



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**BEFORE THE FULL BENCH COURT OF STATE INFORMATION
COMMISSIONERS**

No.APIC-809/2023

Dated, Itanagar the 23rd February, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri TamchiGungte, Near KV2 School, ChimpuItanagar, District Papum Pare, Arunachal Pradesh, PIN-791113, (M) 9233567279 / 8257994249.

Vs

Respondent: The SPIO-cum-EE(Hydro Power), Govt. of A.P., Hydro Power Division DHPD, AniniDibang Valley District, Arunachal Pradesh, PIN-792101,

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri TamchiGungte, Near KV2 School, ChimpuItanagar, District Papum Pare, Arunachal Pradesh, for non-furnishing of information by the SPIO-cum-EE(Hydro Power), Govt. of A.P., Hydro Power Division DHPD, AniniDibang Valley District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 25/04/2023 regarding Construction of Common Service Centre (CSC) at Roing in Roing MCA (Hq) of Lower Dibang Valley Dist. A.P.

The 2nd hearing is held today on 23rd February, 2024 as scheduled. Shri Ojing Nobeng, the PIO-cum-EE(Hydro Power), Govt. of A.P., Hydro Power Division DHPD, Anini, Dibang Valley District, Arunachal Pradesh and the Appellant Shri Tamchi Gungte are present. The PIO has submitted that he has written to the Appellant for depositing the requisite fee and to collect the information but he has not deposited the same till date. On the other hand the Appellant has submitted that the letter for collection of the information with requisite fee was received only after he had made first appeal to the First Appellate Authority and appealed the commission that the time limit has already been passed, so, the information should be furnished free of cost. After going through the records and submissions of both the parties, it is found that application for the information was submitted on 25th April, 2023 and letter for collection of the information to deposit the fee is of 2nd August, 2023. The PIO could not establish date of receipt of Form-A application. Here the PIO has not responded on time, hence the commission directs the PIO to furnish information free of cost to the Appellant. The PIO brought bunch of documents in the court room and furnished to the Appellant with a receipt. The Commission directs the appellant to go through the records furnished to him and give his findings within ten days from the date of issue of this order.

Both the parties are directed to appear before the Commission's court on the next date of hearing without fail. If the SPIO is found absent the Commission may initiate penal action as per the provisions under section 20(1) of the RTI Act-2005 and in case Appellant is found absent the case shall be disposed of without any further notice, presuming that the Appellant is satisfied with the information so furnished.

The next date of hearing is fixed on 14th March,2024 (Tuesday) at 1030 hrs.

Therefore, the SPIO-cum-EE(Hydro Power), Govt. of A.P., Hydro Power Division DHPD, AniniDibang Valley District, Arunachal Pradesh is hereby summoned to appear before this Court in person on the scheduled date and time without fail.

Order copies be issued to all the parties.

Sd/-

(RinchenDorjee)


State Chief Information Commissioner
Arunachal Pradesh Information Commission
Itanagar

Memo No.APIC-809/2023/737

Dated, Itanagar the 23 February, 2024

Copy to:

1. Computer Programmer, APIC, Itanagar, to upload in APIC Website & send mail to all the parties.
2. Case file.


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