



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR

.....  
(Before the Hon'ble Information Commissioner Mr. Dani Gamboo)

AN APPEAL UNDER SECTION 19 (3) OF RTI ACT, 2005.

APIC-No. 949/2023(Appeal)

Shri Tongam Jomoh &  
Shri Migom H Borang  
Opposite Head Post Office  
Nino apartment  
Bank Tinali Itanagar  
A.P Pin: 791111.  
(M) 9436868307 / 7005258322

Appellant

Versus

1.Shri Ando Pangkam  
PIO cum Dy. Commissioner  
Tax Excise & Narcotics Dept.  
Govt. of Arunachal Pradesh  
Itanagar - 791111  
Arunachal Pradesh

Respondents

Date of hearing: 09.08.2024

ORDER

This is an appeal filed under sub-section (3) of the Section 19 of the RTI Act, 2005. Brief fact of the case is that the appellants Shri Tongam Jomoh & Shri Migom H Borang on 23.06.2023 filed an RTI application in Form-A to the PIO, Office of the Commissioner, Deptt. of Tax and Excise, Govt. of Arunachal Pradesh Itanagar, whereby, seeking various information as quoted in Form-A application.

Appellant being not received full and satisfactory information from the PIO, filed the First Appeal before the First Appellate Authority on 24.07.2023.

The first appellate authority heard the appellant and PIO on 23.08.2023 at 1600 Hrs and disposed of the appeal. Appellant aggrieved by decision of FAA, filed the Second Appeal before the Arunachal Pradesh information Commission on

03.10.2023. The appellant has attached the order of decision from the FAA against which appeal is preferred.

The Registry of the Commission (APIC), on receipt of the appeal, registered it as APIC-No.949/2023 (Appeal) and processed the same for its hearing and disposal.

Accordingly, this matter came up for hearing before the Commission Court today on 09.08.2024. Notice of hearing dated 21.06.2024 were served to PIO and the Appellants.

In this hearing of the appeal on 09.08.2024 the respondent PIO and Appellants appeared. Heard both the parties present.

The appellants states that information furnished by the PIO is incomplete and misleading information. The decision of the FAA is not satisfactory as well. So, they have filed second appeal to Arunachal Pradesh Information Commission Court for redressal.

The respondent PIO states that information sought has already been furnished to the appellant and the First Appellate Authority has also disposed of the appeal satisfied with the information furnished to the appellant. He submits a written statement today on hearing date citing eight points with prayer to pass an order dismissing the appeal being devoid of merit.

This appeal case file is perused. The PIO has furnished reply / information to the applicant vide no. Ex-802/2022-23/RTI / 625 dated 21 July 2023. The appellant not satisfied with the reply of PIO has filed appeal to the first appellate authority. The first appellate authority satisfied with the decision of the PIO has disposed of the appeal at his level.

It is seen that the RTI application of instant appeal contains enquiry with hypothetical questions on the information said to be disclosed to the applicant vide no. Ex-802/2022-23/RTI (Pt - I) /609 dated 19 June 2023 in the first RTI application. There is no record of having appealed against the decision of the PIO in the first RTI application. This appeal is against the fresh second RTI application containing enquiries in the form of question on the information revealed to the appellant in the first RTI application. Copy of first RTI application & its reply by PIO vide no. Ex-802/2022-23/RTI (Pt - I) /609 dated 19 June 2023, over which queries has been raised, is not available on record.

The appellant shall submit a copy of the aforesaid first RTI application in form A and a copy of RTI reply letter no. Ex-802/2022-23/RTI (Pt - I) /609 dated 19 June 2023 to this commission court.

The hearing is adjourned. Next date of hearing shall be fixed in due course of time after receipt of compliance report of this order from the appellant.

Order pronounced in the Open Court of this Commission today this 9<sup>th</sup> day of August' 2024. Each copy of the order be furnished to the parties.

Given under my hand and seal of this Commission / Court on this 9<sup>th</sup> day of August' 2024.

Sd/-  
( Dani Gamboo )  
State Information Commissioner  
APIC, Itanagar

Memo No.APIC-949/2023/182  
Copy to:

Dated Itanagar the 16 August' 2024.

1. Shri Ando Pangkam PIO cum Dy. Commissioner of Tax Excise & Narcotics Dept. of Tax & Excise GoAP Itanagar Papumpare District Arunachal Pradesh. Pin: 791111.
2. Shri Tongam Jomoh & Shri Migom H Borang opposite head post office Nino apartment Bank Tinali Itanagar Papumpare District A.P (M) 9436868307 / 7005258322 Pin: 791111.
3. Computer Programmer APIC, Itanagar to upload in APIC website and mail to all concern in the departmental email id.
4. Office copy.

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