175)/5019-21 dated 30.10.2017 (but signed on 31.10.2017) received from the Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima reminding the District Transport Officer & PIO, Tuensang, Nagaland in continuation to his letter No. TC/Estt-RTI/Appeal/302/2017(175)/5194-95 dated 07.09.2017 and letter No. TC/Estt-RTI/Appeal/302/2017(175)/5357-58 dated 04.10.2017 to furnish the details of information as desired by the applicant (now appellant).

AND WHEREAS, on receipt of the reminder dated 30.10.2017 from the Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima, the District Transport Officer & PIO, Tuensang, Nagaland had, vide letter No. DTO-T/MV/21/08/4457 dated 13.10.2017 informed the applicant (now appellant) that the information sought vide **RTI application dated 16.06.2017** which was received on 05.07.2017 had already been furnished by the Public Authority vide letter No. DTO-T/MV/21/08/5147 dated 05.07.2017, and had enclosed a copy of the information furnished to the applicant (now appellant).

AND WHEREAS, on receipt of the directive of the Commission of even No. dated 08.11.2017, the Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima

had, vide letter No. TC/Estt-RTI/Appeal/302/2017(175)/05-06 dated 12.01.2018 stated that on receipt of the first appeal dated 08.09.2017, the Transport Commissioner & FAA had, vide letter No. TC/Estt-RTI/Appeal/302/2017(175)/5357-58 dated 04.10.2017 directed the DTO & PIO, Tuensang to respond to the applicant without any hearing as practiced all along. In compliance to the above directive, the District Transport Officer & PIO, Tuensang had, vide letter No. DTO-T/MV/21/08/4457 dated 13.10.2017 informed the applicant (now appellant) stating that the **RTI application dated 16.06.2017** was received by the Office of District Transport Officer, Tuensang on 05.07.2017 and had already furnished the information vide letter No. DTO-T/MV/21/08/5147 dated 05.07.2017.

AND WHEREAS, since it was observed that the District Transport Officer & PIO, Tuensang, Nagaland had furnished the information in response to another **RTI application dated 16.06.2017** and not against the **RTI application dated 02.08.2017** for which the first appeal and second appeal were submitted, the Commission has decided to hear the appeal giving opportunity of being heard to all the parties on **24th April, 2018 (Tuesday) at 1:30 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 & FAA, Motor Vehicles Department, Nagaland, Kohima.
2. The District Transport Officer & PIO, Tuensang, Nagaland.
3. The applicant (now appellant), Shri. Hemant Paliwal, Udaipur, Rajasthan.

Sd/-

CHANBEMO LOTH

Chief Information Commissioner

Dated Kohima, the 23rd March, 2018

No. NIC/Appeal-24/2017-18

Copy to:

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, Mobile No. 9436011036.
5. The District Transport Officer & PIO, Motor Vehicles Department, Tuensang, Nagaland.
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