

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 | Website: www.nlsic.nagaland.gov.in



No. NIC/Appeal-7/2016-17

Dated Kohima, the 30th November, 2017

Appellants : Shri. Narinder Kumar,
SCO 147-148, Second floor,
Sector 9C,
Madhya Marg, Chandigarh.

Respondents : i) Transport Commissioner & FAA,
Motor Vehicles Department,
Nagaland, Kohima.
ii) District Transport Officer & PIO,
Motor Vehicles Department,
Zunheboto, Nagaland.

Public Authority : Office of the District Transport Officer,
Motor Vehicles Department,
Zunheboto, Nagaland.

Date of 1st hearing : 20.09.2016 at 11:00 A.M
Date of Decision : 26.09.2016

Date of 2nd hearing : 16.11.2016 at 11:00 A.M
Date of Decision : 30.11.2016

Present:

1. Shri. Elias T. Lotha, Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima.
2. Shri. Bendang Longkumer, District Transport Officer & PIO, Motor Vehicles Department, Zunheboto, Nagaland.

The applicant (now appellant), Shri. Narinder Kumar did not appear for the hearing.

FACTS OF THE CASE

In compliance to the decision of the Commission of even No. dated 26.09.2016, the APIO & Motor Vehicle Inspector Office of the District Transport Officer, Zunheboto, Nagaland had, vide letter No. DTO-Z/RTIACT-05/2016-17/296 dated 05.10.2016 furnished the information sought by the applicant with a copy to this Commission.

On not getting confirmation of satisfaction or non-satisfaction of the information furnished to the applicant (now appellant), the Commission had issued directive and reminder to the District Transport Officer & PIO, Motor Vehicles Department, Zunheboto, Nagaland vide letter of even No. dated 23.05.2017 and 25.08.2017 to confirm satisfaction or non-satisfaction information furnished from the applicant (now appellant) and submit compliance to this Commission.

In compliance to the above directive and reminder issued by the Commission, the District Transport Officer & PIO, Motor Vehicles Department, Zunheboto, Nagaland had, vide letter No. DTO/ZBTO/RTI-05/2017-18/377 dated 05.09.2017 wrote to the applicant (now appellant) to confirm satisfaction or non-satisfaction of information furnished to him.

In response to the letter issued by the District Transport Officer & PIO, Motor Vehicles Department, Zunheboto, Nagaland vide No. DTO/ZBTO/RTI-05/2017-18/377 dated 05.09.2017, the applicant (now appellant) had, vide letter No. 2014215744/SIC/Nagaland dated 13.09.2017 submitted non-satisfaction stating that he was confused as there were two contradictory information furnished in respect of the same Driving License. The information furnished to him vide No. DTO-Z/RTIACT-05/2016-17/296 dated 05.10.2016 by the APIO & Motor Vehicle Inspector Office of the District Transport Officer, Zunheboto, Nagaland stated that the driving license No. 6075/NTV/2011 **was fake and bogus** whereas in another reply given by the DTO & PIO, Zunheboto vide No. DTO-Z/RTI ACT-05/2012/869 dated 04.07.2015 to an applicant, Shri. Sachin Gulati, H/No-224, Guru Nanakpura, Jagadhri, Haryana, it was mentioned **as genuine**.

The DTO & PIO, Zunheboto had, vide letter No. DTO-Z/RTI ACT-05/2017-18/391 dated 11.10.2017 addressed to the applicant (now appellant), Shri. Narinder Kumar and No. DTO-Z/RTI ACT-05/2017-18/388 dated 11.10.2017 addressed to Shri. Sachin Gulati had clarified that due to

clerical oversight the report given to Shri. Sachin Gulati was mentioned as verified and found genuine, however, it should be **read as verified and not found genuine** as per office record.

The Commission has decided to hear the case again giving opportunity of being heard to the parties on 16th November (Thursday), 2017 at 11:00 A.M in the Hearing Room of Nagaland information Commission, Below Raj Bhavan, Officers' Hill Colony, Nagaland, Kohima.

ONSERVATIONS AND FINDINGS

The applicant (now appellant), Shri. Narinder Kumar did not appear for the hearing and the appeal case was heard ex parte in the presence of the respondents, Shri. Elias T. Lotha, Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Shri. Bendang Longkumer, District Transport Officer & PIO, Motor Vehicles Department, Zunheboto.

The Commission had observed that the applicant (now appellant) had expressed non-satisfaction with the information furnished to him because of the two contradictory replies received by him pertaining to the Driving License No. 6075/NTV/Z/2011. It was observed that the information furnished to him vide No. DTO-Z/RTI ACT-05/2016-17/296 dated 05.10.2016 by the APIO & Motor Vehicle Inspector Office of the District Transport Officer, Zunheboto, Nagaland stated that the driving license No. 6075/NTV/2011 **was fake and bogus** whereas in another reply given by the DTO & PIO, Zunheboto vide No. DTO-Z/RTI ACT-05/2012/869 dated 04.07.2015 to an applicant, Shri. Sachin Gulati, H/No-224, Guru Nanakpura, Jagadhri, Haryana, it was mentioned **as genuine**.

During the hearing, Shri. Bendang Longkumer, DTO & PIO, Zunheboto submitted that in the reply given by the DTO & PIO, Zunheboto vide No. DTO-Z/RTI ACT-05/2012/869 dated 04.07.2015 to Shri. Sachin Gulati, Haryana, it was mentioned **as genuine** due to clerical oversight and accordingly a clarification was issued to Shri. Narinder Kumar vide letter No. DTO/ZBTO/RTI ACT-05/2017-18/391 dated 11.10.2017 and Shri. Sachin Gulati vide No. DTO/ZBTO/RTI ACT-05/2017-18/388 dated 11.10.2017 stating the Driving License was verified and found **not genuine**. He further submitted that he had checked all records pertaining to the Driving License No. 6075/NTV/Z/2011, however, he could not find any records and thus, he once again submitted that the driving licence was **not genuine**.

During the hearing, Shri. Elias T. Lotha, Transport Commissioner & FAA, Motor Vehicles Department, Nagaland also submitted that the Driving License was not genuine since no records pertaining to the Driving License was found in the Office of the District Transport Office, Zunheboto inspite of checking all records.

DECISION

On the above observations and findings, the Commission decided that the District Transport Officer & PIO, Zunheboto shall submit a **Sworn Affidavit** stating that no records pertaining to the Driving License was found and that the Driving License was not genuine **within two (2) weeks** from the date of receipt of this decision.

On receipt of the Sworn Affidavit, the Commission shall declare the appeal case closed.

Decision pronounced in the presence of only the respondents on 16.11.2017.

Copy be given to:

1. Shri. Elias T. Lotha, Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima, Mobile No. .
2. Shri. Bendang Longkumer, District Transport Officer & PIO, Motor Vehicles Department, Zunheboto, Nagaland, Mobile No. .
3. The applicant (now appellant), Shri. Narinder Kumar, SCO 147-148, Second floor, Sector 9C, Madhya Marg, Chandigarh.
4. The Computer Programmer, Nagaland Information Commission, Nagaland, Kohima.
5. Office Copy.

(KEVIZATUO MIACHIEO)
State Information Commissioner

(CHANBEMO LOTHAS)
State Information Commissioner

(WORHONTHUNG EZUNG)
Secretary