



**ARUNACHAL PRADESH STATE INFORMATION COMMISSION
ITANAGAR**

(Before the Court of Mr Genom Tekseng Information Commissioner)

APIC No-101/2021(Appeal)

Shri Tagi Nada, AAPSU office, Nefa Club
Building, Itanagar, Distt. Papum Pare
Arunachal Pradesh.

—

Appellant

Vs

DC-cum-PIO Raga, Kamle District, Arunachal
Pradesh.

—

Respondent

Date of hearing:-22nd October, 2021.

Date of Decision:-22nd October, 2021.

ORDER

The Appellant vide his RTI application dated 07th January, 2021 sought information on 14 points as contained therein.

The PIO did not provide any reply to the Appellant in response to the present RTI application. The Appellant then filed a First Appeal. The First Appellate Authority also did not respond to the Appeal.

The Appellant, therefore, filed a Second Appeal before the commission with a request to provide complete information.

Hearing of the Second Appeal was conducted on 24.09.2021. The Appellant was present. Shri Hango Basar, then DC-cum-PIO was absent. Present DC-cum-PIO also remained absent during the hearing.

The commission after careful consideration of the submissions made by the Appellant and perusing the case records, noted that then DC-cum-PIO did not appropriately dealt with the present RTI application in a time bound manner. It was also observed that demanded information did not qualify to be treated as personal information and as such in furnishing the information there should not be any question of breach of confidentiality privacy or trust. Accordingly, the commission vide its order dated 24.09.2021 directed-

1. Shri Hango Basar, then DC-cum-PIO, Kamle to show cause as to why action should not be initiated against him for non-compliance of the provisions of the RTI Act and to submit his explanation within 10 days from the receipt of the aforesaid order.
2. Shri Adong Pertin, present DC-cum-PIO, Kamle to furnish complete information to the Appellant free of cost within 15 days from the receipt of aforesaid order. He was also directed to serve a copy of the aforesaid order of the commission to Shri Hango Basar, the DC-cum-PIO, Kamle.

The case is again heard today. The Appellant is present. The DC-cum-PIO is again absent. Shri Hango Basar, then DC-cum-PIO also remained absent.

The Appellant has submitted before the commission that no response has also been received from present DC-cum-PIO. Upon perusal of records, it appears that the PIO has not provided any reply in response to the present RTI application. It is noted that if the information

is denied to the citizen without valid reason it may give wrong impression that the information is withheld to hide the illegal activities of the public authenticity. The commission also takes strong exception of the non-attendance of the DC-cum-PIO (both delinquent PIO and present PIO) during the hearing of the Appeal and also for non-compliance of the commission order dated 24.09.2021. The commission after careful consideration of the submissions by the Appellant and perusal of case records, orders that:-

1. Shri Hengo Basar, then DC-cum-PIO, shall submit his explanation in writing by 29.10.2021.
2. Shri Adong pertin present DC-cum-PIO shall furnish complete information to the Appellant by 29.10.2021.

Compliance report to be duly sent to the commission by 01.11.2021, failing which action under section 20 (1) of the RTI Act, 2005, may be taken by the commissions.

The PIO (concerned PIO and the present PIO) is directed to be present during next hearing.

Hearing is adjourned to **05.11.2021 at 1030 hrs.**

Take notice that in default of your appearance on the day of hearing mentioned above ex-parte action may be initiated against then DC-cum-PIO as well as present DC-cum-PIO. Let the copy of this order be issued to all the concerned party.

copy

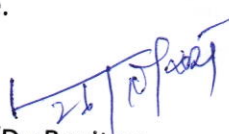
Sd/-
(Genom Tekseng)
Information Commissioner

Memo No.APIC-101/2021/840

Dated Itanagar the 26/October, 2021.

Copy to:

1. The DC-cum-PIO Raga, Kamle District, Arunachal Pradesh.
2. Shri Hango Basar, then DC-cum-PIO Raga, Kamle District, Arunachal Pradesh.
3. Shri Tagi Nada, AAPSU Office, Nefa Club Building, Itanagar, Papum Pare Distt. Arunachal Pradesh.
4. Computer Programmer, APIC, Itanagar to upload in APIC website.
5. Case file.


Registrar/Dy.Registrar,
Arunachal Pradesh Information Commission
Itanagar.
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar