



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

BEFORE THE COURT OF DR.JORAM BEGI, STATE CHIEF INFORMATION COMMISSIONER

No.APIC-131/2020

Dated, Itanagar the 12th January'2021

Under Section 19(3) RTI Act, 2005

Appellant

Shri Mikre Taso,
Upper Colony, Likabali,
Lower Siang District,
Arunachal Pradesh.
(m) 6909975426,

&

Shri Karba Riba

Respondent

Shri Bajum Taba,
The PIO-cum-DFO,
O/o Divisional Forest Officer,
Likabali,
Lower Siang District,
Arunachal Pradesh.

Vs

Dated of hearing held on : 12th January' 2021.

ORDER

Whereas, an appeal under Section 19(3) of RTI Act, 2005 has been received from Shri Mikre Taso, Upper Colony, Likabali, Lower Siang District, Arunachal Pradesh, & Shri Karba Riba for non-furnishing of information, by Shri Bajum Taba, the PIO-cum-DFO, O/o Divisional Forest Officer, Likabali, Lower Siang District, Arunachal Pradesh, as sought, by the Appellants under section 6(1) of RTI Act, 2005 on 20/07/2020.

Whereas, the 1st hearing was held through online video / audio conference on 17th November'2020. Shri Bajum Taba, The PIO-cum-DFO, O/o Divisional Forest Officer, Likabali, Lower Siang District, Arunachal Pradesh, and the Appellants Shri Mikre Taso, & Shri Karba Riba, Upper Colony, Likabali, Lower Siang District, Arunachal Pradesh, appeared in the hearing through video conferencing. The Appellant Shri Mikre Taso informed the Commission that the PIO has furnished incomplete and misleading information to them. The PIO refuted and informed the Commission that the information sought by the Appellants regarding the Projects were executed departmentally with the approval from the authority. So, the information as sought by them in the Form A does not arise.

Whereas, the Commission hearing the arguments of both the parties and going through the details of information sought by the Appellant in the Form-A, directed the PIO to furnish all the information to the Appellant which are available in records. The information which does not arise or the information not available in records has to be given in writing to the Appellant. The PIO has to clearly give replies serially as sought in the Form-A by the Appellant.

The Commission, with a caution directed the PIO to furnish all the authenticated information as directed above to the Appellant free of cost on or before 5th December'2020, and the PIO has to ensure that the information is actually received by the Appellant, *failing which u/s 20(1) of the RTI Act 2005, penalty of Rs. 25, 000/- (Rupees twenty five thousand) only shall be imposed on the PIO. Also, u/s 20(2) disciplinary action shall be recommended to the Chief Secretary, Govt. of A.P.* The Commission asked the Appellant to receive information from the PIO and convey his satisfaction or dissatisfaction before the next date of hearing.

Whereas, the 2nd hearing was held through online video / audio conference on 8th December'2020. Shri Bajum Taba, the PIO-cum-DFO, O/o Divisional Forest Officer, Likabali, Lower Siang District, Arunachal Pradesh, and the Appellants Shri Mikre Taso, & Shri Karba Riba, Upper Colony, Likabali, Lower Siang District, Arunachal Pradesh, appeared in the hearing through video conferencing. The PIO informed the Commission that all the information has been furnished to the Appellant as directed by the Commission in the last hearing. The Appellant, Shri Mikre Taso informed that the PIO has furnished incomplete information for Sl.no. i, v & vi, as sought in the Form-A.

Whereas, the Commission on cross examination found that all the information has been furnished to the Appellant by the PIO. However, regarding the information sought at Sl.no. v. *i.e. Copies of Geo-Tagging in details of the mentioned project areas*, the Commission directed the PIO to bring the Geo-Tagging details of the projects in the next date of hearing for clarifying the quarries of the Appellants.

Whereas, the 3rd hearing was held on 12th January'2021. Shri Bajum Taba, PIO-cum-DFO, Likabali, Lower Siang District, Arunachal Pradesh, Advocate of PIO, Adv. Lizer Bui, the Appellants Shri Mikre Taso and Shri Karba Riba were present during the hearing. The Appellant Shri Mikre Taso inform the Commission that the PIO has furnished incomplete and improper information for the Sl.no. v, *i.e. Copies of Geo-tagging details of all the mentioned project areas*. The Appellant also informed that the PIO has not furnished information for Sl.no. viii, *i.e. True certified copies of details list of bill voucher, demand draft, counter foil of the cheque hand receipt etc in connection with the expenditure of the Agency*. The PIO explained that the information furnished for Sl.no v, *i.e. Geo-tagging of project areas*, there are many projects for various areas therefore, only one Geo-tagging is taken for a project and place. The monitoring team monitors the work by that particular single Geo-tagging for a project in a particular area and gives their reports. The information for the Sl.no.viii does not arise as the works has been done departmentally and no contractors were engaged.

Whereas, the Commission after hearing arguments of both the parties and cross examining the information brought by the Appellant and the PIO, found that the department has utilized the government money in procurement of materials from various agencies and the information for the Geo-tagging has been satisfactorily furnished to the Appellant. So, the Commission directed the PIO to furnish information for **Sl.no. viii, i.e. money receipts of Agencies** before 15th January'2021. The Commission asked the Appellant to receive the information go through and convey his satisfaction or dissatisfaction in the next date of hearing.

The next date of hearing is fixed on 9th February'2021 at 10:30 hrs.

Therefore, Shri Bajum Taba, The PIO-cum-DFO, O/o Divisional Forest Officer, Likabali, Lower Siang District, Arunachal Pradesh, is hereby summoned to appear before this Court in person on the scheduled date and time without fail.

Sd/-

(Dr.Joram Begi)

State Chief Information Commissioner
Arunachal Pradesh Information Commission
Itanagar

Memo No.APIC-131/2020 /34
Copy to:

Dated, Itanagar the 15 January,2021

1. Shri Bajum Taba, The PIO-cum-DFO, O/o Divisional Forest Officer, Likabali, Lower Siang District, Arunachal Pradesh,
2. Shri Mikre Taso, Upper Colony, Likabali, Lower Siang District, Arunachal Pradesh,
3. Shri Karba Riba, Upper Colony, Likabali, Lower Siang District, Arunachal Pradesh,
4. Computer Programmer, APIC, Itanagar, to upload in APIC Website,
5. Case file.

Registrar / Dy. Registrar,
Arunachal Pradesh Information Commission
Itanagar

(Handwritten Signature)
Deputy Registrar
Arunachal Pradesh Information Commission