



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.216/2023(Appeal)

Shri Nikam Dabu & Shri Tasi Chader
C/o YC Enterprise Naharlagun
Papumpare District, AP.
(M) 7640082060 Pin: 791110.

Appellant

Versus

The PIO-O/o the Deputy Commissioner
Upper Subansiri District Daporijo
Arunachal Pradesh.
Pin: 791122.

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 Nikam Dabu and Shri Tasi Chader on 14.12.2022 filed an RTI application in Form-A to the PIO O/o the DC, Daporijo, Upper Subansiri District A.P., 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 Cum Deputy Commissioner, Daporijo A.P. on 19.01.2023.

Appellant again having not received the required information or decision from FAA, filed the Second Appeal before the Arunachal Pradesh information Commission on 09.03.2023.

The Registry of the Commission (APIC), on receipt of the appeal, registered it as APIC-No.216/2023 (Appeal) and processed the same for its hearing and disposal.

Accordingly, this matter came up for 4th 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 DC, Daporijo, Upper Subansiri District District A P absent. The appellant Shri Nikam Dabu appeared. The respondent PIO Shri Tanam Kyali, EAC did not attend last three hearings as well. In the first hearing on 15.9.2023 the PIO was represented by Shri Tapak Rakmi DPO and submitted that the information document is kept ready for delivery to the appellant

Heard the appellant today.

The appellant submits that he has received the information and on verification of the received documents found the furnished information is incomplete. The appellant could not specify the exact incomplete / short fall of the information furnished to him.

On perusal of this appeal case file record, it is seen that the commission has decided in its third hearing on 25.1.2024 to proceed with penal action under section 20(1) of RTI Act 2005 to PIO for his repetitive absence in the hearings. The appellant has applied RTI application in form A seeking information about untied fund under Deputy Commissioner, Daporijo for the period from 2016 to 2022.

The Deputy Commissioner as First Appellate Authority has not conducted statutory procedure as per RTI Act 2005 & Arunachal Pradesh Right to Information (Appeal Procedure) Rule 2005 to dispose of the first appeal filed to him on 19.1.2023 (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 PIO Shri Tanam Kyali EAC in next hearing on this appeal.

With above observation the appellant is directed to file a written submission to the PIO stating clearly and specifically about **shortcomings** in the information already 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 of this order from PIO and appellant.

Order pronounced in the Open Court of this Commission today this 26th day of August' 2024. Each copy of the Judgement / Order be furnished to the parties.

Given under my hand and seal of this Commission / Court on this 26th day of August' 2024.


Sd/-
(Dani Gamboo)
Commissioner

Memo No.APIC-216/2023/155

Dated Itanagar the 28th August' 2024.

Copy to:

1. The Deputy Commissioner cum FAA Upper Subansiri Distrct, Daporijo.
2. The PIO-O/o the Deputy Commissioner Upper Subansiri District Daporijo Arunachal Pradesh. Pin: 791122.
3. Shri Nikam Dabu & Shri Tasi Chader c/o YC Enterprise Naharlagun Papumpare District Arunachal Pradesh. (M) 7640082060 Pin: 791110.
4. Computer Programmer Itanagar APIC to upload in APIC website and mailed to concerned department email.
5. Office copy.


28/8/24
Registrar / Dy.Registrar
APIC Itanagar
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar