सत्यमेव जयते

सूचना का अधिकार
RIGHT TO INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC- 372/2024(R), 372/2025.

APPELLANT : Miss Bengia Mama, Dariya Hill Colony, Itanagar,
RESPONDENT : The PIO, o/o the District AH & Vety. Officer Yupia, Papum Pare District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Miss Bengia Mama for non-furnishing of below mentioned information by thePIO, o/o the District AH & Vety. Officer Yupia, Papum Pare District (A.P)as sought for by her under section 6(1) (Form-A) of RTI Act, 2005 vide her application dated 02.09.2024.

A) Particulars of information: Establishment of Multipurpose animal and poultry feed meal unit at Rim Hapa, Banderdewa, Papum Pare District (A.P).

B) Details of information:

1. Sanction order
2. Detail Project report (DPR).
3. Geo Tagging details
4. Physical Progress Report (PPR)
5. Payment Cheque Leaf/PFMS/DBT transection copy details
6. Material Procurement of challan.
7. Photograph of project before and after the compilation of the project in coloring photos.
8. Name of the Officer involved in the said project.
9. Completion Certificate duly counter signed by the Dy. Commissioner Papum Pare, Yupia
10. Utilization Certificate duly counter signed by the Dy. Commissioner Papum Pare, Yupia
11. Details pf procurement of materials.
12. Asset creation Registered
13. Beneficiaries signed registers.
14. Details seeking documents with CTC and if any document are unavailable then clearly specify the reason for unavailable.
15. Period for which information asked for: 2020-2021

Facts emerging from the appeal:

This appeal was earlier heard on 22.01.2025 wherein the Appellant, Ms Bengia Mama was present in person and PIO, o/o the District AH & Veterinary Officer, Dr. Takio Taram attended through V.C.

This Commission, upon finding that the F.A.A i.e the Director (SJETA). Govt. of A.P did not consider/adjudicate on the appeal as mandated under Section 19 (1) of the RTI Act, 2005, remanded the appeal to the F.A.A vide order dated 23.01.2025 with direction to adjudicate on this appeal within 1 (one) month from the date of receipt of the order with liberty to the Appellant to approach this Commission again, if she is

aggrieved with the order of the F.A.A or do not receive the requested information.

In compliance with the order of this Commission, the F.A.A had, vide order dated 28.01.2025, directed the PIO, o/o the DAHV, Papum Pare to provide all necessary documents to the o/o the F.A.A within 1 (one) week. However, there was no record of any hearing conducted by F.A.A nor any record of further action. Hence, the Appellant, aggrieved with the response of the F.A.A as above and non receipt of documents from the PIO, approached this Commission for the second time vide her Memo of appeal dated 20.03.2025.

This appeal was thus heard on 22.08.2025 wherein the appellant, Ms. Bengia Mama was present in person and Ms. Nangbia Pinia, UDC o/o the DAHV, Papum Pare appeared on behalf of the PIO with the copies of requested documents / information which were furnished to the appellant vide letter dt.12.08.2025.

This Commission then heard the appellant who submitted that she had received the documents but complained that the replies against her queries at Sl.No.1(Sanction order), Sl.No.09 (Completion Certificate) and Sl.No.10 (U/certificate) have been shown as N.A. When queried, the representative of the PIO could not explain the reasons for such replies except saying that she had joined in the present posting place making this Commission to remark that the PIO ought have deputed his APIO or some other gazetted ranked officer to answer the queries in place of a ministerial staff.

This Commission upon hearing the parties and on perusal of the documents, held that the PIO to is required furnish the justified reasons against the 'NOT AVAILABLE' replies by way of an affidavit in terms of section-7(8)(i) of the RTI Act read with section-18(3)(c) and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005. The PIO was, accordingly, directed and adjourned the hearing to 10.09.2025 (today).

Today Dr. Shri Tumge Ete, SVO-cum-APIO and the appellant, Ms. Bengia Mama are present in person.

Heard the parties.

The appellant submitted that the o/o the PIO has furnished the left out documents vide letter dt. 05.09.2025 but again complained that the completion certificate and the UC have not been furnished. The APIO, on the other hand submitted and reiterated the replies furnished to the appellant saying that the two documents could not be found in the office since the project is ongoing.

This Commission holds that as held by the law courts consistently, the Commission is not empowered to issue direction to the PIO/public authority to furnish an information which is not accessible or available with them. As such this Commission holds that the replies furnished by the PIO is appropriate and just one.

This appeal is disposed of and closed in the above terms.

Given under my hand and seal of this Commission on this 10th Sept., 2025.

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

Memo No. APIC-372/2024(R), 372/2025/883 Dated Itanagar, the 12 Sept., 2025

Copy to:-

1. The Director (SJETA), Govt. of A.P Banquet Hall, Niti Vihar, Itanagar, First Appellate Authority for information.
2. The PIO, o/o the District AH & Veterinary Officer, Yupia, Papum Pare District (A.P) PIN: 791110 for information.
3. Miss Bengia Mama, Dariya Hill Colony, Itanagar, Papum Pare District (A.P) PIN: 791111 Mobile No. 8131048898 for information.
4. Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.

12/09/25

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar