



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

BEFORE THE FULL BENCH COURT OF STATE INFORMATION COMMISSIONERS

No.APIC-669/2023

Dated, Itanagar the 6th June, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Tajing Saroh, Vill, Sipeng, Jomlo, Circle, PO/PS Rumgong, District Siang, Arunachal Pradesh, PIN-791001, (M) 8132005458.

Vs

Respondent: Smt. Oyi Borang Tatak, the PIO-cum-DDSE, Govt. of A.P. o/o of Deputy Director of School Education, Boleng, Siang District, Arunachal Pradesh, PIN-791102.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Tajing Saroh, Vill, Sipeng, Jomlo, Circle, PO/PS Rumgong, District Siang, Arunachal Pradesh for non-furnishing of information by the SPIO-cum-DDSE, Govt. of A.P. o/o of Deputy Director of School Education, Boleng, Siang District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 21/11/2022 regarding Certified True copy of the Appointment order, appointment Letter and Official advertisement no. of the Peon and MTS under Education Department of Siang District.

The 5th hearing is held today on 6th June, 2024 as scheduled. Smt. Oyi Borang Tatak, the PIO-cum-DDSE, Govt. of A.P. o/o of Deputy Director of School Education, Boleng, Siang District, Arunachal Pradesh and the Appellant Shri Tajing Saroh are present. The PIO brought certain information in the court room and furnished to the Appellant. The Appellant received the same. The Appellant has strongly contested that the PIO has not furnished all the information as sought by him. Further submitted that his application was submitted in Form-A on 21/11/2022, before the information were seized by the SIC. The documents has been seized by the SIC on 21/02/2024. The information could have been furnished before the documents were seized by the SIC but due to negligence and lack of diligence in performing the statutory duties of the PIO, he could not get the information.

During the 4th hearing held on 9th April, 2024 the PIO was SHOW CAUSED as to why action should not be taken against her under section 20(1) of the RTI Act, 2005. The PIO has failed to reply to the same. Today in her submission, she said that, complying with the direction of the commission given in the last hearing, she has written to the SIC for furnishing of the copies of the seized documents so that it can be provided to the Appellant. The PIO appealed the Commission to give further one more chance to give reply to the SHOW CASUE NOTICE, as she had thought that she was only directed to write to the SIC, so she did only that part. However, the PIO has assured that she will again approach the SIC to get copies of the seized document and if not possible to get the same, she will request the SIC authority to give in writing the reasons in case it is not permissible under the law for furnishing the same.

Further, she is directed to submit the copies of seized documents or written reply from the SIC during the next hearing.

After, hearing both the parties and examining the documents, the Commission has decided to give one more opportunity to the PIO to retrieve information from the SIC and to give her justifiable reasons in reply to the SHOW CASUE NOTICE. Failing which the Commission may impose penalty on the PIO under section 20(1) of the RTI Act, 2005.

Both the parties are directed to appear before the Commission's court in person on the next date of hearing without fail. If the PIO is found absent the Commission may initiate penal action under section 20(1) of the RTI Act, 2005 and in case Appellant is found absent the case shall be disposed of without any further notice, presuming that the Appellant is satisfied with the information so furnished.

The next date of hearing is fixed on 30th July, 2024 (Tuesday) at 1030hrs.

Therefore, Smt. Oyi Borang Tatak, the PIO-cum-DDSE, Govt. of A.P. o/o of Deputy Director of School Education, Boleng, Siang District, Arunachal Pradesh is hereby summoned to appear before this Court in person on the scheduled date and time without fail.

Order copies be issued to all the parties.

Sd/-

(Rinchen Dorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission

Itanagar

Dated, Itanagar the 11 June, 2024

Memo No. APIC-669/2023 139

Copy to:

1. Computer Programmer, APIC, Itanagar, to upload in APIC Website & send mail to all the parties.
2. Case file.

Registrar /Dy. Registrar

Arunachal Pradesh Information Commission

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