



**ARUNACHAL PRADESH INFORMATION COMMISSION  
ITANAGAR**

**BEFORE THE HON'BLE COURT OF SHRI RINCHEN DORJEE, STATE CHIEF  
INFORMATION COMMISSIONER**

No.APIC-05/2024

Dated, Itanagar the 23<sup>rd</sup> July, 2024

**An Appeal Under Section 19(3) RTI Act, 2005**

**Appellant:** Shri Lokam Talo, Near Oju Mission School road, Papu Nallah, Naharlagun, Papum Pare District, Arunachal Pradesh, PIN-791112, (M) 6909746365.

Vs

**Respondent:** The PIO-Cum-EE(PHE & WS), Koloriang Division, Kurung Kumey District, Arunachal Pradesh, PIN-791118.

**Date of 1<sup>st</sup> Hearing:- 23-07-2024**

**ORDER**

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Lokam Talo, Near Oju Mission School road, Papu Nallah, Naharlagun, Papum Pare District, Arunachal Pradesh, for non-furnishing of information by the PIO-Cum-EE(PHE & WS), Koloriang Division, Kurung Kumey District, Arunachal Pradesh, as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 22/06/2023 regarding **Jal Jeevan Mission (J.J.M.) Fund from 2021-2023.**

**The 1<sup>st</sup> hearing is held today on 23<sup>rd</sup> July' 2024 (Tuesday) at 1030 hrs.** Shri Lokam Talo appellant is absent and Shri Dominic Bake, AE, APIO is representing the PIO.

The Commission observes that information sought for by the Appellant is of entire PHE & WSD, Koloriang Division, Kurung Kumey District and the period of information sought for is from 2020 to till date which is voluminous and vast in nature. The Commission orders to seek specific information of one work for one financial year only and intimate to the PIO for its early furnishing of the information. As per the sub-section 9 of section (7) it clearly mentioned that information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question.

It is pertinent to mention here the observation of Supreme Court in the CBSE VS Aditya Bandyopadhyay states that " Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counterproductive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information.

Further, it says that the Act should not be allowed to be used or abused to become a tool to obstruct the national development & integration or to destroy the peace tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty.

The nation does not want a scenario where 75% of Staff of Public authority spends 75% of time in collecting and furnishing information to applicants instead of discharging their duties.

The threat of penalties and the pressure of authorities should not lead the employees prioritizing information furnishing at the cost of their normal & regular duties." **Unquote.**

Now, the Commission observes that the matter has not been heard by the First Appellate Authority (FAA). As per the principle of natural justice fair opportunities of being heard should be given to both the parties and after hearing both the parties decision should be given in speaking order. If the Appellant is aggrieved by the decision of the First Appellate Authority (FAA) the Appellant should appeal to the 2<sup>nd</sup> Appellate Authority within 90 days from date of decision of the First Appellate Authority (FAA).

It is directed to the Appellant to seek specific information for one work of one financial year. So that the PIO can furnish the information within the time frame period.

Hence, the appeal is premature, and therefore, it is remanded to the First Appellate Authority (FAA) for its proper hearing and pass speaking orders on merit. The case will be heard by the Commission on its appeal, if the appellant is not satisfied or aggrieved by the order of the First Appellate Authority (FAA).

**This appeal is disposed of and closed.**

**N.B:** - PIO and Appellant can also avail online mode of hearing by downloading "Webex App" from Google Play Store and may contact **Shri Himanshu Verma** at **Mob:- 8878891768** for further technical assistance.

**Order copies be issued to all the parties.**

Sd/-

(Rinchen Dorjee)

State Chief Information Commissioner  
Arunachal Pradesh Information Commission  
Itanagar

Memo No.APIC-05/2024 / 188

Dated, Itanagar the 25 July'2024

Copy to:

1. The FAA-Cum- Chief Engineer (Western Zone PHE) , Govt. of A.P., O/o Department of PHE & WS, Itanagar, Arunachal Pradesh, PIN-791111 to ensure fair hearing of both parties before your court.
2. The Deputy Commissioner, Govt. of A.P., Koloriang, Kurung Kumey District, Arunachal Pradesh, PIN- 791118 for needful action.
3. Computer Programmer, APIC, Itanagar, to upload in APIC Website& send mail to all the parties.
4. Case file.

Registrar/ Dy. Registrar

Arunachal Pradesh Information Commission  
Itanagar