



सूचना का
अधिकार
RIGHT TO
INFORMATION

**ARUNACHAL PRADESH INFORMATION COMMISSION, APIC
ITANAGAR**

An Appeal Case U/S 19(3) of RTI Act, 2005.
Vide Case No. APIC-1067/2023,

**BEFORE THE COURT OF SHRI KHOPEY THALEY, STATE INFORMATION
COMMISSIONER**

**(Summon to appear in person)
(Or. 5, R.3 of CPC)**

Appellant: Shri Dope Ori -VS- PIO-cum-JTO, SJETA, Itanagar.

To

The PIO-cum-JTO, SJETA,
Govt. of Arunachal Pradesh,
Itanagar.

Summon Notice.

The 1st hearing was held on 29th May, 2024 related to the APIC No-1067/2023 Appeal). Appellant present during the hearing and the PIO found absent without any intimation to the Commission.

WHEREAS, the appellant has file the Information on the basis of the RTI application file before the First Appellate Authority on 3/10/2023. The First Appellate Authority had rejected the application filed vide referring to APIC case No.-417/2012.

WHEREAS, as per the Information Commission's order dated 11/04/2012 under Section 18 of RTI Act, 2005, the HIC has passed the following instruction to both the parties in APIC-417/2012 in its final remarks of the order:-

1. Complainant shall specifically point out which part of the information is incomplete.
2. In the event of filling such specific point of incomplete information, the PIO shall reply with a reason/clarification as to whether information can be furnished or not furnishable. If furnishable or furnished may be replied as furnished. If yet to furnish, the same may be furnished provided the information in question is complete and over.
3. After complying the above instruction, the complainant may file a representation seeking for physical inspection of the work site if so advised before the PIO.

Nowhere, under the RTI Act, 2005 states that information regarding on going Projects/Schemes sought under the Act cannot be provided. The basic objective of the Right to Information ACT is to empower the citizens, promote transparency and accountability in the working of the Public Activities, and make our democracy work for the people in real sense by providing the information sought by them, if otherwise not exempted under the Act.

Contd..2/-

The order pass by the First Appellate Authority dated 14/11/2023 has wrongly interpreted the order of the Hon'ble Information Commissioner and rejected to provide information to the appellatant of the case.

It is, therefore, directed that the PIO-cum-JTO, SJETA Govt. of Arunachal Pradesh shall provide the information sought on or before the next date of hearing.

However, the PIO is at liberty to file appeal before any proper court of Law if its feels aggrieved by the decision of the Commission.

The Commission adjourned the hearing and fixed next date on **03/07/2024 at 2 PM.**

Sd/-
(Khopey Thaley)
State Information Commissioner
APIC, Itanagar.
Dated Itanagar, the...31...May, 2024.

Memo. No. APIC-1067/2023/85
Copy to:

1. Shri Dope Ori, Forest Coloney, Naharlagun, Papum Pare District, Arunachal Pradesh for information and necessary action. **Contact No. 6909896553**
2. The Computer Programmer/Operator, for uploading on the website of APIC and mail.
3. Office Copy.

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