



सत्यमेव जयते



सूचना का
अधिकार
RIGHT TO
INFORMATION

**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**BEFORE THE FULL BENCH COURT OF STATE INFORMATION
COMMISSIONERS**

No.APIC-932/2023

Dated, Itanagar the 7th May, 2024.

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Nima Sangcho, Polo-colony, GK apartment, Naharlagun Arunachal Pradesh, PIN-791110, (M)8414895035.

Vs

Respondent: The PIO-cum-DFO, Bomdila Forest Division, Upper Gonpa, Near DC Bungalow Bomdila, Private Quarter Bomdila, District West Kameng Arunachal Pradesh, PIN-790001.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Nima Sangcho, Polo-colony, GK apartment, Naharlagun Arunachal Pradesh, for non-furnishing of information by the PIO-cum-DFO, Bomdila Forest Division, Upper Gonpa, Near DC Bungalow Bomdila, Private Quarter Bomdila, District West Kameng Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 13/06/2023 regarding CA NPV, CAT PLAN.

The 1st hearing is held today on 7th May, 2024 as scheduled. The PIO-cum-DFO, Bomdila Forest Division, Upper Gonpa, Near DC Bungalow Bomdila, Private Quarter Bomdila, District West Kameng Arunachal Pradesh is absent. The Appellant Shri Nima Sangcho is present. Appellant has submitted that on non furnishing of information in stipulated time he appealed to the First Appellate Authority (FAA) on 31st August, 2023 wherein during the hearing the PIO was absent and the Appellant alone was present. The FAA had ordered the PIO to furnish information within 15 days from the date of issue of order. Liberty was given by the FAA to the Appellant to appeal to the 2nd Appellate Authority if not satisfied with the information furnished by the PIO. Therefore, for non furnishing of information by the PIO the Appellant has appealed to the 2nd Appeal Authority under section 19(3) of the RTI Act.

The absence of the PIO during the hearing is viewed as negligence of public authority to perform his statutory duties. Non-compliance of directions passed by the commission is direct disrespect to the law made by the Parliament of the country. It is viewed very seriously and cautioned that if the PIO is found absent on the next date of hearing the Commission shall be compelled to invoke penal provision under section 20(1) of the RTI Act, 2005 and the same shall be published in the wide circulating local Newspapers of the state with name and designation of the PIO.

The Appellant had sought information from the year 2020-23, the Commission directed him to seek specific information for one work of one financial year. The Appellant appealed the Commission to direct the PIO to furnish information for the financial year 2022-23. Hence, the PIO is directed to furnish complete, correct and authenticated information for the financial year 2022-23 only within 15 days from the date of issue of this order.

Both the parties are directed to appear before the Commission's court on the next date of hearing without fail. If the SPIO is found absent the Commission may initiate penal action as per provision 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 21st May, 2024 (Tuesday) at 1030 hrs.

Therefore, the PIO-cum-DFO, Bomdila Forest Division, Upper Gonpa, Near DC Bungalow Bomdila, Private Quarter Bomdila, District West Kameng Arunachal Pradesh is hereby summoned to appear before this Court in person on the scheduled date and time without fail.

N.B: - PIO and Appellant can also avail online mode of hearing by downloading "Webex App" from Google Play store and may contact **Shri Himanshu Verma** at **Mob:- 8878891768** for further technical assistance.

Order copies be issued to all the parties.

Sd/-

(RinchenDorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission

Itanagar

Dated, Itanagar the 07th May, 2024

Memo No. APIC-932/2023/01
Copy to:

1. The FAA-cum-Chief Conservator of Forest, Western Circle Banderdewa, Arunachal Pradesh, PIN-791123 to ensure attendance of the PIO-cum-DFO, Bomdila Forest Division, District West Kameng Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Govt. of A.P. Bomdila, West Kameng, Arunachal Pradesh, PIN-790001 to ensure attendance of the PIO-cum-DFO, Bomdila Forest Division, District West Kameng Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
3. Computer Programmer, APIC, Itanagar, to upload in APIC Website & send mail to all the parties.
4. Case file.

Registrar /Dy. Registrar
Arunachal Pradesh Information Commission

Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar