सूचना का अधिकार
RIGHT TO INFORMATION

ITANAGAR, ARUNACHAL PRADESH
An appeal case U/S 19(3) of RTI Act, 2005
Vide Case No.APIC-02/2025

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

Shri Debia Torum & Shri Likha Tolum ..... **Appellant**

-VERSUS-

PIO- Additional Deputy Commissioner
Yachuli, Keyi Panyor District,
Govt. of Arunachal Pradesh ..... **Respondent.**

Order: **19.08.2025**.

JUDGEMENT

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 Likha Torum & Debia Torum on **13/12/2024**, filed an RTI application under Form-'A' before the PIO-Cum- ADC Yachuli Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in Form-A application. The Complainants not being receiving the information from the PIO, filed the Appeal before Second Appeal before the Arunachal Pradesh Information Commission on 13/12/2024 and the Registry of the Commission (APIC), having receipt of the Complaint registered it as **APIC No.02//2025 (C)** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission for two times i.e on dated **8/5/2025 & 19/8/2025.**

Details of information sought by the Appellants.

1. Furnish the sanction order copy.
2. Furnish the each GPM billing paper
3. Furnish the Technical Sanction order copy.
4. Furnish the firm name for execution of the work
5. Furnish the beneficiaries list and items
6. Furnish the job card holders total beneficiaries
7. Furnish the tender paper published in local /national dailies.

In the final hearing held on 19th August **'2025**, related to the **APIC No 02/2025 (C).** The Complainants Shri Likha Tolum & Shri Debia Torum, present during the hearing and PIO-cum ADC Yachuli, District Keyi Panyor District Govt. of Arunachal Pradesh, found absent without intimating to the Commission the reason for his inability to attend the hearing, which is unbecoming on the part of the PIO, who has to be reminded that the PIO besides, public duties also has to attend Court hearing when an appeal is preferred against him as per the provisions of the RTI Act 2005, which is a statutory duty binding upon the PIO.

Heard the Complainant.

The Complainant stated that they had filed the form 'A' application on dated 18/12/2024, to the PIO-cum ADC Yachuli but the PIO did not provide the information(s) within one month, which is the limitation for providing information(s) to the Complainant under RTI Act 2005.

However the Complainant was sent a message from the PIO through the Dealing Assistant **on 23/01/2025** at 3.30 PM, stating that the Complainant has to deposit an amount of Rs 1078 (Rupees one thousand seventy eight) only as the charges for the copies of the information(s), on which the Complainant requested the PIO that the limitation for providing information(s) by charging fees has lapsed and so the information(s) be given freely to them to

which the PIO, negated the request of the Complainants. On the negation of the PIO, to provide the information freely, the Complainants have filed this Complaint in the Court of Arunachal Pradesh State Information Commission (APIC) by surpassing the procedural system of filing the 1st appeal in the Court of First Appellate Authority (FAA).

On the first hearing of this appeal held on 18/2/2025, both parties were absent and so, the facts of this appeal could not be ascertained from any party.

Today in the second hearing on 19/8/2025, the Complainants present and briefed the fact of the matter before the Court of the Arunachal Pradesh State Information Commission (APIC) and stated that he has not preferred the 1st Appeal and instead filed the second appeal, which is deficient on the part of the Appellant for not following the procedural laws of RTI Act 2005.

After hearing the Complainant the Commission observed;

i) The Complainant had to file the 1st appeal which he didn't.
ii) The Complainant cannot be filing the second appeal before filling and getting judgment from the Court of the First Appellate Authority (FAA) judgments.

Under the above facts and circumstances this appeal is dismissed and closed with liberty given to Complainant for filing fresh application to the same PIO on the same subject of information(s) if they want the information(s) genuinely.

Judgment order pronounced in the open Court of this Commission today on this 19th **day of August 2025**, copy of judgment order be furnished to the both parties.

Given under my hand and seal of this Commission/Court on this **19th day of August 2025.**

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

Memo.No.APIC-02/C/2025/853 **Dated Itanagar, the ....22.... August, 2025.**

Copy to:

1. PIO-Cum-ADC, Yachuli, Keyi Panyor District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code-791120.**
2. Shri Debia Torum & Shri Likha Tolum, Tai Village, PO/PS-Yazali, Keyi Panyor District Arunachal Pradesh for information please. **Contact No. 6909772687**
3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy.

Registrar/Dy. Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar