सत्यमेव जयते

सूचना का अधिकार
RIGHT TO INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION(APIC)
ITANAGAR.

Complaint Case U/S 18(1) of RTI Act, 2005
Case No. APIC-01/2025.

COMPLAINANT : Chandramoni Chandramani, s/o of Vindhychal Pathak, r/o of Village Kant Dihesh, P.O:Bhujani, District : Sant Kabir Nagar, Uttar Pradesh

RESPONDENT : The PIO, o/o the Under Secretary (Home) Govt. of Arunachal Pradesh, Itanagar.

ORDER

This is a complaint under section 18(1) of RTI Act, 2005 received from Shri Chandramoni for non furnishing of below mentioned information by the PIO, o/o the Under Secretary (Home), Govt. of Arunachal Pradesh as sought for by him under section 6(1) of RTI Act, 2005 vide his application dated 28.10.2024:

1. List of all police officials involved in the inquiry and the corresponding time frame related to my complaints as reference above.
2. Information regarding any actions taken against the accused, Pooja Upadhyay and others, in connection with my complaints as references above.
3. A copy of the final enquiry reports concerning my complaints as referenced above.
4. The statement provided by Pooja Upadhyay's husband, Sanghpal Prabhakar Kamble, regarding my allegations.

Brief facts:

Brief facts emerging from the complaint in question are that the complainant, Shri Chandramani, vide his application dt.28.10.2024, had requested the PIO, o/o the Under Secretary (Home), Govt. of Arunachal Pradesh for the aforementioned information / documents. While requesting for the information, the complainant had also requested the PIO that if the sought for information pertains to another public authority, his application or the relevant portion thereof be transferred to that public authority concerned as mandated under section 6(3) of the RTI Act, 2005.

The records available reveal that the PIO, the Under Secretary(Home) had received the said RTI application on 05.11.2024 and vide his letter No. Home-12047/17.2022, forwarded the said application to the Superintendent of Police-cum-PIO, PHQ, Itanagar with a request to furnish the available information directly to the applicant with intimation to the office of the U/Secy (Home). A copy of the said letter was also forwarded to the applicant in his address given in his application.

The records available reveal that the PIO, the Under Secretary(Home) had received the said RTI application on 05.11.2024 and vide his letter No. Home-12047/17.2022, forwarded the said application to the Superintendent of Police-cum-PIO, PHQ, Itanagar with a request to furnish the available information directly to the applicant with intimation to the office of the U/Secy (Home). A copy of the said letter was also forwarded to the applicant in his address given in his application.

Records, however, reveal that the complainant filed complaint dt.25.12.2024 under section 18(1) of the RTI Act against the PIO, the US (Home) on the ground that the PIO had failed to provide the sought for information and demanded action against the PIO for non-compliance of the provisions of RTI Act.

Hearing and decision:

This complaint is, accordingly, registered as APIC-01/2025 and listed for hearing today on 04.04.2025 wherein the PIO, Shri Kani Boko, U/Secy (Home) is present in person who has been heard at length. During the course of hearing, the PIO submitted that since the sought for information are not held by his office, the RTI application filed by the complainant was forwarded to the SP-cum-PIO, Police Head Quarter, Itanagar vide his letter dt.06.11.2024. In this regard the PIO also submitted a written statement containing therein the records of receipt of RTI application in his office on 05.11.2024 which he marked to the dealing hand, the copy of letter dt.06.11.2024 forwarding the RTI application to the SP-cum-PIO, PHQ, Itanagar and also the xerox copy of the relevant page of peon book containing the date (07.11.2024) of receipt of the said forwarding letter by the o/o the SP-cum-PIO, PHQ, Itanagar.

This Commission, upon perusal of the records in the complaint and the written statement of the PIO, observes that since the sought for information was not held by the o/o the US(Home), the PIO had forwarded the RTI application of the complainant to the o/o the SP-cum-PIO, PHQ, Itanagar well within the statutory period of 5(five) days from the date of receipt of the application as required by the proviso to sub-section (3) of section 6. This Commission is, therefore, of the considered view that no case is made out for taking any action under section 18 of the RTI Act, 2005 against the PIO, Shri Kani Boko, U/Secy (Home) and resultantly, this complaint stands dismissed and closed.

Given under my hand and seal of this Commission on this 4th April, 2025.

Sd/-
(S. TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC- 01/2025 Dated Itanagar, the April, 2025

Copy to:-

1. Secretary (Home), Govt. of A.P, Civil Sectt., Itanagar for information.
2. The PIO, o/o the Under Secretary (Home), Govt. of Arunachal Pradesh, Itanagar for information.
3. The PIO, o/o the SP-cum-PIO, PHQ, Itanagar for information.
4. Chandramani, s/o of Vindhychal Pathak, r/o of Village Kant Dihesh, Post Office Bhujani, District Sant Kabir Nagar, Uttar Pradesh PIN 272175, Mobile No. 9305065589, 8756598918 for information.
5. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
6. Office copy.
7. S/copy.

Registrar/ Deputy Registrar
APIC, Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar