



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.83/2023(Appeal)

Shri Tadar Tai
Vice President Youth
Against Corruption (YAC)
Nyokum Lapang Itanagar
P/Pare District Arunachal Pradesh.
(M) 9366852886. Pin: 791111.

Appellant

Versus

The PIO cum DPDO
Koloriang Kurung Kumey
District Arunachal Pradesh.
Pin: 791118.

Respondent

Date 16.08.2024

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 Tadar Tai on 20.10.2022 filed an RTI application in Form-A to the PIO cum DPDO Koloriang Kurung Kumey 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 cum DC Kurung Kumey, Koloriang on 16.12.2022.

Appellant again having not received the required information and decision from FAA, filed the Second Appeal before the Arunachal Pradesh information Commission on 23.01.2023. The appellant has not attached any order of decision or response from the FAA.

The Registry of the Commission (APIC), on receipt of the appeal, registered it as APIC-No.83/2023 (Appeal) and processed the same for its hearing and disposal.

Accordingly, this matter came up for 6th hearing before the Commission Court today on 16.08.2024.

In this hearing of the appeal on 16.08.2024 the respondent PIO, DPDO Koloriang Kurung Kumey District AP did not appear. The appellant Shri Tadar Tai appeared.

Heard the appellant.

The appellant states that neither the full information has been furnished to him by the PIO irrespective of the interim order passed by the commission nor the PIO attends the commission for hearing.

The commission after hearing the submission of the appellant perused the appeal case file. It is observed that:

FAA -the Deputy Commissioner, Koloriang has not taken any action on record to the first appeal filed to him. This is negligence to implementation of provisions in RTI Act 2005 which was enacted to secure access by the citizens to information under the control of public authorities in order to promote transparency and accountability in the working of every public authority and also to contain corruption and to hold governments and their instrumentalities accountable to the governed.

PIO - the DPDO Koloriang has not attended all six hearings at commission dated 17.3.2023, 19.5.2023, 4.8.2023, 6.10.2023, 8.12.2023 and 16.8.2024. This act of PIO is also deliberate negligence in implementation of RTI Act 2005. During 3rd hearing on 4.8.2023, the PIO was represented by Shri Chera Ngoya (DNO) and the information documents were handed over to the appellant.

The appellant was ordered to examine the information given to him for its adequacy and correctness. In its interim order dated 4.8.2023 the appellant was directed to file written submission to the PIO if any shortfall & incorrect information specifying exact nature of shortfall / incorrect information.

The commission is in receipt of representation from the appellant dated 28.11.2023 addressed to the Chief Information Commissioner stating items of information not received by him. There is no record as to whether the appellant has filed any written submission to the PIO for any shortfall in the information already furnished to him.

The appellant shall serve this order along with a written submission by him to the PIO of any shortfall in information already furnished to him. He shall obtain written acknowledgement from the PIO / office and submit a copy of such written

acknowledgement to this commission before next date of hearing. The PIO shall furnish the additional information to the appellant within two weeks from the date of receipt of this order.

The Deputy Commissioner, Koloriang shall ensure furnishing of additional information to appellant and attendance of PIO in the next hearing at commission as required under guidelines to FAA, Para 41 of OM No. AR-111/2008 Dated 21.8.2008 that "***If, in any case, the PIO does not implement the order passed by the appellate authority feels that intervention of higher authority is required to get his order implemented, he should bring the matter to the notice of the officer in the public authority competent to take action against the PIO. Such competent officer shall take necessary action so as to ensure implementation of the provisions of RTI Act.***

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

Order pronounced in the Open Court of this Commission today this 16th 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 16th day of August' 2024.

Sd/-
(Dani Gamboo)
State Information Commissioner
APIC, Itanagar

Memo No.APIC-83/2023/ 133
Copy to:

Dated Itanagar the 19 Aug' 2024.

1. The Deputy Commissioner, Koloriang Kurung Kumey District, AP.
2. The PIO cum DPDO Koloriang Kurung Kumey District Arunachal Pradesh. Pin: 791118.
3. Shri Tadar Tai Vice President Youth Against Corruption (YAC) Nyokum Lapang Itanagar P/Pare District, Arunachal Pradesh. (M) 9366852886. Pin: 791111.
4. Computer Programmer Itanagar APIC to upload in APIC website and mailed to concerned department email.
5. Office copy.

Registrar / Dy. Registrar
APIC Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar