

**ARUNACHAL PRADESH STATE INFORMATION COMMISSION**  
**ITANAGAR**

(Before the Hon'ble Information Commissioner Mr. Genom Tekseng)

**AN APPEAL UNDER SECTION 19 (3) OF RTI ACT, 2005.**

APIC-No.501/2022(Appeal)

Sh. Gormeng Rimo, Papu-II, Near  
Abo Prayer Centre, Pachin Colony  
Road Naharlagun, P/Pare District,  
Arunachal Pradesh. (M)  
7629828309 **Pin: 791110.**

Appellant

**-Versus-**

The DFO-Cum-PIO, O/o Forest  
Divisional Officer **Bomdila** Forest  
Division West Kameng District,  
Arunachal Pradesh.  
**Pin: 790001.**

Respondent

**Date of hearing: 12-01-2024.**

**Date of decision: 12-01-2024.**

**FACTS OF THE CASE:**

Brief facts of the case is that the appellant filed an RTI application dated 08.06.2022 seeking information on various works/ activities under CAMPA schemes in Bomdila forest Division. The PIO and DFO, Bomdila did not provide reply to the RTI application. Aggrieved appellant filed the first Appeal on **08.07.2022**. The First Appellate Authority (FAA) vide his order dated 30.09.2022 directed the PIO and DFO, Bomdila to furnish the information to the appellant. The PIO did not provide information in inspite of the order of the FAA. The appellant then approached the commission with the instant second appeal.

**FACTS EMERGING DURING THE HEARING:**

After receipt of the Second Appeal notices were issued to the parties to appear on 21.10.2022. The appellant appeared on 21.10.2022 and submitted that the PIO did not provide reply to his RTI application. The PIO remained absent despite service of hearing notice well in advance. No written submission was also received from the PIO explaining the cause of his absence during the hearing. The commission after hearing the submission of the appellant and perusal of case record directed the PIO to provide the requested information to the appellant within 20 days and appear on 20-01-2023.

The appellant appeared on 20.01.2023 and submitted that the information sought in point no.(iii),(v),(viii),(ix),(xiii),(xiv) and (xv) of the application had not been provided by the PIO. The commission adjourned the case to 31.03.2023 with direction

to the PIO to provide complete information to the appellant. The matter was again adjourned to 02.06.2023 due to the absence of both parties.

The appellant appeared on 02-06-2023 and submitted that in inspite of the orders of the commission complete information had not been provided to him. The PIO was again absent during the hearing despite having knowledge and information about the same. The commission took grave exceptions to the repeated absence of the PIO for the hearing without intimating reasons thereof, despite duly served order/summons on 31-03-2023. The commission also cautioned the PIO for his dereliction of the duties and responsibilities in contravention of the provisions of the RTI Act and that any future violation of the Act would result in penal action against him. With the above observations, PIO was directed to comply with the directions of commission and adjourned the case to 18-08-2023.

The appellant appeared on 18-08-2023. The appellant submitted that sought information had not been provided to him in inspite of repeated commission's orders for compliance and requested the commission to take appropriate action against the PIO.

The commission took note of the fact that the PIO had neither supplied the information to the appellant under section 6 (1) of the Act nor sent any written submissions to the commission explaining the cause of his absence during the hearing nor appeared before it on the dates fixed for hearing by the commission. The commission came to a conclusion that it was a fit case for proceeding against the PIO under section 20 (1) of the RTI Act for lavy of penalties prescribed therein and had directed for initiation of action accordingly. Show Cause Notice was issued to Sri **Chuku Loma**, PIO and DFO, Bomdila on 18-08-2023. The PIO was directed to appear before the commission with his reply on 20-10-2023.

The instant matter was listed on 20.10.2023 for **Show Cause Notice** hearing. The appellant was present during the hearing. The PIO again remained absent today in inspite of the commission directions to appear in person during the hearing. One **Sri Koj Hassang** who described himself as Assistant in the office of the DFO, Bomdila appeared on behalf of the PIO. Sri **Koj Hassang** who appeared on behalf of the PIO neither had authorization letter nor was in a position to answer any query relating to the case. He had failed to respond to queries of the commission relating to the case. He had, however, brought with him some information and the same was received by the appellant. The PIO had not even cared to sent reply to the Show Cause Notice.

For non compliance of the commission directions and gross violation of the provisions of the RTI Act a penalty of Rs 25000/- was imposed on the PIO. The PIO was also directed to furnished complete information and appear on 12.01.2024.

#### **DECISION:**

Instant appeal is being heard today. None appear before the commission. However, the commission has received a letter dated 20.12.2023 from the PIO wherein it has been informed that penalty of Rs 25000/- has been deposited in SBI, Bomdila vide Challan no.6117 dated 19.12.2023. In his letter he has also submitted that requested documents/ information have been furnished to the appellant as per the direction of the commission.

The appellant is not present to contest the submission of the PIO.


Keeping in view facts of the case and in the light of written submission sent by the PIO, the commission is of the opinion that the PIO has complied with the order of the commission. Therefore, the commission finds that no further adjudication is required in the matter. The appeal is disposed of accordingly. However, the appellant has liberty to approach the PIO by way of a fresh application demanding specific information which has not been provided by the PIO, in case such need arises.

Sd/-  
(Genom Tekseng)  
Information Commissioner

Memo No.APIC-501/2022/ 1314

Dated Itanagar the 2. Feb, 2024.

1. ✓ Computer Programmer, Itanagar, APIC, to upload in APIC, website please.
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