



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)
ITANAGAR, ARUNACHAL PRADESH

An apple case U/S 19(3) of RTI Act, 2005
Vide Case No.APIC-200/2024

BEFORE THE HON'BLE COURT OF SHRI VIJAY TARAM, THE STATE INFORMATION
COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.

Shri Lebe Lamnio **Appellant.**

-VERSUS-

PIO-DFO, East Kameng District,
Seppa, Govt. of Arunachal Pradesh **Respondent.**

Judgment/Order: 13.06.2024.

JUDGMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI Act, 2005. Brief fact of the case is that the Appellants Shri Lebe Lamnio on **10.01.2024** filed an RTI application under Form-'A' before the PIO-Cum- DFO, East Kameng District , Seppa, Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in Form-A application. The Appellants, being not satisfied with the information received from the PIO, filed the First Appeal before the First Appellate Authority on **23.02.2024** the Appellant, again having not received the required information(s) from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on **02.05.2024** and the Registry of the Commission (APIC), having receipt of the Appeal registered it as **APIC No. 200/2024** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission for once i.e on 13.06.2024. In this hearing of the appeal on 13th day of June, 2024. The Appellant Shri Labe Lamnio and the APIO Shri Raju Yangfo present during the hearing but the Commission noted that the APIO appeared without authorization letter, reflecting the irresponsibility of the PIO.

Heard both the parties.

The APIO stated before the Commission that the CCF-cum- First Appellate Authority (FAA), Western Circle, Banderdewa has fixed the hearing on dated 08.04.2024 but the Appellant failed to turn up to attend the hearing, upon which absence the FAA has taken ex-parte decision and disposed off the case. The APIO has also produced the order of the FAA.

The Appellant stated that he was not intimated by the FAA nor any notice has been received by him, till today..

The Commission after hearing the parties and going through the order of the FAA, observed that the FAA has failed to intimate the Appellant for the hearing before his Court , but the procedure is that the FAA has to conduct the fair hearing by giving the applicant adequate

Under the above stated facts & circumstances, this appeal case is remanded back to the First Appellate Authority for giving an opportunity for a fair hearing to both the parties within 30 days from passing this order by adopting the procedures as per law and after hearing both the parties, a speaking order be passed as per merit of the case. The order Passed be intimated to the Commission.

And hence, the appeal is disposed off by the Commission.

Sd/-
(Vijay Taram)
State Information Commissioner
APIC, Itanagar.

Memo.No.APIC-200/2024/51
Copy to:

Dated Itanagar, the ...17 June, 2024.

1. FAA-cum- CCF, western circle, Banderdewa, for information and necessary action please. **Pin Code- 791123**
2. PIO-DFO, East Kameng District, Seppa, Govt. of Arunachal Pradesh for information and necessary action please. **Pin Code-791110.**
3. Shri Lebe Lamnio, , R/o Vill- Lamnio, PO-Khenewa, Ps-Seppa, E/Kameng District Arunachal Pradesh for information please. **Contact No7629824612.**
4. The Computer Programmer, APIC for uploading on the Website of APIC please.
5. Office Copy.

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