



सत्यमेव जयते



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-600/2025.

APPELLANT : Shri Takar Jamoh, Bank Tinali, Itanagar.
RESPONDENT : The PIO, District Land Revenue & Settlement Officer (DLRSO), Namsai.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Takar Jamoh for non furnishing of 3(three) point information by the PIO o/o the Deputy Commissioner, Namsai District Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 23.12.2024.

Details of Information required: RTI reply sought only from the PIO of the Deputy Commissioner's Office, Namsai (and not from the DLRSO, Namsai).

RTI Queries:

a. Is the Chitha Register & the Cadestral Maps of Lekang Circle under Namsai District of Arunachal Pradesh a Legal Land Document in the District of Namsai of Arunachal Pradesh ? (if Yes provide the CTC of all the orders relating to the Legal Validity of the Chitha Register & Cadestral Maps of Lekang Circle in Arunachal Pradesh	Yes or No
b. Can the Office of the District Land Revenue & Settlement Officer, (DLRSO), Namsai issue land occupation certificate / Land Holding certificate to people not having APST certificates of Arunachal Pradesh (If Yes provide a copy of such orders).	Yes or No
c. Are the land occupation certificate / land holding certificate being issued under Namsai District by the Office of the Deputy Commissioner, Namsai and the DLRSO Office, Namsai as per the notification of the Arunachal Pradesh Land settlement and Records Act 2002 & 2012 in the State of Arunachal Pradesh	Yes or No

Records emerging from the appeal:

Records in the appeal reveal that the appellant had requested the PIO, o/o the Dy. Commissioner, Namsai for the aforementioned information in response to which the PIO, vide letter dt. 06.01.2025 transferred the RTI application to the PIO-cum-District Land Revenue & Settlement Officer, Namsai under section 6(3) of the RTI. Dissatisfied, the appellant approached the D.C, the First Appellate Authority (FAA) under section 19(1) of the RTI Act vide his Memo of Appeal dt.12.02.2025.

Records also reveal that the appellant had also approached the Director (Land Management), Govt. of A.P, Itanagar under section 19(1) vide appeal memo dt.04.04.2025. However, in the meantime the D.C, Namsai conducted the hearing of the appeal on 26.05.2025 and passed the following order :

"The Shri Takar Jamoh is present and the respondent PIO-cum-DLR&SO, Namsai is absent.

Examined the application and he had specified the reason of appeal as no response/reply from the PIO to his RTI application in Form A, 'Ref. No. RTI-28/2024 Dtd. 23/12/2024'.

Also heard the appellant to length, He informed that he had already filed appeal/petition before the SIC. If the response/reply is given by the PIO cum DLR&SO within specific time and deem fit by the FAA, the appeal before the SIC shall be withdrawn.

After hearing and perusing of the available record, it is evident that the information has not been furnished to the appellant. Therefore, the PIO is directed to furnish the requisite information free of cost on or before 06.06.2025.

With this order, the instant case is disposed of.

Sd/-

(C.R. Khampa)

FAA-cum-DC, Namsai District".

Records further reveal that in response to the appeal memo dt.24.12.2024, the Director (Land Management), vide order dt.04.07.2025 remanded the appeal to the DC, Namsai stating that the D.C, Namsai is the Appellate Authority to dispose of the appeal under section 19(1).

Be that as it may, the appellant, apparently, failed to obtain the requested information which made him file his 2nd appeal before this Commission under Section 19(3) of RTI Act vide his Appeal Memo dt. 21.05.2025.

Hearing and decision:

This appeal was heard for 4(four) times on 24.09.2025, 29.10.2025, 26.11.2025 and 28.01.2026.

On 24.09.2025, this Commission had passed the following order:

"The appellant, reiterating his demand for the requested information, pleaded for an appropriate direction to the PIO to furnish the information /replies. The PIO, Ms. K.Namchoom, on the other hand, contended that since the subject matter on which the information has been sought by the appellant pertains to the land revenue and settlement, the RTI application filed by the appellant was transferred to the DLR & SO, Namsai under section 6(3) of the RTI Act. In this regard, the PIO also submitted her written submission through whatsapp.

This Commission, upon perusal of the written statement of the PIO and considering the factual position as obtaining in the case, deems it appropriate to refer to the provisions of sub-sections (4) and (5) of section 5 of the RTI Act, 2005 which is reproduced hereunder: "5(1)....

(2).....

(3).....

(4) The Central Public Information or State Public Information Officer, as the case may be, may seek the assistance of any officer as he or she considers it necessary for the proper discharge of his or her duties.

(5) Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be."

The implication of the provisions of the above sub-sections is that on being requested by the PIO for the assistance of an officer for providing the documents requested by an RTI applicant, the said officer is bound to provide the requested documents/information and in the event of his failure to provide the documents/information, such officer can be proceeded against as a PIO.

This Commission, upon hearing the parties and on perusal of the records and the position of law as above, deems it appropriate to summon the DLR & SO, Namsai in the next date of hearing which is fixed on 29th Oct., 2025 for further consideration of this appeal."

On 29.10.2025 both the respondent PIO, the DLRSO and the appellant, Shri Takar Jamoh were absent but the appellant had intimated vide his letter dt.28.10.2025 that he was out of station (at Delhi) for medical treatment at AIIMS and requested for adjournment of the hearing to a later date. The hearing was, therefore, adjourned to 26.11.2025 when the respondent PIO was again absent without any intimation. The hearing was, therefore, adjourned to today on 28.01.2026 making it clear that if the PIO and/or the DLRSO do not appear, this Commission shall be constrained to invoke the penal provisions of the RTI Act.

Today on 28.01.2026, the appellant was present in person while Shri Kago Doni, the DLRSO-cum-PIO appeared through VC.

Heard the parties.

The appellant, while reiterating his demand for the requested information /documents from the PIO, expressed his sheer disappointment for not being able to obtain the information.

On a pointed query to the DLRSO/PIO regarding the RTI queries of the appellant, he assured to furnish whatever records available in his office to the appellant.

As assured to by the PIO, the requested replies/information with the supporting /relevant copies of orders/notification, shall be furnished to the appellant in tabulation form as per the query made by the appellant in his RTI application within 1(one) week from the date of receipt of this order and the appellant shall, thereafter, intimate this Commission of the receipt of the same within one week.

This appeal stands disposed of and closed in above terms.

Given under my hand and seal of this Commission on this 28th Jan.,2026

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

Memo No. APIC- 600/2025 /1061 Dated Itanagar, the 30 Jan., 2026

Copy to:

1. The Deputy Commissioner, Namsai Distt., Namsai for information and ensuring compliance by the PIO, the DLR & SO, Namsai.
2. The PIO, o/o the D.C, Namsai Distt, Namsai PIN: 792103 for information.
3. The PIO, the DLR & SO, Namsai District PIN: 792103 for information and compliance.
4. Shri Takar Jamoh, Bank Tinali, Near Head Post Office, Itanagar, Arunachal Pradesh, Itanagar – 791 111 Contact No : 7005670629 for information.
5. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.

6. Office copy.

7. S/Copy.

P. Anand
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar