



**ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)**

**ITANAGAR.**

**An Appeal Case U/S 19(3) of RTI Act, 2005**

**Case No. APIC- 36/2024.**

**Shri Teli Naga, Vice President, (Pro) ALSU, c/o : APPELLANT**

**LL. Consultancy RTI & Legal Matters,  
Niya Namchung Lower Dobam Karsingsa  
PO/PS Bandardewa, Papum Pare  
District, (A.P)**

**Vs**

**The PIO o/o the Divisional Forest Officer, (DFO), Likabali, : RESPONDENT  
Lower Siang District, (A.P)**

**ORDER**

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Teli Naga for non-furnishing of information by The PIO o/o the Divisional Forest Officer (DFO) Likabali, Lower Siang District, (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 16.11.2023.

The records reveal that the Applicant/Appellant had requested the PIO, o/o the (DFO), Likabali, Lower Siang District, for disclosure of 14 (fourteen) point information regarding disbursement amount against the affected beneficiaries for jungle clearance/ground cover and extraction of timber under Sub-margins areas of the SLHFP/NHPC but having not received the sought for information from the PIO, the Applicant/Appellant had approached the F.A.A, the C.C.F, (Central Circle), Pasighat under section-19 (1) of the RTI Act vide his Memo Appeal dated 17/12/23.

However, having failed yet again to obtain the information, the Appellant filed his Second Appeal before this Commission vide his Memo of Appeal dated 18/01/24 under section 19-(3) of RTI Act,2005 on the ground of non-response from the F.A.A.

This appeal is, accordingly, listed for hearing today on 13//11/24 wherein the Appellant Shri Teli Naga and the Advocate Shri Lizar Bui, the Counsel for the PIO, o/o the (DFO), Likabali, Lower Siang District, are present.

Heard both the parties.

The Applicant/Appellant submitted that he had visited two times to the o/o the F.A.A the C.C.F (Central Circle), Pasighat after filling the First Appeal on 17/12/23 but he could not get the information which compelled him to file this second appeal before this Commission.

In response, the Counsel for the PIO stated that the PIO never received the application (Form-A) of the Appellant for which the question of non-furnishing of the information does not arise.

This Commission therefore, handed over to the Counsel the copy of the application 16/11/23 submitted by the Appellant as requested by the Counsel.

Since the F.A. A did not adjudicate upon the appeal as mandated under section-19 (1) of RTI Act, 2005, this Commission with the consent of both the parties, decided to remand this appeal to the F.A.A, the C.C.F, (Central Circle), Pasighat for adjudication under section- 19 (1) of RTI Act.

It is to be noted that the F.A.A, while adjudication on the appeal must apply his mind into the aspects like the kind of information sought by the Appellant, whether the information sought for could be disclosed or whether the same is exempted under relevant provisions of law and then, exercise his power and functions as mandated by the provisions of Section 19(1) of the RTI Act, 2005.

In the premises as above this Commission finds the case at hand fit to be remanded to the FAA, the C.C.F, (Central Circle), Pasighat, Govt. of A.P for adjudication who shall apply his mind and go into aspects like what kind of information was sought by the Appellant, whether the information(s) could be provided or whether the same is hit by the provisions of Section – 8 & 9 of the RTI Act, 2005, whether the information requested is disproportionate/indiscriminate etc. and then pass an appropriate speaking order giving justification for his decision.

This appeal is, accordingly, remanded to the F.A.A, the C.C.F (Central Circle), Pasighat, for adjudication within 4(four) weeks from the date of receipt of this order and the PIO shall comply with the order of the F.A.A within 2(two) weeks from the date of F.A.A's order with liberty to the Appellant to prefer second appeal before this Commission under section 19 (3) of the RTI Act, if he is aggrieved/ dissatisfied with the order passed by the F.A.A, or with the information furnished by the PIO for which no fee need be paid.

The Applicant/Appellant is also directed to appear before the F.A.A when called for the hearing along with all the relevant documents.

**Given under my hand and seal of this Commission on this 13<sup>th</sup> November 2024.**

**Sd/-  
(SANGYAL TSERING BAPPU)  
State Information Commissioner,  
APIC, Itanagar.**

Memo No. APIC-36/2024/317

Dated Itanagar, the 18 Nov, 2024


Copy to:-

1. The C.C.F, (Central Circle), Pasighat, Govt. of AP, -Cum-First Appellate Authority for information and compliance.
2. The PIO o/o the Divisional Forest Officer, (DFO), Likabali, Lower Siang District, (A.P) for information and compliance.

3. Shri Shri Teli Naga, Vice President, (Pro) ALSU, c/o LL. Consultancy RTI & Legal Matters, Niya Namchung Lower Dobam Karsingsa PO/PS Bandardewa, Papum Pare District, (A.P) PIN: 791123 Mobile No. 6909447020 for Information and compliance.

4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.

5. Office copy.

  
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**APIC, Itanagar**  
**Deputy Registrar**  
Arunachal Pradesh Information Commission  
Itanagar.