



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Case No. APIC-600/2025.

(Summon to appear in person)

(Or.5, R.3 of CPC)

APPELLANT

:Shri Takar Jamoh, Bank Tinali, Itanagar.

RESPONDENT

:The PIO, District Land Revenue & Settlement Officer (DLRSO), Namsai.

ORDER/SUMMONS

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Takar Jamoh for non-furnishing of below-mentioned information by the PIO o/o the Deputy Commissioner, Namsai District Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 23.12.2024.

Details of Information required: RTI reply sought only from the PIO of the Deputy Commissioner's Office, Namsai (and not from the DLRSO, Namsai) RTI Queries

a. Is the Chitha Register & the Cadestral Maps of Lekang Circle under Namsai District of Arunachal Pradesh a Legal Land Document in the District of Namsai of Arunachal Pradesh ? (if Yes provide the CTC of all the orders relating to the Legal Validity of the Chitha Register & Cadestral Maps of Lekang Circle in Arunachal Pradesh	Yes or No
b. Can the Office of the District Land Revenue & Settlement Officer, (DLRSO), Namsai issue land occupation certificate / Land Holding certificate to people not having APST certificates of Arunachal Pradesh (If Yes provide a copy of such orders).	Yes or No
c. Are the land occupation certificate / land holding certificate being issued under Namsai District by the Office of the Deputy Commissioner, Namsai and the DLRSO Office, Namsai as per the notification of the Arunachal Pradesh Land settlement and Records Act 2002 & 2012 in the State of Arunachal Pradesh	Yes or No

Records emerging from the appeal:

Records in the appeal reveal that the appellant had requested the PIO, o/o the Dy. Commissioner, Namsai for the aforementioned information in response to which the PIO, vide letter dt. 06.01.2025 transferred the RTI application to the PIO-cum-District Land Revenue & Settlement Officer, Namsai under section 6(3) of the RTI. Dissatisfied, the appellant approached the D.C, the First Appellate Authority (FAA) under section 19(1) of the RTI Act vide his Memo of Appeal dt.12.02.2025.

Records also reveal that the appellant had also approached the Director (Land Management), Govt. of A.P, Itanagar under section 19(1) vide appeal memo dt.04.04.2025. However, in the meantime the D.C, Namsai conducted the hearing of the appeal on 26.05.2025 and passed the following order :

"The Shri Takar Jamoh is present and the respondent PIO-cum-DLR&SO, Namsai is absent.

Examined the application and the had specified the reason of appeal as no response/reply from the PIO to his RTI application in Form A, 'Ref. No. RTI-28/2024 Dtd. 23/12/2024'.

Also heard the appellant to length, He informed that he had already filed appeal/petition before the SIC. If the response/reply is given by the PIO cum DLR&SO within specific time and deem fit by the FAA, the appeal before the SIC shall be withdrawn.

After hearing and perusing of the available record, it is evident that the information has not been furnished to the appellant. Therefore, the PIO is directed to furnish the requisite information free of cost on or before 06.06.2025.

With this order, the instant case is disposed of.

Sd/-

(C.R. Khampa)

FAA-cum-DC, Namsai District"

Records further reveal that in response to the appeal memo dt.24.12.2024, the Director (Land Management), vide order dt.04.07.2025 remanded the appeal to the DC, Namsai stating that the D.C, Namsai is the Appellate Authority to dispose of the appeal under section 19(1).

Be that as it may, the appellant, apparently, failed to obtain the requested information which made him file his 2nd appeal before this Commission under Section 19(3) of RTI Act vide his Appeal Memo dt. 21.05.2025.

Hearing and decision:

This appeal was, accordingly, listed today on 24.09.2025 and issued summons to the PIO, o/o the D.C, Namsai, Ms. K. Namchoom who is present through the VC while the appellant, Shri Takar Jamoh is present in person.

Heard the parties.

The appellant, reiterating his demand for the requested information, pleaded for an appropriate direction to the PIO to furnish the information /replies. The PIO, Ms. K.Namchoom, on the other hand, contended that since the subject matter on which the information has been sought by the appellant pertains to the land revenue and settlement, the RTI application filed by the appellant was transferred to the DLR & SO, Namsai under section 6(3) of the RTI Act. In this regard, the PIO also submitted her written submission through whatsapp.

This Commission, upon perusal of the written statement of the PIO and considering the factual position as obtaining in the case, deems it appropriate to refer to the provisions of sub-sections (4) and (5) of section 5 of the RTI Act, 2005 which is reproduced hereunder:

"5(1)....

(2).....

(3).....

(4) The Central Public Information or State Public Information Officer, as the case may be, may seek the assistance of any officer as he or she considers it necessary for the proper discharge of his or her duties.

(5) Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be."

The implication of the provisions of the above sub-sections is that on being requested by the PIO for the assistance of an officer for providing the documents requested by an RTI applicant, the said officer is bound to provide the requested documents/information and in the event of his failure to provide the documents/information, such officer can be proceeded against as a PIO.

This Commission, upon hearing the parties and on perusal of the records and the position of law as above, deems it appropriate to summon the DLR & SO, Namsai in the next date of hearing which is fixed on 29th Oct., 2025 for further consideration of this appeal.

Given under my hand and seal of this Commission on this 24th Sep., 2025.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC on the 29th October, 2025 (WEDNESDAY) at 10.30 am** to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defense.

Take notice that, in default of your appearance, on the day above- mentioned, the matter will be heard and determined in your absence.

To avail online hearing please at least notify or get in touch one day prior to the hearing, download "**WEBEX MEETING APP**" from Google Play store. For further technical assistance Shri Himanshu Verma, IT Consultant (Mobile no. 8319014957) maybe contacted.

Sd/-

(S. TSERING BAPPU)

State Information Commissioner,

APIC, Itanagar

Memo No. APIC- 600/2025 / 653 **Dated Itanagar, the 25th Sept., 2025**

Copy to:-

1. The Deputy Commissioner, Namsai Distt., Namsai for information and ensuring compliance by the PIO, the DLR & SO, Namsai.
2. The PIO, o/o the D.C, Namsai Distt, Namsai for information.
3. The PIO, the DLR & SO, Namsai District for information and compliance.
4. Shri Takar Jamoh, Bank Tinali, Near Head Post Office, Itanagar, Arunachal Pradesh, Itanagar – 791 111 Contact No : 7005670629 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

Arunachal Pradesh Information Commission