



## **ARUNACHAL PRADESH INFORMATION COMMISSION**

### **ITANAGAR.**

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

**Case No. APIC- 565/2025.**

**APPELLANT**

: Shri Kipa Natung, Daria Hill, Itanagar.

**RESPONDENT**

: The PIO, o/o the Anti-Corruption Bureau, Govt. of (A.P),  
Itanagar.

### **ORDER**

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Kipa Natung for non-furnishing of below mentioned information by the PIO, o/o the Anti-Corruption Bureau, Itanagar, Govt. of Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 09.05.25.

#### **Details of Information:**

1. CTCs of FIR No.01/2018, Dated-18.01.2018 in connection with multi-crores scam done under the Department of Fisheries, Govt. of A.P, through District Fisheries Office, Ziro Lower Subansiri District, A.P from 2012-13 TO 2017-18.
2. CTCs of Report of office of the ACB Enquiry No.42/2017 Dated 11.12.2017 in connection with FIR No.01.2018, Dated-18.01.2018 in connection with multi-crores scam done under the Department of Fisheries, Govt. of A.P, through District Fisheries Office, Ziro Lower Subansiri District, A.P from 2012-13 to 2017-18.
3. Details of case status in connection FIR No.01/2018, Dated- 18.01.2018 in connection with multi-crores scam done under the Department of Fisheries, Govt. of A.P, through District Fisheries Office, Ziro Lower Subansiri District, A.P from 2012-13 to 2017-18.

#### **Brief facts emerging from the appeal :**

Records in the appeal reveal that the appellant had requested the PIO for the aforementioned information in response to which the o/o the PIO, vide letter dt.20.05.2025 had furnished the following replies:

Sl. No	Particulars of information required	Reply
1	CTCs of FIR No.01/2018, Dated-18.01.2018 in connection with multi-crores scam done under the Department of Fisheries, Govt. of A.P, through District	Copy of FIRs cannot be furnished due to :- i) It attracts section 8 (1) (h) & (j) of RTI Act, 2005

		<p>ii) Under Section 173(2) of the BNSS, only the informant /victim is entitled to get a copy of FIR free of cost from a Police Station.</p> <p>Copy of FIR can also be obtained from concerned Court of jurisdiction by applying for CTC copy and paying requisite fees.</p>
2	CTCs of Report of office of the ACB Enquiry No.42/2017 Dated 11.12.2017 in connection with FIR No.01.2018, Dated-18.01.2018 in connection with multi-crores scam done under the Department of Fisheries, Govt. of A.P, through District	Information can not be provided under the provision of Section 8 (1)(g)(h) of RTI Act 2005 as the case vide FIR No. 01/2018 is under investigation.
3.	Details of case status in connection FIR No.01/2018, Dated- 18.01.2018 in connection with multi-crores scam done under the Department of Fisheries, Govt. of A.P, through District Fisheries Office, Ziro Lower Subansiri District, A.P from 2012-13 to 2017-18.	The case is under investigation.

Being dissatisfied, the appellant approached this Commission under section 19 (3) of the RTI Act vide his appeal Memo dt. 07.07.2025.

### **Hearing and decision:**

This appeal is, accordingly, listed today on 10<sup>th</sup> September, 2025 wherein the appellant, Shri Tech Nega, Inspector -cum-APIO o/o the Anti Corruption Bueau is present in person and the appellant, Shri Kipa Natung appeared through VC.

Heard the parties.

The appellant reiterating his demand for the requested document pleaded for an appropriate direction to the PIO to furnish the documents.

The APIO, on the other hand, submitted that as already replied to the appellant vide PIO's letter dt.20.05.2025, the requested documents, the copy of FIR in SIC(Vig) PS case No.01/2018 and the report thereof are exempted from disclosure under section 8(1)(h) and (j) and 8(1)(g) and (h) respectively of the RTI Act and that the copy of FIR may also be collected from the Court concerned. He also stated that the copy of FIR can be provided only to the accused and not to any other third party under section 173(2) of the BNSS.

