



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**BEFORE THE FULL BENCH COURT OF STATE INFORMATION
COMMISSIONERS**

No.APIC-1033/2023

Dated, Itanagar the 16th May, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Dongru Tania, Near Takar Complex, Po/Ps- Naharlagun, , Papum Pare District, Arunachal Pradesh, PIN-791110, (M) 7005481022.

Vs

Respondent: The PIO-cum- District Disaster Management Officer (DDMO) Govt. of A.P. Khonsa, Tirap District, Arunachal Pradesh, PIN-792130.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Dongru Tania, Near Takar Complex, Po/Ps- Naharlagun, , Papum Pare District, Arunachal Pradesh, for non-furnishing of information by the PIO-cum- District Disaster Management Officer (DDMO) Govt. of A.P. Khonsa, Tirap District, Arunachal Pradesh, as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 29/08/2023 regarding **information related to COVID-19 Pandemic of Tirap District.**

The 1st hearing is held today on 16th May, 2024 as scheduled. Ms Emily Tingkhatara the PIO-cum- District Disaster Management Officer (DDMO) Govt. of A.P. Khonsa, Tirap District, Arunachal Pradesh and the Appellant Sir Dongri Tania are present. The PIO submitted that she has no staff so could not respond in time to the information seeker. However, she has brought information to be furnished to the Appellant.

The Appellant submitted that the information brought are not authenticated.

The Commission on perusal of the application, following observations are made:-

1. The Applicant has sought information from 2019-2023 which is very voluminous, it cannot be provided by the PIO within limited time of 30 days.
2. The Applicant has not submitted any order copy of the First Appellate Authority (FAA). As per the provision of the RTI Act, 2005 when the information seeker does not get response or receive incomplete information from the PIO, the applicant is required to appeal to the FAA after the expiry of the thirty days from decision of the PIO.

Therefore, the Commission in observance of the clause (b) of subsection (1) of section (6) and subsection (9) of section (7) of the RTI Act directs the Appellant to seek specific information so that the PIO can furnish information within stipulated period without disproportionately diverting the public resources. The Appellant agreed to seek information for the financial year 2019-20.

Moreover, the case is premature to be appeal to the Second Appellate Authority, as the case has not been heard by the FAA. So, the Commission decides to remand the case to the FAA for proper hearing and passing appropriate speaking order as per the provision of the RTI Act giving fair opportunity to both the parties in the interest of principle of natural justice. The FAA is hereby directed to summon both the parties and give a fair hearing within thirty days from the date of issue of this order.

The Commission decides to dispose of the case with the liberty to the Appellant to appeal to the Commission in fresh application with speaking order of the FAA.

Therefore, the case is hereby disposed of.

Order copies be issued to all the parties.

Sd/-

(Rinchen Dorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission
Itanagar

Memo No.APIC-1033/2023/1601
Copy to:

Dated, Itanagar the 21 May,2024

1. The FAA-cum-Director (Disaster Management), Govt. of A.P. Directorate of Disaster Management, Itanagar, Arunachal Pradesh, PIN-791111 to ensure attendance of the PIO-cum- District Disaster Management Officer (DDMO) Govt. of A.P. Khonsa, Tirap District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Khonsa, Tirap District, Arunachal Pradesh, PIN-792130 to ensure attendance of the PIO-cum- District Disaster Management Officer (DDMO) Govt. of A.P. Khonsa, Tirap District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
3. Computer Programmer, APIC, Itanagar, to upload in APIC Website & send mail to all the parties.
4. Case file.



Registrar /Dy. Registrar
Arunachal Pradesh Information Commission
Itanagar
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar