



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR

BEFORE THE FULL BENCH COURT OF STATE INFORMATION
COMMISSIONERS

No.APIC-1004/2023

Dated, Itanagar the 16th May, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Palen Laa & Smti. Yukar Yaga, c/o Jullang near Sonam Nursery Po/Ps- Itanagar, Papum Pare District, Arunachal Pradesh, PIN-791113, (M) 7085354892.

Vs

Respondent: The PIO-Cum- District Agriculture Officer (DAO), Raga, District Kamle, Arunachal Pradesh, PIN-791120.

Date of 1st of Hearing:-16-05-2024

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Palen Laa & Smti. Yukar Yaga, c/o Jullang near Sonam Nursery Po/Ps- Itanagar, Papum Pare District, Arunachal Pradesh, for non-furnishing of information by the PIO-cum- District Agriculture Officer (DAO), Raga, District Kamle, Arunachal Pradesh, as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 14/03/2023 regarding **Promotion & development of cash crop in Arunachal Pradesh & C/o Bamboo plantation under NEC of north east bamboo development council under Gepen circle.**

The 1st hearing is held today on 9th May, 2024 (Thursday) at 1400 hrs. Both the parties are present. The Appellant Shri Palen Laa is present. Smty Naga Tado, (Mob:- 9560202761) PIO-Cum-DAO, Kamle District, Raga is present and submitted that she had already intimated to the Appellant stating that the information sought for namely; **with Promotion & development of cash crop in Arunachal Pradesh & C/o Bamboo plantation under NEC of north east bamboo development council under Gepen circle** are not implemented by the Department of Agriculture, Kamle. But the Appellant is not satisfied with the reply of the PIO and appealed the Commission to furnish in affidavit. The Commission directed the PIO to furnish an "AFFIDAVIT" with justifiable reasons duly signed before the Notary Public or Judicial Magistrate **which should be furnish within 20 days from the date of issue of this order failing which penal action may be initiated.** However, on going through the records as available and submission of both the parties, it is found that the appeal case has not been heard by the First Appellate Authority (FAA).

As per the provisions of the RTI Act, 2005 when the information seeker does not receive any response or furnish incomplete information within 30 days from the date of receive of the application, the Appellant is requiring to file appeal to the First Appellate Authority (FAA) and First Appellate Authority (FAA) in the interest of principle of natural justice summon both the parties and give equal and fair opportunities of being heard and pass necessary order on merit.

Hence, this has been not heard in the First Appellate Authority (FAA), so the case is remanded to the First Appellate Authority (FAA) for proper hearing by giving fair opportunities to both the parties of being heard and pass appropriate action on merits.

The case is closed. Appellant is at his liberty to file fresh appeal, if he is aggrieved with the decision of the First Appellate Authority (FAA).

N.B:- PIOs and Appellants can also avail online mode of hearing by downloading "Webex App" from the Google play store and may contact Shri Himanshu Verma at 887881768 for further technical assistance.

Order copies be issued to all the parties.

Sd/-

(Rinchen Dorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission

Itanagar

Memo No.APIC-1004/2023/1600
Copy to:

Dated Itanagar the 21 May,2024

1. The FAA-Cum-Deputy Commissioner, Raga, Kamle District, Arunachal Pradesh to ensure fair hearing of both the parties and directed the PIO to comply the direction of the court order and furnished the information with 20 days from the date of issue of this order.
2. Computer Programmer, APIC, Itanagar, to upload in APIC Website& send mail to all the parties.
3. Case file.



Registrar /Dy. Registrar
Arunachal Pradesh Information Commission

Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar