

**NAGALAND INFORMATION COMMISSION
BELOW RAJ BHAVAN, OFFICERS' HILL COLONY
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No. NIC/Appeal-5/2017-18

Dated Kohima, the 17th May, 2018

Subject: Closing Order of Appeal.

WHEREAS, under Section 19 of the Right to Information Act, 2005, and in accordance to the Nagaland State Information Commission (Appeal procedure) Rules, 2005, the Nagaland Information Commission had received a second appeal dated 02.03.2017 from Shri. Sandeep Kumar S/o Sh. Mohan Lal, Shop No. 25, Anaj Mandi, Kalanwali-125201 (Haryana), Mobile No. 9416044012 against non-satisfaction of information furnished by the DTO, Phek and non-response of the First Appellate Authority, Transport Department to his first appeal.

AND WHEREAS, the applicant, Shri. Sandeep Kumar had submitted an RTI application dated 22.09.2016 addressed to the District Transport Officer, Phek along with the prescribed application fee of ` 10/- paid through Indian Postal Order No. 31F 176774 seeking the following information:

- 1. The certified copy of original application on the basis of which driving license in the name of Baldev Singh S/o Sh. Jage Ram (bearing No. 4592/B/PK/Prof-07), was issued, by your good office.*

AND WHEREAS, on receipt of the RTI application dated 22.09.2016, the District Transport Officer & PIO, Motor Vehicles Department, Phek, Nagaland had, vide letter No. DTO-Pk/Esst-19/06-07/936 dated 22.11.2016 furnished the information to the applicant.

AND WHEREAS, on not being satisfied with the information furnished by the DTO & PIO, Phek, the applicant had preferred a first appeal dated 17.12.2016 addressed to the District Transport Officer, Phek.

AND WHEREAS, on not getting any response to the first appeal dated 17.12.2016, the applicant had submitted a second appeal dated 02.03.2017 to the Commission.

AND WHEREAS, on receipt of the second appeal dated 02.03.2017, the Commission had observed that the applicant (now appellant) did not receive any response to his first appeal since he had wrongly submitted his first appeal to the DTO, Phek, Nagaland instead of submitting to the Transport Commissioner & FAA, Motor Vehicles Department, Solidary Park, New Secretariat Area, Nagaland, Kohima.

AND WHEREAS, the Commission had, vide letter of even No. dated 08.09.2017 advised the applicant (now appellant) to submit his first appeal before the appropriate/rightful First Appellate Authority i.e., the Transport Commissioner & FAA, Motor Vehicles Department, Solidary Park, New Secretariat Area, Nagaland, Kohima and further in case of non-response or unsatisfactory decision of the First Appellate Authority within 30-45 days, a second appeal may be preferred to this Commission under Section 19(3) of the RTI Act, 2005.

AND WHEREAS, though sufficient time had lapsed, since there is no response from the applicant (now appellant) till date indicating that he has no interest to obtain information or pursue further, the Commission had decided to close the appeal case.

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

1. The Transport Commissioner & FAA, Motor Vehicles Department, Solidary Park, New Secretariat Area, Nagaland, Kohima.
2. The District Transport Officer & PIO, Motor Vehicles Department, Phek, Nagaland.
3. The applicant (now appellant), Shri. Sandeep Kumar, Kalanwali-125201 (Haryana),

Sd/-

CHANBEMO LOTH

Chief Information Commissioner

Dated Kohima, the 17th May, 2018

No. NIC/Appeal-5/2017-18

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 (C), Nagaland Information Commission for kind information of the SIC (K).
3. The PA to the State Information Commissioner (K), Nagaland Information Commission for kind information of the SIC (R).
4. The Transport Commissioner & FAA, Motor Vehicles Department, Solidary Park, New Secretariat Area, Nagaland, Kohima.
5. The District Transport Officer & PIO, Motor Vehicles Department, Phek, Nagaland.
6. The applicant (now appellant), Shri. Sandeep Kumar S/o Sh. Mohan Lal, Shop No. 25, Anaj Mandi, Kalanwali-125201 (Haryana), Mobile No. 9416044012.
7. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
8. Office Copy.

(WORHONTHUNG EZUNG)

Secretary