



ARUNACHAL PRADESH INFORMATION COMMISSION, APIC
ITANAGAR

An Appeal Case U/S 19(3) of RTI Act, 2005.
Vide Case No. APIC-210/2024

(Or. 5, R.3 of CPC)

Miss Shalu Medo -V/S- PIO-cum- State Mission Director & ArSRLM, Govt . of AP Itanagar.
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ORDER

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 Appellant Miss Shalu Medo on 13.12.2024 filed an RTI application under Form-‘A’ before the PIO-Cum- State Mission Director (SMD), Arunachal State Rural Livelihood Mission, Itanagar, Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in Form-A application. The Appellant, being not satisfied with the information received from the PIO, filed the First Appeal before the First Appellate Authority (FAA) on 03.06.2024 the Appellant, again having not received the required information(s) from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on 10.06.2024 and the Registry of the Commission (APIC), having receipt of the appeal registered it as **APIC No. 210/2024** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission for twice i.e on 25.07.2024 & 27.08.2024 In this hearing of the appeal on 27th day of August, 2024. The PIO and the representative for the Appellant, the Learned Counsel Shri J. Riram present during the hearing.

Heard both the Parties.

The learned Counsel for the Appellant stated before the Commission that among all the information(s) applied by the Appellant in her application, she is only in need of serial no. (g): copy of the written complaint made against her on 29.04.2022.

The PIO stated before the Court that the Appellant has been terminated from her job, initiated by a written complaint against her, after adopting due procedure, by forming a committee. The Appellant was present in all the proceedings of the Committee that heard the Complaints against her. Wherein, the names of the Complainant and the reasons for the Complain were stated in the show cause notice issued to the Appellant and after due process, the Committee recommended for her termination and she was terminated from her job. Now the Appellant applying for copy of the written Complaint is being denied by the PIO citing the provisions of Section 8 (i) (g) of the RTI Act, 2005 .

After hearing both the parties, the Commission by using its judicial mind has come to the decision that when the name of the Complainant as well as the reasons of the Complain have already been told and given in the show cause notice to the Appellant, there is no point for denying the copy of the Complaint letter.

Therefore, section 8 (1) (g) is not attracted in, the instant case for the fact that, the right to information about the complaint letter against the Appellant is a right given to her in the RTI Act, 2005, and the denial of which, will set a bad precedence of law.

The PIO in the open court agreed to the findings of this Court and agreed to provide the required information to the Appellant. Therefore, in view of the above facts and circumstances I find this appeal fit to be disposed and closed, with an order;

- (i) To the PIO to provide the information(s) to the Appellant, as applied in her form "A" application serial no. (g) to be particular, within a week. ***Failing which necessary action shall be initiated against the PIO as per the provisions of RTI, Act, 2005.***

Judgment/Order pronounced in the open Court of this Commission today on this 27th day of August, 2024. Copy of Judgment/Order be furnished to the parties.


Given under my hand and seal of this Commission/Court on this 27th day of August, 2024.

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

Memo No APIC- 210/2024/296
Copy to :-

Dated Itanagar the10.....Sept' 2024

1. PIO- CEO-cum- SDM, State Rural Livelihood Mission , Govt . of Arunachal Pradesh Itanagar, for information and necessary action please.
2. Miss Shalu Medo, Tai Apartment, A-Sector Naharlagun, PO/PS Naharlagun, District Papumpare, for information please- Contact No. **9413927867**.
- 3 The Computer Operator/Programmer for uploading on the website of APC please.
- 4 Office Copy.


Registrar/DY. Registrar
APIC- Itanagar.
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar