

NAGALAND INFORMATION COMMISSION

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No.NIC/Appeal-14/ 2018-19.

Dated Kohima, the 30th January, 2020.

Sub: Closing Order for Appeal Case.

WHEREAS, under Section 19 of the RTI Act, 2005 and in accordance to the Nagaland State Information Commission (Appeal Procedure) Rules-2005, the Commission had received a second appeal vide letter No.2014209787 dated 14.02.2019 from Shri. Vishal Mankere, Winway Building, 2nd & 3rd floor, 11/12, Block No.4, Old No.67, Near Madhumilan Square, South Tukoganj, Indore-452001, Madhya Pradesh stating that there was no response from the Regional Transport Officer & FAA, Mokokchung, Nagaland to his first appeal No.2014209787 dated 26.11.2018 which was submitted against the non-response of the District Transport Officer & PIO, Mokokchung to his RTI application submitted vide letter No.2014209787 dated 24.10.2018.

AND WHEREAS, the applicant, Shri. Vishal Mankere, had earlier submitted an RTI application vide letter No.2014209787 dated 24.10.2018 addressed to the PIO & DTO, Mokokchung, Nagaland alongwith an application fee of ₹10/- paid vide Postal Order bearing No.47F 452683 which were sent by registered post bearing Registration No.RI501994718IN dated 25.10.2018, seeking the following information of vehicle No.NL-02G3161:-

1. Owner name
2. Address
3. Engine No.
4. Chassis No.
5. Permit validity period
6. Class of permit
7. First date of issue
8. Endorsement for states or route or area
9. Complete renewal history
10. Confirm validity on date (MM/DD/YYYY)
11. Black listed (Y/N)

AND WHEREAS, on not getting any response from the District Transport Officer & PIO, Mokokchung, Nagaland, the applicant had, vide letter No.2014209787 dated 26.11.2018 submitted a first appeal to the Regional Transport Officer & FAA, Mokokchung, Nagaland by registered post bearing registration No.RI525685367IN dated 27.11.2018.

AND WHEREAS, on not getting any response from the Regional Transport Officer & FAA, Mokokchung, Nagaland, the applicant (now appellant) had, vide letter No.2014209787 dated 14.02.2019 submitted a second appeal to this Commission.

AND WHEREAS, on receipt of the second appeal vide letter No.2014209787 dated 14.02.2019, since the first appeal was not heard, the Commission had, vide letter of even No. dated

04.04.2019 directed the Transport Commissioner & FAA, Kohima to take up the first appeal be heard in the presence of both the parties i.e., the applicant (now appellant) and the PIO concerned and pass decision within sixty (60) days from the date of receipt of the directive. Thereafter, the hearing of the first appeal, the decision on the first appeal be submitted to the applicant (now appellant) with a copy to this Commission.

AND WHEREAS, in compliance to the above directive of the Commission, Shri. Elias T. Lotha, Transport Commissioner & FAA had, vide letter No.TC/Estt-RTI/Appeal/302/2019(186)/1481-84 dated 07.05.2019 issued a notice for hearing of the first appeal on 21.05.2019 at 1:00 P.M. in the office chamber of the Transport Commissioner & FAA, Motor Vehicles Department, Kohima, Nagaland.

AND WHEREAS, Shri. Elias T. Lotha, Transport Commissioner & FAA had, vide Notice No.TC/Estt-RTI/Appeal/302/2019(186)/1586-89 dated 23.05.2019 issued postponement of first appeal hearing which was scheduled on 21.05.2019 at 1:00 P.M and rescheduled on 28.05.2019 at 1:00 P.M.

AND WHEREAS, after the hearing of the first appeal on 28.05.2019 at 1:00 P.M., the Transport Commissioner & FAA had, vide No.TC/Estt-RTI/Appeal/302/2019(186)/1668-71 dated 29.05.2019 passed the decision stating that the RTO & PIO, Mokokchung need not respond to the applicant (now appellant) as the information sought by the applicant (now appellant) pertains to information from the Transport Commissioner's office and directed the Deputy Transport Commissioner & PIO, Transport Commissioner's office, Kohima to furnish the detail information of the vehicle No.NL-02/G3161 as sought by the applicant (now appellant) within three (3) days from the date of issue of the hearing. Further, he directed the applicant (now appellant) to respond within 30 days from the date of issue of the hearing decision as to whether the information sought had been received or not from the PIO failing which a decision shall be made, which will be binding to all the parties.

AND WHEREAS, on receipt of the above decision of the Transport Commissioner & FAA, the Commission had, vide letter of even No. dated 05.08.2019 directed the Transport Commissioner & FAA to confirm from the applicant (now appellant) the receipt and satisfaction of the information so furnished to him within fifteen (15) days from the date of issue of the Commission directive. Also, a copy of the reply letter of the RTO & PIO, Mokokchung vide No.RTO-03/MV/RTI/MKG/05/7872 dated 29.11.2018 and the information so furnished to the applicant after the first appeal hearing held on 28.05.2019 at 1:00 P.M. to be submitted to the Commission for reference and further necessary action.

AND WHEREAS, in compliance to the above directive of the Commission, the Transport Commissioner & FAA had, vide letter No.TC/Estt-RTI/302/2019(186)/2343-44 dated 20.08.2019 directed the applicant (now appellant) to respond within 15 days from the date of issue of its letter since there was no response within 30 days as to whether to the point No.4 (1) of the decision passed on the first appeal, vide TC/Estt-RTI/Appeal/302/2019(186)/1668-71 dated 29.05.2019 had been received or not. Further, he directed that in case of non response after the expiry of the time limit, it shall be considered as satisfied and no further complaint whatsoever shall be entertained. A copy of the reply given by the RTO & PIO, Mokokchung vide letter No. RTO-03/MV/RTI/MKG/05/7872 dated 29.11.2018 and the information regarding permit of vehicle No.NL-02/G3161so furnished to the applicant (now appellant) vide letter No.TC/Estt-RTI/Appeal/302/2019(186) /1672 dated 29.05.2019 were also submitted to the Commission.

AND WHEREAS, all the above compliances have been received from the Public Authority, however though sufficient time had lapsed, since there was no response from the applicant (now appellant) about his receipt and satisfaction or non-satisfaction, suggesting that the applicant have no interest to pursue his case further, the Commission has decided to close the appeal case.

NOW THEREFORE, it is notified to all the parties that this Appeal case is hereby declared as closed:-

- i. Shri. Elias T. Lotha, Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima
- ii. The Deputy Transport Commissioner & PIO, O/o the Transport Commissioner, Motor Vehicles Department, Nagaland, Kohima.
- iii. The Regional Transport Commissioner & PIO, Mokokchung, Nagaland.
- iv. The applicant (now appellant), Shri. Vishal Mankere, Indore, Madhya Pradesh

Sd/-

CHANBEMO LOTH

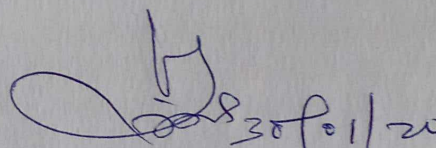
Chief Information Commissioner

Dated Kohima, the 30th January, 2020.

No.NIC/Appeal-14/2018-19. 979

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 & FAA, Motor Vehicles Department, Solidarity Park, New Secretariat Area, Nagaland, Kohima,
5. The Deputy Transport Commissioner & PIO, O/o the Transport Commissioner, Nagaland, Motor Vehicles Department, Solidarity Park, New Secretariat Area, Kohima.
6. The Regional Transport Officer & PIO, Mokokchung, Nagaland.
7. The applicant (now appellant), Shri. Vishal Mankere, Winway Building, 2nd & 3rd floor, 11/12, Block No.4, Old No.67, Near Madhumilan Square, South Tukoganj, Indore-452001, Madhya Pradesh
8. The Computer Programmer, Nagaland Information Commission for uploading on the Commission's website and Notice Board.
9. Office Copy.


(OBANGLA JAMIR)
Secretary