This Commission upon perusal of the aforesaid replies of the PIO and after hearing the APIO, is inclined to conclude that the PIO has rightly denied the information on the report of its investigation as the case is stated to be still under investigation. The appellant's queries at Sl.No.2 and 3 of his application, therefore, do not require any adjudication.



However, with respect to the appellant's request for the copy of FIR, this Commission, before adjudicating thereon, deems it appropriate to refer to the Hon'ble Supreme Court guidelines contained in para-12 of its judgement and order dt.07.09.2016 passed in Writ Petition (Cr) No.68 of 2016 (Youth Bar Association of India vs. UOI and ors.) the relevant portions of which are extracted hereunder:

- “(a) **An accused** is entitled to get a copy of the First Information Report at an earlier stage than as prescribed under Section 207 of the Cr.P.C.*
- (b) **An accused** who has reasons to suspect that he has been roped in a criminal case and his name may be finding place in a First Information Report can submit an application through his representative/agent/parokar for grant of a certified copy before the concerned police officer or to the Superintendent of Police on payment of such fee which is payable for obtaining such a copy from the Court. On such application being made, the copy shall be supplied within twenty-four hours.*
- (c) Once the First Information Report is forwarded by the police station to the concerned Magistrate or any Special Judge, on an application being filed for certified copy on **behalf of the accused**, the same shall be given by the Court concerned within two working days. The aforesaid direction has nothing to do with the statutory mandate inhered under Section 207 of the Cr.P.C.*
- (d) The copies of the FIRs, unless the offence is sensitive in nature, like sexual offences, offences pertaining to insurgency, terrorism and of that category, offences under POCSO Act and such other offences, should be uploaded on the police website, and if there is no such website, on the official website of the State Government, within twenty-four hours of the registration of the First Information Report **so that the accused or any person connected with the same can download the FIR** and file appropriate application before the Court as per law for redressal of his grievances. It may be clarified here that in case there is connectivity problems due to geographical location or there is some other unavoidable difficulty, the time can be extended up to forty-eight hours. The said 48 hours can be extended maximum up to 72 hours and it is only relatable to connectivity problems due to geographical location.*
- (e) xxxxxxxx*
- (f) xxxxxxxx*
- (g) xxxxxxxx*
- (h) xxxxxxxx*
- (i) xxxxxxxx*
- (j) In cases wherein decisions have been taken not to give copies of the FIR regard being had to the sensitive nature of the case, it will be open to the **accused/his authorized representative/parokar** to file an application for grant of certified copy before the Court to which the FIR has been sent and the same shall be provided in quite promptitude by the concerned Court not beyond three days of the submission of the application.*
- (k) xxxxxxxx*

The implication of the above Apex Court guidelines is that only the accused or his/her authorised person or a person connected with the case and no other third person is entitled to obtain the copy of the FIR. This Commission, therefore, holds that the PIO has rightly denied the disclosure of the copy of FIR also as being exempted under section 8(1)(h) and (j). The appellant may, however, if so desires, approach the hon'ble court concerned in accordance with law for the copy of the FIR.

This appeal is disposed of and closed accordingly.

Given under my hand and seal of this Commission on this 12<sup>th</sup> Sept., 2025

Sd/-

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

Memo No. APIC-565/2025 / 1893 Dated Itanagar, the 18 Sept., 2025

Copy to:-

1. The Superintendent of Police Anti-Corruption Bureau, Govt. of A.P, Itanagar, the First Appellate Authority (FAA) for information.
2. The PIO, o/o the Anti-Corruption Bureau, Govt. of A.P (Pin code-791111), Itanagar for information.
3. Shri Kipa Natung, Daria Hill, PO/PS-Itanagar, (Pin code-791111), (Phone No. 6009422734) for information.
- ✓ 4. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
5. Office Copy.
6. S/Copy.

*P. Raju*  
Registrar/ Deputy Registrar  
APIC, Itanagar.

Deputy Registrar  
Arunachal Pradesh Information Commission  
Itanagar