

NAGALAND INFORMATION COMMISSION
Old Secretariat Complex,
Post Box No. 148
Nagaland, Kohima - 797001.
Tel: 0370-2291041, Fax: 0370-2291774, Website: www.nlsic.gov.in



No. NIC/Appeal-10/2013-14

Dated Kohima, the 24th February, 2014.

Subject: Order for closing of appeal case.

WHEREAS under Section 19 of the Right to Information Act, 2005, the Nagaland Information Commission had, on 06.11.2013 received a second appeal dated 21.09.2013 submitted by Mr. M. L. Vaish, 42-B, Tagore Garden, Ambala Cantt – 133001, Mobile No. 9896498888 which was forwarded by the Central Information Commission, New Delhi vide Diary No. 170070 dated 03.10.2013 since the subject of appeal comes under the jurisdiction of the State Information Commission.

AND WHEREAS, earlier the applicant had submitted a RTI application dated 10.07.2013, addressed to the PIO, Office of the District Transport Officer, Zunheboto, Nagaland – 798620, alongwith Rs. 50.00 (Rupees fifty only) paid vide IPO No. 75G 173267 dated 10.07.2013, seeking information on the following:-

1. Date of issue of DL No 17001/PSV/Z/2008 with class of vehicle authorised.
2. Date of issue of DL No 47038/TV/Z/2008 with class of vehicle authorised.

AND WHEREAS, the RTI application dated 10.07.2013 which was sent by post on 10.07.2013 was acknowledged receipt by the PIO, Office of the District Transport Officer, Zunheboto, Nagaland on 17.07.2013 as evidenced on the Acknowledgement of the Department of Posts, India.

AND WHEREAS, on not getting any response from the PIO, Office of the District Transport Officer, Zunheboto, Nagaland– 798620, the applicant had, vide letter No. MLV/INV/97/13 dated 17.08.2013 submitted first appeal dated 17.08.2013 addressed to the State Transport Commissioner, Government of Nagaland, Dimapur, 797112.

AND WHEREAS, on not getting any response to his first appeal dated 17.08.2013, the applicant preferred second appeal vide No. MLV/INV/110/13 dated 21.09.2013 to the Central Information Commission, New Delhi.

AND WHEREAS, the Commission had vide letter of even No. dated 05.12.2013 directed the Transport Commissioner & First Appellate Authority, Transport & Motor Vehicles Department, Nagaland, Kohima to hold a hearing of the first appeal dated 17.08.2013 and pass quasi-judicial decision/order latest by **15th January, 2014 positively**, with a copy to the applicant (now appellent) and to this Commission.

AND WHEREAS, in response to the Commission's directive dated 05.12.2013, the Transport Commissioner & First Appellate Authority, Transport & Motor Vehicles Department, Nagaland, Kohima, had vide letter No. TC/ESTT/287/2012(Pt) dated 04.01.2014, submitted that on enquiry, the District Transport Officer, Zunheboto, Nagaland had already provided the information to the applicant on 01.08.2013, and a copy was made available to the Office of the Transport Commissioner, Transport & Motor Vehicles Department, Nagaland, Kohima. And also that the FAA had forwarded the letter of the District Transport Officer, Zunheboto, Nagaland to the applicant(now appellent) on 21.09.2013.

AND WHEREAS the FAA had on 30.11.2013 forwarded the clarification of the District Transport Officer, Zunheboto, Nagaland that No. 17001/PSV/Z/2008 was not a Driving Licence Number but a badge No. of DL No. 47038/TV/Z/2008 authorising the licence holder to drive passenger vehicle, particularly three wheeler. Thus, badge No. 17001/PSV/Z/2008 and DL No. 47038/TV/Z/2008 are part of the same driving licence.

AND WHEREAS, the Commission observed that since the letter of the FAA dated 04.01.2014 was not a quasi-judicial decision/order, the FAA was again directed to take up the first appeal dated 17.08.2013 with all the parties concerned i.e. the PIO, Office of the District Transport Officer, Zunheboto, Nagaland and the appellant, and pass quasi-judicial decision/order, with a copy to the above applicant (now appellant) and this Commission **latest by 20.02.2014**. And in case, the applicant (now appellant) do not appear for the hearing, an *ex parte* decision may be passed in his absence.

AND WHEREAS, the Commission had on 12.02.2014 received from the Transport Commissioner & First Appellate Authority, Transport & Motor Vehicles Department, Nagaland, Kohima, an Order No. TC/ESTT-RTI/Appeal/302/2014(I) dated 12.02.2014, declaring the appeal case as **closed** on the ground that after a notice was served to hear the appeal on 04.02.2014 at 1:00 PM in the office chamber of the Transport Commissioner & First Appellate Authority, Transport & Motor Vehicles Department, Nagaland, Kohima, the applicant (now appellant) had, vide his email dated 29.01.2014 informed to close the case permanently as he had received the desired information from the Office of the District Transport Officer, Zunheboto, Nagaland.

NOW THEREFORE, in view of the above, it is notified to the following parties that the Complaint is hereby declared closed:-

1. The Transport Commissioner & FAA, Transport & Motor Vehicles Department, Nagaland, Kohima.
2. The District Transport Officer, Zunheboto, Nagaland.
3. Mr. M. L. Vaish, 42-B, Tagore Garden, Ambala Cantt – 133001, Mobile No. 9896498888.

Sd/-

LALHUMA, IAS (Retd)
Chief Information Commissioner,
Dated Kohima, the 24th February, 2014.

No. NIC/Appeal-10/2013-14

Copy to:-

1. The P.P.S. to the Hon'ble Chief Information Commissioner, Nagaland Information Commission for kind information of the CIC.
2. The P.A to the State Information Commissioner(K), Nagaland Information Commission for kind information of the SIC.
3. The P.A to the State Information Commissioner(B), Nagaland Information Commission for kind information of the SIC.
4. The Transport Commissioner & FAA, Transport & Motor Vehicles Department, Nagaland, Kohima.
5. The District Transport Officer, Zunheboto, Nagaland.
6. Mr. M. L. Vaish, 42-B, Tagore Garden, Ambala Cantt – 133001, Mobile No. 9896498888.
7. The Computer Programmer, Nagaland Information Commission for uploading on the web portal and notifying on the Notice Board.
8. Office Copy.

(SOYIMNA AIER KOZA)
Secretary