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NAGALAND INFORMATION COMMISSION

Below Raj Bhavan, Officers' Hill Colony

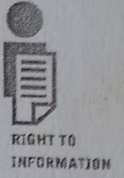
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No.NIC/Appeal-15/ 2018-19.

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.2017210317 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 of the FAA, Regional Transport Authority, RTO, Wokha, Nagaland to his first appeal letter No.20172210317 dated 26.11.2018 which was submitted against the non-response of the PIO, Regional Transport Authority, DTO, Wokha, Nagaland to his RTI application submitted vide letter No.20172210317 dated 24.10.2018.

AND WHEREAS, the applicant, Shri. Vishal Mankere, had earlier submitted an RTI application vide letter No.2017210317 dated 24.10.2018 addressed to the PIO, Regional Transport Authority, DTO, Wokha, Nagaland alongwith an application fee of ₹10/- paid vide Postal Order bearing No.47F 452687 which were sent by registered post bearing registration No.RI501994655IN dated 25.10.2018, seeking the following information of vehicle No.NL-05-D-7597:-

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. Back listed (Y/N)

AND WHEREAS, on not getting any response from the PIO, Regional Transport Authority, DTO, Mokokchung, Nagaland, the applicant had, vide letter No.20172210317 dated 26.11.2018 submitted a first appeal to the FAA, Regional Transport Authority, RTO, Wokha, Nagaland by registered post bearing registration No.RI525685455IN dated 27.11.2018.

AND WHEREAS, on not getting any response from the FAA, Regional Transport Authority, RTO, Wokha, Nagaland, the applicant (now appellant) had, vide letter No.2017210317 dated 14.02.2019 submitted a second appeal to this Commission.

AND WHEREAS, on receipt of the second appeal vide letter No.2017210317 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, Motor Vehicles Department, Nagaland, 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)/1351-54 dated 29.04.2019 (but signed on 30.04.2019) issued a notice for hearing of the first appeal on 07.05.2019 at 1:00 P.M. in the office chamber of the Transport Commissioner & FAA, Motor Vehicles Department, Nagaland, Kohima.

AND WHEREAS, after the hearing of the first appeal on 07.05.2019 at 1:00 P.M., the Transport Commissioner & FAA had, vide No.TC/Estt-RTI/Appeal/302/1019(186)/1520-23 dated 16.05.2019 passed its decision directing the DTO & PIO, Wokha to furnished the vehicle particulars to the applicant (now appellant) within 30 days from the date of receipt of the decision with a copy to the Transport Commissioner & FAA for onward submission to the Commission and also directed the Deputy Transport Commissioner & PIO, O/o the Transport Commissioner to furnished the details of permit to the applicant (now appellant) within 30 days. 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 information so furnished to the applicant after the first appeal hearing held on 07.05.2019 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)/2341-42 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 the decision passed on the first appeal vide TC/Estt-RTI/Appeal/302/2019(186)/1520-23 dated 16.05.2019 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 information regarding permit of vehicle No.NL05/D-7597 so furnished to the applicant (now appellant) by the Deputy Transport Commissioner & PIO, O/o the Transport Commissioner vide letter No.TC/Estt-RTI/Appeal/302/2019(186)/1673 dated 29.05.2019 and detail vehicular particulars of vehicle No.NL05/D-7597 furnished to the applicant (now appellant) by the DTO & PIO, Wokha vide letter No.DTO/W/MV/10-11/2005 dated 23.05.2019 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 District Transport Officer & PIO, Wokha, 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-15/2018-19. *982*

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. Shri. K. Iheto Achumi, Deputy Transport Commissioner & PIO, O/o the Transport Commissioner, Nagaland, Motor Vehicles Department, Solidarity Park, New Secretariat Area, Kohima.
6. The District Transport Officer & PIO, Wokha, 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
(OBANGLA JAMIR)
Secretary