



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

(Before the Hon'ble Information Commissioner Mr Dani Gamboo)

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

APIC-No.985/2023(Appeal)

Shri Bangram Tungi
& Shri Simon Yangfo
Emchi Village PO/PS: Doimukh
Papumpare District A.P, Pin - 791112.
(M) 9436683386/8798076992.

Appellant

Versus

Shri Chukhu Loma IFS
PIO cum DFO
Bomdila Forest Division
West Kameng District

Respondent

Date 29.7.2024

JUDGEMENT / ORDER

This is an appeal filed under sub-section (3) of the Section 19 of the RTI Act, 2005. Brief fact of the case is that the appellant Shri Bangram Tungi & Shri Simon Yangfo on 01.08.2023 filed an RTI application in Form-A to the PIO cum DFO IFS Bomdila Forest Division West Kameng District Govt. of AP, whereby, seeking various information as quoted in Form-A application.

Appellant being not received information from the PIO, filed the First Appeal before the First Appellate Authority cum CCF Western Circle Banderdewa Papumpare District on 05.09.2023.

Appellant again having not received the required information and decision from FAA, filed the Second Appeal before the Arunachal Pradesh information Commission on 12.10.2023.

The Registry of the Commission (APIC), on receipt of the appeal, registered it as APIC-No.985/2023 (Appeal) and processed the same for its hearing and disposal.

Accordingly, this matter came up for first hearing before the Commission Court today on 29.07.2024. Notice of hearing dated 19.06.2024 were served to PIO and the Appellant.

In this hearing of the appeal on 29.07.2024 the respondents PIO cum DFO Bomdila Forest Division West Kameng District, AP absent. The appellant Shri Bangram Tungi & Shri Simon Yangfo appeared. The absence of PIO and non-submission of written reason for his absence is recorded with displeasure.

Heard the appellant.

The appellant states that the information as sought is not provided to him by the PIO. He has further stated that the FAA has heard the appeal and passed order.

On perusal of the case file, it is observed that the appellant has appended in his second appeal to commission the notice dated 13.09.2023 served to PIO and appellants for hearing on 20.09.2023 by the FAA. But there is no record of any order passed by the FAA for disposal of appeal is attached. Today, the 29th July 2024, on hearing date the appellant produced the order vide no. WAC/RTI/05/2022/156-57 dated 25.09.2023 passed by the FAA wherein it states –

In the presence of both parties on the date of hearing, the 1st Appellate Authority has examined the case and disposed of the case as under:-

- a) The information sought by the applicants is not covered under Section-8 (1) (d) of RTI, Act, 2005 and are admissible to be disclosed before the public domain.*
- b) Therefore, the PIO – the DFO, Bomdila Forest Division is directed to furnish the required documents available with him as sought to the applicant within 15 days from the date of issue of this order.*
- c) The applicant is at the liberty to prefer any appeal before the next Higher Appellate Authority, if the PIO does not furnish the information with the stipulated time or if the applicant is not satisfied with the information furnished by the PIO.*

The judgement / order passed by the FAA is appropriate. So I do uphold the order passed by the FAA. Therefore, the PIO – the DFO Bomdila Forest Division is directed furnish the required information document available with him to the appellant within two weeks from the date of issue of this order under intimation to this commission.

The appellant to serve a copy of this order and the order passed by FAA dated 25.09.2023 to the PIO and obtain acknowledgement. The appellant shall submit a copy of acknowledgement so obtained from PIO to this commission.

The hearing is adjourned. Next date of hearing shall be fixed in due course of time upon receipt of compliance report from PIO & Appellants.

Sd/-
(Dani Gamboo)
State Information Commissioner
APIC, Itanagar

Memo No.APIC-985/2023/ 100
Copy to:

Dated Itanagar the 31 July' 2024.

1. Shri Chukhu Loma IFS, PIO cum DFO Bomdila Forest Division West Kameng District Govt. of AP. Pin: 790001.
2. Shri Bangram Tungi & Shri Simon Yangfo Emchi Village PO/PS: Doimukh Papumpare District A.P Pin: 791112. (M) 9436683386/8798076992.
3. Computer Programmer Itanagar APIC to upload in APIC website and mailed to concerned department email.
4. Office copy.

Registrar / Dy.Registrar
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Arunachal Pradesh Information Commission
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