

NAGALAND INFORMATION COMMISSION
Old Secretariat Complex,
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Nagaland, Kohima - 797001.
Tel: 0370-2291041, Fax: 0370-2291774, Website: www.nlsic.gov.in



No. NIC/Complaint-2/2015-16

Dated Kohima, the 14th May, 2015.

Complainant : Shri. Vinod Kumar
S/o Omprakash,
Vill-Garan Pura Kalan,
Tehsil – Tosham,
District – Bhiwani,
Haryana,
Mobile No. 09812291948

Respondent : i) The concerned PIO,
Office of the Regional Transport Officer,
Mokokchung, Nagaland.

2) The concerned PIO,
Office of the District Transport Officer,
Mon, Nagaland.

Public Authority : 1) Office of the Regional Transport Officer, Mokokchung, Nagaland; and
2) Office of the District Transport Officer, Mon, Nagaland.

Date of hearing : 12.05.2015 at 1:30 PM.
Date of Decision : 14.05.2015.

Present:

1. Shri. Purnungsang Longkumer, MVI & APIO, Office of the District Transport Officer, Mon, Nagaland, Mobile No. 9862326007 who represented Shri. Roben Mesen, District Transport Officer & PIO, Mon, Nagaland.
2. Shri. Temjenyanger, LDA, Office of the Regional Transport Officer, Mokokchung, Nagaland, Mobile No. 9436600517 who represented Shri. Lanuakum Ao, Regional Transport Officer & PIO, Mokokchung, Nagaland.

The applicant(now complainant) **did not appear** for the hearing.

FACT OF THE CASE.

An applicant, Shri. Vinod Kumar S/o Omprakash, Vill- Garanpura Kalan, Tehsil – Tosham, District – Bhiwani, Haryana - 127040, Mobile No. 09812291948 had submitted a complaint to this Commission stating that he had sought the information alongwith requisite fee and had sent by Registered post, however, there were **no enclosures** of any of his RTI application(s), namely:-

1. License No.58816/Mon/Prof/10 was made on 31/05/2010 and it is valid till 30/05/2016. I requested for information two times from authority, Mon Nagaland for which I paid the requisite fee and Registered post.
2. Is that License No.1545/Mkg/Prof. is made on 30/09/2009 and is valid till 29/09/2015. I have asked the information for the above mentioned license through Registered post and paid requisite fee for it but still information is not made available.
3. License No.1724/Mkg/Prof/09 is made on 30/09/2009 and requisite fee and registered post is duly deposited but no information is given till date. I have submitted application two months ago for the two licenses and Registered post. Both Licenses are issued from Authority Mokokchung Nagaland.

However, the applicant had enclosed photocopies of the following three (3) Driving Licences:-

1. Driving Licence No.58816/Mon/Prof/10 of Subhash, S/o Sewa Singh, V&PO- Garanpura, Dist – Bhiwani (HR) with a validity upto 30.05.2016 issued on 31.05.2010 by the DTO, Mon, Nagaland.

2. Driving Licence No. 1724/Mkg/Prof/09 of Vijay Kumar, S/o Narayan Das, Vill.-Khanak, Teh. – Tosham, Bhiwani (HR) with a validity upto 29.09.2015 issued on 30.09.2009 by the DTO, Mokokchung, Nagaland.
3. Driving Licence No. 1545/Mkg/Prof of Bansilal, S/o Harphul, Vill.- Budhan Kalan, Teh. & Distt – Fatehabad (HR) with a validity upto 29.09.2015 issued on 30.09.2009 by the DTO, Mokokchung, Nagaland.

The applicant had also enclosed photocopies of **No Objection Certificates** issued by the District Transport Officer, Mokokchung, Nagaland certifying that:-

1. the Driving Licence No. 1724/Mkg/Prof/09 issued to Vijay Kumar, S/o Narayan Das, Vill.-Khanak, Teh. – Tosham, Bhiwani (HR) has been issued by his office on 30.09.2009 with a validity upto 29.09.2015.
2. the Driving Licence No. 1545/Mkg/Prof issued to Bansilal, S/o Harphul, Vill.- Budhan Kalan, Teh. & Distt – Fatehabad (HR) has been issued by his office on 30.09.2009 with a validity upto 29.09.2015.

Since the applicant had sought verification of the above mentioned three(3) Driving Licences, replies in the form of No Objection Certificates had been given by the District Transport Officer, Mokokchung, Nagaland. However, there was no response from the District Transport Officer, Mon, Nagaland, though the applicant had requested for information two times.

On not getting any response or information till date regarding the information sought on the three (3) Driving Licences, the above applicant had submitted a Complaint dated 10.12.2014 (**in Hindi**) which this Commission had translated into English.

Since there was no information furnished or received till date, the Commission has decided to hear the complaint, giving opportunity to the parties on **12th May, 2015 (Tuesday) at 1:30 PM**, in the **Hearing Room of the Nagaland Information Commission, Old Secretariat Complex, Kohima.**

OBSERVATIONS AND FINDINGS:

The applicant(now complainant) **did not appear** for the hearing and there was no prior intimation to the Commission regarding his absence.

During the hearing, the Commission had received a letter vide No. RTO-MKG/Per-40/2005/5569-71 dated 08.05.2015 from Shri. Lanuakum Ao, Regional Transport Officer & PIO, Mokokchung, Nagaland, detailing Shri. Temjenyanger, LDA, Office of the District Transport Officer, Mokokchung, Nagaland to attend the hearing with all relevant documents.

Also, Shri. Roben Mesen, District Transport Officer & PIO, Mon, Nagaland had, vide letter No. DTO-MON/MV/CASE/06-07/8506 dated 07.05.2015 informed the Commission that due to ill health, he could not appear for the hearing, however, he had authorised Shri. Purnungsang Longkumer, MVI & APIO, Office of the District Transport Officer, Mon, Nagaland to appear for the hearing.

During the hearing, Shri. Purnungsang Longkumer, MVI & APIO, Office of the District Transport Officer, Mon, Nagaland, Mobile No. 9862326007 who represented the DTO & PIO, Mon submitted that the RTI application by the name of the applicant, Shri. Vinod Kumar was **never received**, and a photocopy of the Dak Receipt Register starting from the month of July, 2014 till date was produced before the Commission during the hearing. Further, he submitted that the Driving Licence No.58816/Mon/Prof/10 of Subhash, S/o Sewa Singh, V&PO- Garanpura, Dist – Bhiwani (HR) with a validity from 31.05.2010 to 30.05.2016 was indeed issued by the DTO, Mon, Nagaland. A photocopy of the Register wherein the above Driving Licence was issued and recorded was produced before the Commission.

Also, Shri. Temjenyanger, LDA, Office of the Regional Transport Officer, Mokokchung, Nagaland, Mobile No. 9436600517 submitted that **two (2) RTI applications** both dated 14.03.2015 were received from the applicant by Speed Post vide No. RH549083295IN dated 14.03.2015 on **24.03.2015**. And on receipt of the above two (2) RTI applications, the information were furnished to the applicant vide letters No. RTO-MKG/RTI/G-30/08/5475 dated **01.04.2015**, however, the information could be sent by Speed Post vide No. EE41825904IN only on 06.04.2015. Further, he submitted that the applicant had already received the information as confirmed from the tracking records on the website. And copies of the above two (2) RTI applications dated 14.03.2015 and the reply letters dated 01.04.2015 were produced before the Commission.

However, the Commission observed that the applicant (now complainant) did not enclose any of his RTI application(s) in his complaint dated 10.12.2014 before the Commission. And since the present Complaint case was dated 10.12.2014, the RTI applications dated 14.03.2015 were different and hence not connected to the present complaint, as RTI application cannot be submitted after a complaint. The Commission was also of the view that there may be other RTI applications filed by the same applicant earlier, and that the present complaint case could be related to some earlier RTI application.

In response, Shri. Temjenyanger, LDA, Office of the Regional Transport Officer, Mokokchung, Nagaland informed the Commission that several RTI applications had earlier been received from the same applicant.

DECISION:

On the above observations and findings, the Commission decided that:-

1. Shri. Lanuakum Ao, Regional Transport Officer & PIO, Mokokchung, Nagaland shall submit all the other RTI applications (in original) received from the applicant, Shri. Vinod Kumar, to this Commission on or before **22nd May, 2015.**
2. Shri. Roben Mesen, District Transport Officer & PIO, Mon, Nagaland shall submit an **affidavit** declaring that no such RTI application was received from the applicant, Shri. Vinod Kumar, to this Commission on or before **22nd May, 2015.**

The Commission reserved its decision. And on receipt of the above compliances, the Commission shall fix the next date of hearing.

Decision pronounced on this day, the 12.05.2015.

Copy be given to:-

1. Shri. Lanuakum Ao, Regional Transport Officer & PIO, Mokokchung, Nagaland, Mobile No. 9612791451.
2. Shri. Roben Mesen, District Transport Officer & PIO, Mon, Nagaland, Mobile No. 9612570623.
3. The applicant (now Complainant), Shri. Vinod Kumar S/o Omprakash, Vill- Garanpura Kalan, Tehsil – Tosham, District – Bhiwani, Haryana - 127040, Mobile No. 09812291948.
4. The Computer Programmer, Nagaland Information Commission for uploading on the website and Notice Board.
5. Office Copy.

Sd/-
KEVININO P. MERU
Chief Information Commissioner

Sd/-
BUKCHEM PHOM
State Information Commissioner

Authenticated true copy:-

(WORHONTHUNG EZUNG)
Under Secretary