

# 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](mailto:cic.nagaland@gmail.com) / Website: [www.nlsic.nagaland.gov.in](http://www.nlsic.nagaland.gov.in)

Facebook: Nagaland Information Commission | Twitter: nlsic\_nagaland



No. NIC/Appeal-11/2017-18.

Dated Kohima, the 29<sup>th</sup> October, 2018.

**Sub: Notice for the fourth Hearing on 13<sup>th</sup> November (Tuesday), 2018 at 12:00 Noon.**

WHEREAS, the Commission had, after hearing the second appeal dated 29.05.2017 for the third time on 05.07.2018 at 12:00 P.M., passed its decision dated 13.07.2018 wherein the Transport Commissioner & FAA was allowed to search the Notification dated 01.08.2009 and furnish it to the applicant (now appellant), with a copy to the Commission within twenty (20) days from the date of receipt of the decision.

AND WHEREAS, in compliance to the decision of the Commission dated 13.07.2018, Shri. Elias T. Lotha, Transport Commissioner & First Appellate Authority had, vide letter No.TC/Estt-RTI/Appeal/302/2014 (163)/1989-90 dated 01.08.2018 stated that he had already informed the applicant (now appellant) vide his regret letter No.TC/Estt-RTI/Appeal/302/2014(163)/1482-83 dated 24.05.2018 about his inability to provide the said Notification dated 01.08.2009 as the said Notification could not be traced out. He also stated that the Public Notice dated 18.12.2017 was intimated to the applicant (now appellant) vide letter No.TC/Estt-RTI/Appeal/302/Devinder Sharma/2017(171) 292-93 dated 16.02.2018. Further, he stated that the applicant must have mistaken the Notification dated 01.08.2009 with another Notification dated 04.08.2009 which was very near to the Notification dated 01.08.2009 and had furnished to the applicant (now appellant) for his reference.

AND WHEREAS, the Transport Commissioner & FAA had requested the applicant (now appellant) to send a copy of the said Notification dated 01.08.2009 if available with him since there was no such Notification with the date 01.08.2009 as claimed by the applicant (now appellant).

AND WHEREAS, the Transport Commissioner & FAA also stated that his Office do not hide any information in its possession and that in spite of some shortcomings, it is constantly attempting to ensure that the Department and the Office functions very well in accordance to the law of the land as the Notifications do attest. Further, the Transport Commissioner & FAA also stated that the applicant (now appellant), being as a responsible citizen expects to honour the efforts being made by the Department on all fronts.

AND WHEREAS, the Commission had also observed that the applicant (now appellant) had mentioned about the Notification dated 01.08.2009 in his first appeal dated 18.01.2017 to the FAA and second appeal dated 29.05.2017 to the Commission.

AND WHEREAS, since the Transport Commissioner & FAA had deposed that there was no such Notification dated 01.08.2009 as claimed by the applicant (now appellant), the Commission has again decided to hear the appeal giving opportunity of being heard to all the parties on **13<sup>th</sup> November (Tuesday), 2018 at 12:00 Noon 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:

- i. Shri. Elias T. Lotha, Transport Commissioner & First Appellate Authority, Motor Vehicles Department, Solitary Park, New Secretariat area, Nagaland, Kohima.
- ii. Shri. Tsuknungmeren, District Transport Officer & PIO, Tuensang, Nagaland.
- iii. The applicant (now appellant), Shri. Devinder Sharma, Haryana.

**Sd/-**  
**CHANBEMO LOTHIA**  
**Chief Information Commissioner**

No.NIC/Appeal-11/2017-18.

Dated Kohima, the 29<sup>th</sup> October, 2018.

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 & First Appellate Authority, Motor Vehicles Department, Solitary Park, New Secretariat area, Nagaland, Kohima, Mobile No. 9436011036.
5. Shri. Tsuknungmeren, District Transport Officer & PIO, Motor Vehicles Department, Tuensang, Nagaland, Mobile No.9436002514.
6. The applicant (now appellant), Shri. Devinder Sharma, Krishna Cottage, 27-D, Dayal Bagh, Ambala Cantt. 133001 (Haryana), Mobile No. 9876140198, email: sharmadevinder1953@gmail.com.
7. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's website and Notice Board.
8. Office Copy.

**(WORHONTHUNG EZUNG )**  
**Secretary**