

ARUNACHAL PRADESH INFORMATION COMMISSION, APIC
ITANAGAR

An Appeal Case U/S 19(3) of RTI Act, 2005.
Vide Case No. APIC-222/2024



Shri Ratan Chetia

-V/S-

PIO-Cum-DFO, Namsai District, Govt. of A.P.

Order

WHEREAS, in connection with the **APIC-No.222/2024**. The **1st hearing** held on **29th August, 2024**. The representative of PIO and the Appellant Shri Ratan Chetia present during the hearing.

Heard both the parties.

The representative of PIO stated before the Commission that as per the provisions of Section 8(j) the information could not be disclosed as it was personal information of the third party individuals so, the NOC certificate of individuals are not provided to him. Moreover, the First Appellate Authority (FAA) also passed an order on dated 24.05.2024, the information(s) could not be disclosed as it comes under the purview of Section -8 (j) of RTI act, 2005.

After hearing the representative of PIO, the Commission ordered;

- (i) The PIO that information(s) as applied by the Applicant do not come under the provisions of Section 8 (j) of the RTI, Act,2005 as the NOC is not a third party document. Whereas, NOC is issued by the public authority and not by a private authority. Hence, the NOC issued can never jeopardize the life of any individual and as records maintained by the public office are public documents denial of the same are illegal in fact.
- (ii) The PIO to provide the information(s) to the Appellant on or before the next date of hearing.
- (iii) **Failing which Section 25 (5) shall be initiated against the PIO as per the provisions of RTI Act,2005.**
- (iv) Next date of hearing has been intimated to both the parties. No formal notice required to be issued.

The Commission ordered;

The next date of hearing be fixed on 3rd October, 2024 at 10:30 AM .

N.B:- To avail online hearing please at least notify or get in touch one day prior to the hearing, download “**WEBEX MEETING APP**” from Google Play store. For further technical assistance may contact Shri Himanshu Verma, IT Consultant (Mobile no. 831.9014957).

It is so ordered this 29th day of August,2024 at 12:30 PM.

Sd/-

(Vijay Taram)

State Information Commissioner
APIC, Itanagar.

Memo. No. APIC-222/2024/162
Copy to:

Dated Itanagar, the.....11.....September,2024

1. PIO-cum-DFO, Namsai District, Govt of Arunachal Pradesh, for information and necessary action please. **Pin Code-792105.**
2. Shri Ratan Chetia, Vill- Sitapani Moran, Po/PS- Mahadevpur, Namsai District, for information please. **Contact No. 7063965456.**
3. The computer Operator, for uploading on the website of APIC, please.
4. Office Copy

Registrar/Dy. Registrar
APIC Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar