



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Vide Case No. APIC- 1161/2023.

Shri Nechang Kamke,
Upper Niti Vihar Itanagar, View point down,
Quarter no.21

..... APPELLANT

Vs

The PIO o/o Arunachal Pradesh State
Commission for Protection of Child Right
Govt. of A.P, Itanagar.

..... RESPONDENT.

Date of filling of RTI application	09.10.2023
PIO's response	21.11.2023
Date of filing of First Appeal	16.11.2023
First Appellate Authority's response	-
Date of diarized receipt of Second Appeal by the Commission	12.12.2023
Date (s) of Hearing in the Commission	05.06.2024, 26.06.2024, 31.07.2024 and 30.08.2024
Date of order/decision	02.09.2024

O R D E R

Facts of the case:

The brief facts as reveal from the records are that the appellant, Shri Nechang Kamke with another Shri Tarh Rava, of Upper Niti Vihar, Near VIP Road, Itanagar filed an application dt.09.10.2023 before the PIO, o/o the Arunachal Pradesh State Protection of Child Rights, Itanagar for furnishing information / documents on 14 ((I) to (IX) points regarding, among others, appointment of OSD, UDC, PA LDC and Legal Advisor in the A.P. State Commission for Protection of Child Rights during the last 3(three) years.

Having failed to receive the information from the PIO, the appellants preferred 1st appeal before the 1st Appellate Authority, the Arunachal Pradesh State Protection of Child Rights, Itanagar by filing an Appeal Memo dt.16.11.2023. Having failed yet again to obtain the information from the FAA, one of the applicants namely Shri Nechung Kamke, filed 2nd Appeal before this Commission under section 19 (3) of the RTI Act, 2005 vide application dt.12.12.2023.

Hearing and decision:

Hearing of this appeal had commenced on 05.06.2024 but none of the parties turned up for the hearing. The Commission was informed later that summon notice was wrongly served to the Arunachal Pradesh State Women Commission instead of the A.P. State Commission for Protection of Child Rights.

The hearing was again scheduled on 26.07.2023 wherein the appellant Shri Nechang Kame was present but the PIO was absent.

During the course of hearing the appellant brought in a copy of letter No. APSCPCR/DEV-110/RTI/2022/1708 dt.21.11.2023 from the Member Secy., addressed to the appellant furnishing therein the information sought for by the appellant vide his application dt.09.10.2023.

The appellant, while showing the said information, submitted that the information submitted by the Commission are not complete. However, on perusal of the information so furnished by the PIO, this Commission observed that almost the entire information asked for have been furnished in the said letter in the form of annexure or clarification or "Not available".

This appeal was again heard for 3rd time on 31.07.2024 wherein the PIO, o/o the A.P Commission for Protection of Child Rights, Govt. of A.P, Itanagar attended through the VC and the appellant attended in person. After hearing both the parties and considering the information/replies furnished by the PIO vide letter No. APSCPCR/DEV-110/RTI/2022/1708 dt.21.11.2023 in response to the appellant's requests, had observed that the PIO's presence in the hearing would be required to enlighten this Commission and the Appellant on some of the replies as contained in the aforesaid letter dt.21.11.2023. The PIO, accordingly, attended the hearing in person and explained to this Commission and the Appellant on the replies, more particularly, on the minutes of the sittings /meetings of the Commission.

The PIO explained that those 14 sittings of the Commission did not discuss about the budget but only the cases of crimes against the minors and that such minutes containing the identity of the minor victims cannot be disclosed to maintain the confidentiality. The PIO further submitted that the budget for the Commission is finalized at the Govt. level and accordingly, makes the allocation to the Commission.

The appellants were convinced by the explanation given by the PIO and did not press for further explanation. However, the Appellants reiterating their demand for the information/replies against Sl. No. (2) to (6) and Sl. No.13 of their application, insisted for an affidavit by the PIO on those replies.

This Commission considered the demand of the appellant which is found to be justified in terms of the provisions of sub-section (3) of section 18 of the RTI Act as well as in terms of para 5(vi) of the A.P Information Commission Appeal Procedure) Rules, 2005 and as such the PIO was directed to furnish the affidavit and report compliance thereof on or before the next date of hearing fixed on 30.08.2024.

As demanded by the Appellant and as directed by this Commission, the PIO, vide letter dt.29.08.2024, furnished the affidavit dt. 28.08.24 sworn in before the Executive Magistrate, Itanagar which on perusal, found to be in order.

The hearing of the appeal as scheduled was fixed on 30.08.24 wherein the PIO was present but the Appellant did not turn up for hearing. Therefore, without hearing the parties this Commission handed over the Affidavit to the Appellant on 02.09.2024 the receipt of which the appellant has duly acknowledged and accordingly, this Commission decided to dispose of and close this Appeal which it hereby does. This Appeal, accordingly, stands disposed of and closed.

Given under my hand and seal of this Commission on this 2nd September, 2024


**Sd/-
(S.Tsering Bappu)
State Information Commissioner**

Memo No. APIC- 1161/2023/284

Dated Itanagar, the 4 September, 2024

Copy to:-

1. The PIO, o/o Arunachal Pradesh State Commission for Protection of Child Rights Itanagar. Pin-791111.
2. Shri. Nechang Kamke upper Niti Vihar Itanagar View point down Quarter no. 21 PIN: 791111. Mobile no. 9436872228.
3. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
4. Office copy.


**Registrar/ Deputy Registrar
APIC, Itanagar.**
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar