



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR

(Before the Hon'ble Information Commissioner Mr Dani Gamboo)

AN APPEAL UNDER SECTION 19 (3) OF RTI ACT, 2005.

APIC-No. 403/2023(Appeal)

Shri Riya Taram & Shri Takam Sakap  
C/o Hotel River View Naharlagun  
Papumpare Dist. A.P  
Pin: 791110  
(M) 983103387 / 9402443699

Appellant

Versus

1)The PIO cum EE UD & Housing Deptt.  
Tezu Division, Lohit District  
Arunachal Pradesh  
Pin: 792001

Respondent

2)The FAA cum CE, UD & Housing Deptt.  
Govt. of A.P Itanagar  
PapumPare District  
Arunachal Pradesh.  
Pin: 791111.

Date of hearing:01.04.2024

Respondent PIO cum EE UD & Housing Deptt, Tezu Division Smt. Bapenlu Kri and representative of FAA Shri Nixon Lego, Joint Director, UD & Housing appeared. Appellant Shri Riya Taram appeared.

Heard all the parties present.

The appellant filed an RTI application dated 14.3.2023 seeking information regarding: "Furnish all the relevant information against the fund allocation section under SIDF / Addl( SIDF) BE/additional (BE)/RE/Addl (RE)/SADA/ADA/MLA LAD/MP LAD/CCI/SPA/SJETA/CMCSR or Maintenance and Supply work / order for imp;ement of development at entire Tezu Division from 2016 to till date.

The appellant then filed first appeal on 16.4.2023 to the FAA cum Chief Engineer UD & Housing, GoAP, Itanagar.

Feeling aggrieved for not furnishing the information in time the appellant approached the commission with this instant second appeal dated 15.5.2023 albeit before 90 days from the date of filing first appeal.

The appellant placed his grievances for not furnishing the information in time. Whereas the PIO stated that information document was ready and communicated to the applicant through speed postal service and requested him to deposit the requisite fee to the bank through treasury challan before handing over of the documents. The appellant denies of having received such communication. The PIO and representative of FAA produced documents of correspondences.

On perusal of the records, it is seen that the RTI application in form "A" was received by the PIO on 15.5.2023 and action initiated by postal communication on 14.7.2023 to the applicant to deposit the requisite fee amount being prescribed cost of documents to the bank through treasury challan.

The FAA cum CE UD & Housing Deptt. has not heard the first appeal by summoning the PIO and the appellant to pass an appropriate order under relevant clause of RTI Act 2005. Though the SW/PIO o/o the CE UD & Housing department has directed EE UD & Housing Deptt. to provide the information in writing twice on 18.4.2023 and 19.3.2024.

It is observed that PIO has delayed in providing the information. Since the RTI application was received by her 15.5.2023, giving intimation to the applicant about readiness of information by postal communication on 14.7.2023 itself is late without any other communication in between with the applicant. And the FAA has not passed any order in the form of **speaking order** as required at serial no. 38 of the guide for FAA under sub sections (4) and (5) of section 5 of the Right to Information Act 2005 clarified by memorandum No. AR-111/2008 dated 21.08.2008 Deptt. of AR, GoAP.

Now I am of the opinion and direct PIO cum EE UD & Housing to provide the information documents free of cost to the applicant. The applicant shall collect the information documents from PIO's office.

Compliance report of delivery / receipt of documents be submitted to the commission within 30 days from date of this order. Both the parties shall appear before the commission for next hearing adjourned to 7.6. 2024.

Furnish copies to the parties.

Sd/-  
(Dani Gamboo)  
Information Commissioner

Memo No.APIC-403/2023/ 997

Dated Itanagar the ...9... April 2024

Copy to:

1. The FAA cum CE UD & Housing Deptt, Govt. of A.P Itanagar, P/Pare District, Arunachal Pradesh. Pin: 791111
2. The PIO cum EE UD&Housing Deptt. Tezu Division, Lohit District, Arunachal Pradesh. Pin: 792001
3. Shri Riya Taram & Shri Takam Sakap, C/o Hotel River View Naharlagun, Papumpare Dist. A.P (M) 983103387 / 9402443699, Pin: 791110
4. Computer Programmer, Itanagar, APIC, to upload in APIC, website.
5. Office copy.

  
Registrar  
APIC, Itanagar  
Registrar  
Arunachal Pradesh Information Commission  
Itanagar.