



ARUNACHAL PRADESH INFORMATION COMMISSION:
ITANAGAR.

**BEFORE THE HON'BLE COURT OF SHRI SANGYAL TSERING BAPPU,
STATE INFORMATION COMMISSIONER**

**An Appeal Case U/S 19(3) of RTI Act, 2005
Vide Case No.APIC- 552/2023.**

**Shri Lokam Namdu,
Kankar Nallah, Naharlagun
PO/PS-Naharlagun, AP.**

..... APPELLANT.

Vs

**PIO, o/o the D.C, Kurung Kumey District,
Koloriang, AP**

..... RESPONDENT.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Lokam Nandu, Kankar Nallah, Naharlagun, Arunachal Pradesh for non-furnishing of information by the PIO, o/o the Deputy Commissioner, Govt. of Arunachal Pradesh Kurung Kumey District, Koloriang as sought for by him under section 6(1) (Form-A) of RTI Act, 2005.

The relevant dates and facts emerging from the appeal are:

Date of filling of RTI application	28.03.2023
PIO's response	-
Date of filing of First Appeal	08.05.2023
First Appellate Authority's response	-
Date of diarized receipt of Second Appeal by the Commission	16.05.2023
Date (s) of Hearing in the Commission	21.12.23, 24.01.2024, 12.06.24, 03.07.2024, 07.08.24 and 04.09.24
Date of order/decision	05.09.2024

The Appellant herein had requested the PIO o/o the Deputy Commissioner, Kurung Kumey District, Koloriang vide his application dt. 28.03.2023 for the following information regarding the expenditure & implementation of MLA-LAD Fund:

- (a) The list of beneficiaries to whom MLA -LAD fund was provided;
- (b) The Utilization Certificate copies.
- (c) The photograph and Geo-tag copies.
- (d) The E.E/A.E/J.E detail name list copies.
- (e) The site inpection copies.
- (f) Photograph of completed works copies.
- (g) The copies of CGI sheets beneficiaries under MLA LAD fund.
- (h) The approval sanction order copies.
- (i) Work progress report copies.
- (j) Details of payment made to contractors with amount of payment.
- (k) The copy of MLA guidelines.

Period from which information asked for: 2019 to till date.

Having failed to obtain the information from the PIO, the appellant filed his 1st Appeal under section 19(1) of the RTI Act, 2005 before the 1st Appellate Authority, the Deputy Commissioner, Kurung Kumey District, Koloriang vide Appeal Memo dt.08.05.2023. But having failed yet again to obtain the information the appellant preferred 2nd appeal before this Commission under section 19(3) of the RTI Act vide Memo dt. 16.05.2023

Hearing and decision:

This appeal was fixed for hearing for 6 (six) times on 21.12.23, 24.01.2024, 12.06.24, 03.07.2024, 07.08.24 and 04.09.24.

In the 1st hearing, the appellant was present but the PIO was absent. This Commission taking serious view of the absence of the PIO, cautioned him with imposition of penalty under the RTI Act for defying the Commission's order and accordingly, a show cause notice dt. 02.01.2024 was also served upon the PIO. And requiring the PIO to appear in person on 24.01.2023 along with the replies to the information sought by the Appellant, Shri Lokam Namdu.

In the hearing on 24.01.2024, wherein the appellant was present, but the PIO was again absent the Commission was informed that the previous PIO of this case (Mr. Pulu) has been transferred out from Koloraing D. C's Office.

In the 3rd hearing on 12.06.2024, both the Appellant, Shri Lokam Namdu and the PIO, Shri Tagam Mibang, EAC o/o the D.C, Koloriang were present. During the hearing, the PIO handed over the information to the Appellant but the information was not accompanied by proper forwarding letter. The PIO was directed to hand over the information with proper covering letter addressed to the appellant and the Appellant was also directed to go through the same and intimate his satisfaction or otherwise on or before the next date of hearing fixed on 03.07.24.

In the hearing on 03.07.2024, the Appellant was absent but the PIO, Shri T.Mibang was present who submitted that the Schemes under the MPLAD and MLA LAD Fund are being

executed /handled by the Deputy Commissioner and the District Planning Officer (DPO) and therefore, the EAC-cum-PIO, o/o the Dy. Commissioner does not keep the records of the schemes under the said Fund. He, therefore, suggested the Commission to make the DPO as the PIO, particularly, in respect of the implementation of the Schemes under the MPLAD and MLALAD Fund.

The Commission considered the request of Mr. Mibang, EAC, the PIO and in the interest of convenience of all concerned in the proper implementation of the provisions of RTI Act, accepted the suggestion/ submission of Mr. Mibang and accordingly directed the D.C, Kurung Kumey District to designate the DPO, Kurung Kumey as the PIO or APIO in respect of the Schemes/works under MPL-AD and MLAL-AD Fund in addition to existing subjects, if any, in terms of State Govt. instruction contained in the notification No.OM-106/2006 dt.07.11.2006 so as to facilitate proper implementation of the RTI Act, 2005.

In the 5th hearing on 07.08.2024, both the parties were absent and therefore the hearing was adjourned to 04.09.2024 i.e today wherein the appellant was absent but Shri Sangha Babung, District Planning Officer (DPO) o/o Kurung Kumey District was present who furnished a copy of order No.KKK/RTI-412/2023-24 dt.19.07.2024 issued by the D.C, Kurung Kumey designating the District Planning Officer (DPO) as the PIO regarding the implementation of the schemes under the MP-LAD and MLA-LAD fund and also directing Shri Sangha Babung, the DPO to attend today's hearing.

This Commission wish to put on record its appreciation of the compliance by the Learned Deputy Commissioner, Kurung Kumey District of the Commission's direction which will go a long way in easing the implementation of the provisions of the RTI Act.

In the course of hearing this appeal, the Appellant Shri Lokam Namdu informed of his inability to attend the hearing but sent a Whatsapp Messege saying that the documents, he had sought for were given to him clearly and hence requested for disposing of his appeal.


In the premises as above, this appeal does not warrant any further intervention of this Commission and hence the appeal stands disposed of and closed.

Given under my hand and seal of this Commission on this 4TH Sep, 2024.

**Sd/-
(SANGYAL TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.**

Memo. No. APIC- 552/2023/291 Dated Itanagar, the 9 September, 2024.
Copy to:-

1. The DC, Kurung Kumey District, Govt. of Arunachal Pradesh Koloriang for information.
2. The PIO, o/o the D.C, Kurung Kumey District, Govt. of Arunachal Pradesh, Koloriang for information.
3. The DPO -cum-PIO (MLA-LAD & MP-LAD) o/o the D.C, Kurung Kumey District, Govt. of Arunachal Pradesh, Koloriang, for information.
4. Shri Lokam Namdu, Kankar Nallah, Naharlagun, PO/PS-Naharlagun, Arunachal Pradesh, Pin - 791110, (PH-9362166831), for information.
- ✓ 5. The Computer Programmer / Computer Operator for uploading on the Website of APIC, please.
6. Office copy.
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Registrar/ Deputy Registrar
APIC, Itanagar.
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar