

## 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](https://twitter.com/nlsic_nagaland)



No.NIC/Complaint-1/2018-19.

Dated Kohima, the 31<sup>st</sup> October, 2018.

### **Sub : Notice for Hearing on 13<sup>th</sup> November (Tuesday), 2018 at 1:00 P.M.**

WHEREAS, under Section 18 of the RTI Act, 2005, the Commission had, vide letter Ref.No.CID/2018/1060 dated 23.06.2018 received complaint through email from an applicant, Shri. Amit Kumar Banik, CID Lane, Opposite DGP Office, Nibas apartment-2, Flat No.3c, Ulubari-781007, Guwahati, Assam, Mobile No.7002307973, email: [banikat@gmail.com](mailto:banikat@gmail.com) against incomplete and wrong information furnished by Shri. A. Takomeren, District Transport Officer & PIO, Phek, Nagaland (now transferred and temporarily attached to Transport Commissioner Office, Kohima) to his RTI application dated 04.05.2018.

WHEREAS, the applicant, Shri. Amit Kumar Banik, had earlier submitted an RTI application vide letter Ref.No.CID/2018/1050 dated 04.05.2018 addressed to the PIO & Regional Transport Officer, Phek-797107, Nagaland by post along with the application fee of Rs.40/- paid through IPO bearing Nos.076707, 076708, 076709 and 076710 seeking the following information pertaining to vehicle bearing registration No.NL-08-A-1668:-

1. *Certified copy of the Registration Certificate of vehicle bearing registration number NL-08-A-1668 registered under your office jurisdiction.*
2. *Certified copy of details of registered owner(s) of the vehicle bearing registration number NL-08-A-1668 registered under your office jurisdiction since registration of the said vehicle at your office till as on date.*
3. *Certified copy of details of transfer of registered ownership of the vehicle bearing registration number NL-08-A-1668 registered under your office jurisdiction since registration of the said vehicle at your office till as on date.*
4. *Certified copy of Fitness Certificate issued to the vehicle bearing registration number NL-08-A-1668 registered under your office jurisdiction.*
5. *Certified copy of the Permit issued in the vehicle bearing registration number NL-08-A-1668 registered under your office jurisdiction.*
6. *Certified copy of all police correspondence, if any, by any Police Station in India in respect to the vehicle bearing registration number NL-08-A-1668 registered under your office jurisdiction being involved in a road traffic accident.*
7. *Certified copy of correspondence by Lekhapani Police Station, if any, in respect to the vehicle bearing registration number NL-08-A-1668 registered under your office jurisdiction being involved in a road traffic accident.*

AND WHEREAS, the District Transport Officer & PIO, Phek had, vide letter No.DTO-Pk/Estt-19/06-07/1292 dated 12.06.2018 furnished the details of the vehicle bearing No.NL-08A-1668 to the applicant in reference to the applicant's RTI letter vide Ref.No.UDAY/2018/05/01 dated 04.05.2018.

AND WHEREAS, on receipt of the above reply of the DTO & PIO, Phek, the applicant had, vide letter Ref.No.CID/2018/1060 dated 23.06.2018 submitted a complaint to the Commission stating that he was given incomplete and wrong information since the PIO had furnished the reply in reference to a different RTI letter No.UDAY/2018/05/01 dated 04.05.2018 instead of Ref.No.CID/2018/1050 dated 04.05.2018 and without the details of the FAA. Further, he alleged that the PIO had not furnished the information sought in his RTI application No. Ref.No.CID/2018/1050 dated 04.05.2018.

AND WHEREAS, the Commission had, vide Notice of even No. dated 02.08.2018 notified for a hearing on 24.08.2018 at 1:30 P.M. However, since the DTO & PIO, Phek, Nagaland did not appear for the hearing on 24.08.2018 at 1:30 P.M. without any reason or prior intimation to the Commission, the Commission had, vide letter of even No. dated 28.08.2018 directed the DTO & PIO, Phek to Show Cause Notice within two (2) weeks from the date of receipt of the notice as to why disciplinary action should not be recommended against him under Section 20 (2) of the RTI Act, 2006 for failure to appear in the above Hearing and in undermining the Commission.

AND WHEREAS, on receipt of the Notice for hearing, the DTO & PIO, Phek, Nagaland had, vide letter No.DTO-Pk/Estt-19/06-07/3093 dated 12.09.2018 submitted that the Notice for Hearing on 24.08.2018 at 1:30 P.M. was received only after the due date of hearing due to postal delay, owing to which he could not appear for the said Hearing. He submitted that the RTI application No.CID/2018/1050 dated 04.05.2018 was received from the applicant and had furnished the complete information pertaining to the vehicle No.NL-08-A-1668 vide letter No.DTO-Pk/Estt-19/06-07/1292 dated 12.06.2018. However, in the above reply, the RTI application was mistakenly referred to No.UDAY/2018/05/01 dated 04.05.2018 instead of No. CID/2018/1050 dated 04.05.2018 due to topographical error, which was deeply regretted.

AND WHEREAS, on receipt of the Show Cause Notice, the DTO & PIO, Phek, Nagaland had, vide letter dated 19.09.2018 further submitted that the Notice for Hearing on 24.08.2018 was received only on 25.08.2018 due to postal delay and had enclosed a photo copy of the receipt register. He had also informed that he was transferred and relieved of the office of the DTO Office Phek on 13.09.2018 and temporarily attached to the Transport Commissioner Office, Kohima. Further, he also stated that the Show Cause Notice dated 28.08.2018 served to him by the Commission was received only on 14.09.2018 and had enclosed photo copy of receipt register.

AND WHEREAS, the Commission has decided to hear the complaint case again giving opportunity of being heard to all the parties on **13<sup>th</sup> November (Tuesday), 2018 at 1:00 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 concerned 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. A. Takomeren, District Transport Officer & PIO, Phek, Nagaland (now transferred and temporarily attached to Transport Commissioner Office, Kohima).
2. The applicant (now complainant), Shri. Amit Kumar Banik, Guwahati, Assam.

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

No.NIC/Complaint-1/2018-19.

Dated Kohima, the 31<sup>st</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. A. Takomeren, District Transport Officer & PIO, Phek-797107, Nagaland (now transferred and temporarily attached to Transport Commissioner Office, Kohima).
5. The applicant (now complainant), Shri. Amit Kumar Banik, CID Lane, Opposite DGP office, Nibas apartment-2, Flat No.3c, Ulubari-781007, Guwahati, Assam, Mobile No.7002307973, email: banikat@gmail.com.
6. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's website and Notice Board.
7. Office Copy.

**( WORHONTHUNG EZUNG )**  
Secretary