



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. 327/2023(Appeal)

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

Appellant

Versus

1)The PIO-Cum-EE PHE & WS Ziro Division  
Lower Subansiri District  
Arunachal Pradesh  
Pin: 791120

Respondent

2)The FAA-cum-SE, PHE & WS Yachuli Circle  
Lower Subansiri District  
Govt. of Arunachal Pradesh  
Pin: 791120

Date of hearing: 01.04.2024

Respondent PIO cum EE PHED Ziro Division Shri Kago Habung appeared. FAA cum SE PHED Yachuli Circle absent. Appellant Shri Riya Taram appeared.

Heard both the parties.

The appellant filed an RTI application dated 06.02.2023 seeking information regarding state govt. schemes: Augmentation / any water supply project at entire Ziro Division under Jal Jeevan Mission (JJM) and under North East Special Infrastructure Development Scheme (NESIDS) PHE & WS Ziro Division, Lower

Subansiri Distt. AP. There is no record of any response from the PIO within the stipulated period for rejection / furnishing of information.

The appellant then filed first appeal on 14.03.2023 to the FAA cum Superintending Engineer (PHE & WS) Yachuli Circle. There is no record of any response from the FAA as well.

Feeling aggrieved the appellant approached the commission with this instant second appeal dated 18.04.2023 albeit before 90 days from the date of filing first appeal.

The appellant placed his grievances of not getting response to RTI application seeking information from PIO and no response to the first appeal from FAA as well. Both the PIO and the appellant admitted that FAA has not called and summoned them to hear the case.

After hearing the submissions of both the parties and perusal of records it is observed that the appellant has approached the commission before 90 days since he filed first appeal and FAA has not acted anything on it. The commission is of the opinion that the FAA should be given one time opportunity to conduct hearing of both the parties as required under Right to Information Act 2005 and Arunachal Pradesh Right to Information Rule 2005 to dispose of the case.

First Appellate Authority (FAA) cum SE (PHED & WS) is ordered to conduct hearing by summoning both PIO and appellant and pass appropriate order in the form of speaking order within 30 days from the issue of this order to disposed of the case 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.

In any case the PIO does not implement the order passed by the appellate authority, he should bring the matter to the notice of the officer in the public authority competent to take action against the PIO.

The appeal case is closed in the commission with liberty to the appellant to file afresh an appeal if aggrieved with the decision of FAA.

Furnish copies to the parties.

Sd/-  
(Dani Gamboo)  
Information Commissioner

Memo No.APIC-327/2023/ 1001

Dated Itanagar the ...9 April 2024

Copy to:

1. The FAA-cum-SE, PHE & WS Yachuli Circle, Lower Subansiri District, Govt. of Arunachal Pradesh. Pin: 791120
2. The PIO-cum-EE, PHE & WS Ziro Division, Lower Subansiri District, Arunachal Pradesh. Pin: 791120.
3. Sh. Riya Taram & Sh. Takam Sakap, C/o Hotel River View Naharlagun, Papumpare Dist. A.P, Pin: 791110 (M) 983103387 / 9402443699
4. Computer Programmer, Itanagar, APIC, to upload in APIC, website.
5. Office copy.

Registrar

APIC, Itanagar

Registrar  
Arunachal Pradesh Information Commission  
Itanagar.