



सूचना का  
अधिकार  
RIGHT TO  
INFORMATION

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.228/2023(Appeal)

Shri Bishnu Pada Chowdhury  
near Dr. Ambedkar Sports Club  
Netaji Para Ward No. 36  
PO: Ghugu Mali, Siliguri  
West Bengal.  
(M) 9436225403 / 7005442562  
Pin: 734006.

Appellant

Versus

The PIO-O/o the Secretary  
(G & M) cum-Managing  
Director (APMDTCL), Civil  
Secretariat Itanagar  
Block No. 01- 3<sup>rd</sup>Floor  
Papumpare District AP.  
Pin: 791111.

Respondent

Date 26.08.2024

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 appellant Shri Bishnu Pada Chowdhury on 12.10.2022 filed an RTI application in Form-A to the PIO-O/o the Secretary (G&M) cum-Managing Director (APMDTCL), Civil Secretariat Itanagar Block No. 01- 3<sup>rd</sup>Floor Papumpare District AP., whereby, seeking various information as quoted in Form-A application.

Appellant being not received information from the PIO, filed the First Appeal before the First Appellate Authority, Secretary (G&M) Cum Managing Director, Arunachal Pradesh Mineral Development and Trading Corpn. Ltd. Govt. of A.P. on 12.11.2022.

Appellant again having not received the required adequate information on decision from FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on 13.03.2023.

The Registry of the Commission (APIC), on receipt of the appeal, registered it as APIC-No.228/2023 (Appeal) and processed the same for its hearing and disposal.

Accordingly, this matter came up for 3rd hearing before the Commission Court today on 26.08.2024. Notice of hearing dated 03.07.2024 were served to PIO and the Appellant.

In this hearing of the appeal on 26.08.2024 the respondents PIO-O/o the Secretary (G&M) cum-Managing Director (APMDTCL), Civil Secretariat Itanagar Block No.01- 3<sup>rd</sup> Floor Papumpare District AP absent. The appellant Shri Bishnu Pada Chowdhury appeared.

In the first hearing on 22.9.2023 the appellant appeared and PIO was absent. In the second hearing on 30.11.2023 the respondent PIO Shri Sam Ngemu Asstt. Manager / Admin appeared but appellant was absent.

Heard the appellant.

The appellant submits that he has not received any information in spite of order from the commission.

On perusal of this appeal case file record, it is seen that the PIO has stated in the second hearing on 30.11.2023 that the information available with him has been furnished to the appellant. The appellant has applied RTI application in form A seeking following information about his personal service matter grievances and office functional matter in APMDTCL a PSU under the Geology & Mining Department of Govt. of Arunachal Pradesh:

- i) Non regularization/payment of my salary.
- ii) Non Reimbursement of expenditures.
- iii) Non providing information on of advances pending with the organization and final payment thereof.
- iv) Non payment of House rent suddenly stopped reason thereof reason not known.
- v) Non Fixation of salary as per 7<sup>th</sup> pay commission whereas all staff got their revised salary.
- vi) Non deduction of TDS from salary reason thereof.
- vii) Non payment of Medical allowances.
- viii) Non providing information on status of all vehicles of APMDTCL.

- ix) Non providing information on Enforcement Directors Ranchi of Enquiry of Money Laundering case of APMDTCL Itanagar.
- x) Non providing information on account of Corporation.
- xi) Non providing information on Missing vehicle.
- xii) Payment of House rent to only 2(two) employees whereas it was ban by BOD reason and approval of BOD/authority for payment thereof.

Some of these information sought are not very specific and contains hypothetical questions ventilating the grievances. This commission is not for solving problems. The information sought should be specific. The PIO has written following letter of furnishing information:

1. Memo no. MDTC/RTI/1493/2021/695-97 Dated 4.12.2023 addressed to appellant.
2. Memo no. MDTC/RTI/1493/2021 Dated 23.1.2024 addressed to this commission.
3. Memo no. MDTC/RTI/1493/2021/741-43 Dated 19.6.2024 addressed to this commission.

Whereas appellant has denied in today's hearing of having received any information. A copy each of above letters from PIO be furnished to the appellant.

In the second hearing order dated 30.11.2023 the PIO was directed to furnish complete information to the appellant within two weeks from the date of issue of order, not to make any correspondence with this commission. Instead of making such unsought correspondence the PIO is directed to appear in the commission court when summoned to defend himself.

The Secretary (G&M) cum-Managing Director (APMDTCL) GoAP, as First Appellate Authority has not conducted statutory procedure of hearing the parties as per RTI Act 2005 & Arunachal Pradesh Right to Information (Appeal Procedure) Rule 2005 to dispose of the first appeal filed to him on 12.11.2022 (copy enclosed). He, as higher officer in public authority who can take action on PIO, shall ensure furnishing of complete information and attendance of the respondent PIO Shri Sam Ngemu Asstt. Manager/Admin in next hearing on this appeal.

With above observation the appellant is directed to collect the copy of information said to be furnished vide above mentioned letter addressed to himself and to this commission from the PIO. He shall file a written submission stating clearly and specifically about **shortcomings** if any in the information furnished to him without deviation from the content in the original RTI application in Form 'A'.

Upon receipt of such written submission the PIO shall furnish complete and correct information to the appellant within two weeks from the date of receipt of such written submission.

The appellant shall serve a copy of this order along with his written submission to the PIO. The appellant shall also obtain written acknowledgement from the PIO / office and submit a copy to the commission.

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

Order pronounced in the Open Court of this Commission today this 26<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 26<sup>th</sup> day of August' 2024.

Sd/-

(Dani Gamboo)

Commissioner

Memo No.APIC-228/2023/170  
Copy to:

Dated Itanagar the 29<sup>th</sup> August' 2024.

1. The Secretary (G & M) cum-Managing Director (APMDTCL) Civil Secretariat Itanagar Block No. 01- 3<sup>rd</sup>Floor Papumpare District Arunachal Pradesh. Pin: 791111
2. The PIO-O/o the Secretary (G & M) cum-Managing Director (APMDTCL) Civil Secretariat Itanagar Block No. 01- 3<sup>rd</sup>Floor Papumpare District Arunachal Pradesh. Pin: 791111.
3. Shri Bishnu Pada Chowdhury near Dr. Ambedkar Sports Club, Netaji Para Ward No. 36, PO: Ghugu Mali Siliguri West Bengal. (M) 9436225403 / 7005442562 Pin: 734006.
- 4/ Computer Programmer Itanagar APIC to upload in APIC website and mailed to concerned department email.
5. Office copy.

  
for

Registrar / Dy.Registrar

APIC Itanagar  
Deputy Registrar

Arunachal Pradesh Information Commission  
Itanagar