



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

**An Appeal Case U/S 19(3) of RTI Act, 2005**  
**Case No. APIC- 42/2024.**

**Adv. Mamu Sono, Sood Village, Naharlagun,  
Papum Pare District, (A.P)**

**: APPELLANT**

**Vs**

**The PIO, o/o the District Animal Husbandry &  
Veterinary Officer, (DAH& VO), District Pakke Kessang,  
Lemmi (A.P)**

**: RESPONDENT**

**ORDER**

This is an appeal under Section 19(3) of RTI Act, 2005 received from Adv. Mamu Sonu for non-furnishing of information by the PIO o/o the District Animal Husbandry & Veterinary Officer (DAH&VO) District Pakke Kessang, Lemmi (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 15.11.2023.

Records reveal that the applicant/appellant had sought 33(thirty-three) point information regarding the Arun Pig Development Scheme (APDS) from the PIO, o/o the District Animal Husbandry & Veterinary Officer (DAH&VO) District Pakke Kessang, Lemmi (A.P). But having failed to obtain the information from the PIO within the statutory period of one month, the applicant approached the Deputy Commissioner, Pakke Kesang, the First Appellate Authority vide his Memo of Appeal dt.18.12.2023. But having failed yet again to receive the information / any response from the F.A.A, the Applicant/Appellant, Shri Manu Sono filed this 2<sup>nd</sup> Appeal before this Commission under section 19(1) of the RTI Act, 2005 vide his Memo of application dated 22/01/24.

This appeal was, accordingly, listed for hearing today on 13<sup>th</sup> November, 2023 wherein the PIO, Dr. Shri T.S. Miji, DAH & VO attended in person but the Applicant/Appellant was absent despite summon notice.

In the course of hearing, the PIO, however, furnished a copy of his letter dt.22.03.2024 addressed to the Applicant/ Appellant furnishing therein the point-wise replies to the queries of the applicant the receipt of which could not be confirmed in the absence of the applicant/appellant.

Records reveal that the Appellant did not receive the information sought by him from the PIO in view of which he approached the F.A.A, the Deputy Commissioner Pakke Kessang District, Lemmi, Govt. of A.P, vide his appeal dated 18/12/23.

Records further disclose that the F.A.A has not adjudicated on this appeal as mandated under Section 19(1) of RTI Act,2005.

The First Appellate Authority, following the principle of natural justice, should have conducted hearing giving fair and equal opportunity to the Appellant and the PIO and thereafter passed a reasoned and speaking order on merit.

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 Deputy Commissioner Pakke Kessang District, Lemmi, 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 Deputy Commissioner Pakke Kessang District, 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.

**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-42/2024/ 318  
Copy to:-

Dated Itanagar, the 18 Nov, 2024

1. The Deputy Commissioner, Pakke Kessang District, Lemmi, Govt.of A.P, -  
Cum- First Appellate Authority for information & complainece.
2. The PIO o/o the District Animal Husbandry & Veterinary Officer, (DAHVO)  
District Pakke Kessang, Lemmi (A.P) for information & compliance.

3. Shri Adv. Mamu Sono, Sood Village, Naharlagun, Papum pare District, (A.P)  
PIN: 791110 Mobile No. 9436215521 for Information & compliance.
4. The Computer Programmer/Computer Operator for uploading on the Website  
of APIC, please.
5. Office copy.

**Registrar/ Deputy Registrar**  
**APIC, Itanagar**  
**Deputy Registrar**  
Arunachal Pradesh Information Commission  
itanagar