



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**BEFORE THE COURT OF GENOM TEKSENG, STATE INFORMATION
COMMISSIONER**

No.APIC-89/2021(APPEAL)

Dated,Itanagar the 13th August, 2021

Under Section 19(3) RTI Act, 2005

Appellant

**Shri Tamchi Sima
Khola Camp, Lower Bhalukpong, Vs
PO-Bhalukpong, West Kameng
District, Arunachal Pradesh.**

Respondent

**The Deputy Director-Cum-PIO
West Kameng, Bomdila Division,
APEDA Govt. Of Arunachal.**

ORDER

The appellant Shri Tamchi Sima filed an application under **RTI Act, 2005** (RTI) on **9th December, 2020** before the Deputy Director Cum-PIO, APEDA, Bomdila, West Kameng seeking information on 16 points. But no response was received from the PIO. The appellant then filed an appeal to the Director Cum First Appellate Authority, APEDA Itanagar on **2nd February, 2021**. No response was received from the First Appellate Authority also. Not satisfied with the response of the PIO and the First Appellate Authority he has approached this commission through this appeal.

The commission issued notice to both the parties. The case was, accordingly, heard on **23rd April, 2021**. The appellant attended the hearing, but the PIO remained absent.

During the hearing the appellant submitted before the commission that he had no been given response to his request for information either by the PIO or the First Appellate Authority and requested the commission to give direction to the PIO to furnish the requested information.

After hearing the appellant and perusing available records, the commission noted that the PIO cannot refuse access to any information requested by the citizen unless the information is exempted under section **8** and **9** of the Act. The PIO was directed to appear in person before the commission on the next date of hearing on **4th June, 2021** along with all the available information. The PIO was also informed that the commission will take action against him if he again fails to comply with the order of the commission. Due to lockdown ordered by the state

government hearing fixed on 4th June, 2021 could not be conducted and hearing was adjourned to **13th August, 2021**.

Today is the second hearing of the case. The appellant is present but the PIO is again absent. The commission has tried to contact the PIO through phone/voice call. But no response has been received from the PIO. During the hearing the appellant has again informed that no information has so far been received from the PIO.

After hearing the appellant and considering the conduct of the PIO, the commission has noted that the PIO is not only deliberately denying the information to the appellant, but he has also not complied with the direction of the commission issued on **26th March, 2021 and 23rd April, 2021**.

In view of the foregoing, the PIO is directed to furnish all available information before the next date of hearing. The PIO is again informed that necessary action shall be taken against you under section 20 of the RTI Act, 2005 if you fail to comply with this order.

The case is again adjourned to **10th September, 2021**. The copy of this order be issued to both the parties.

Sd/-

(Genom Tekseng)

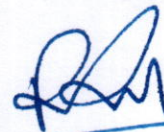
State Information Commissioner
Arunachal Pradesh Information Commission
Itanagar

Memo No.APIC-89/2021/591

Dated, Itanagar the¹⁹.....August, 2021

Copy to:

1. To the Director cum First Appellate Authority (FAA) APEDA, Govt. of Arunachal Pradesh Itanagar.
2. To the Deputy Director-Cum-PIO, West Kameng, Bomdila Division, APEDA Govt. Of Arunachal.
3. Shri Tamchi Sima, Khola Camp, Lower Bhalukpong, PO-Bhalukpong, West Kameng District, Arunachal Pradesh.
4. Computer Programmer, APIC, Itanagar, to upload in APIC Website.
5. Case file.



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