



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

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

No.APIC-1097/2023

Dated, Itanagar the 30th May, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Pem Dondup Thongkhar and Shri Kahandu Thongkhar Village-Lish, Dirang, West Kameng District, Arunachal Pradesh, PIN-790101, (M) 8414992277/8119985567.

Vs

Respondent: The PIO-cum-EE(PHE & WS) Govt. of A.P. Department of Public Health Engineering, Dirang Sub-Division, West Kameng District, Arunachal Pradesh, PIN-790101.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Pem Dondup Thongkhar and Shri Kahandu Thongkhar Village-Lish, Dirang, West Kameng District, Arunachal Pradesh, for non-furnishing of information by the PIO-cum-EE(PHE & WS) Govt. of A.P. Department of Public Health Engineering, Dirang Sub-Division, West Kameng District, Arunachal Pradesh, as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 14/08/2023 regarding Scheme of providing water supply to Rungkhung, DIET Centre and adjoining areas under PHE & WS Division, Dirang, West Kameng District, Arunachal Pradesh.

The 1st hearing is held today on 30th May, 2024 as scheduled. The PIO-cum-EE(PHE & WS) Govt. of A.P. Department of Public Health Engineering, Dirang Sub-Division, West Kameng District, Arunachal Pradesh is represented by Shri TabaToku, Junior Estimator. The Appellant Shri PemDondupThongkhor is absent.

The representative of the PIO has submitted that the application was received on 14th August, 2023 but could not give any response due to busy schedule in preparation of DPRs for JJM to be submitted to the State Government. The APIO apologises the commission for the delay. The Commission warned the PIO that it has already covered the stipulated period and it is a fit case to penalize him under section 20(1) of the RTI Act, 2005. Since, the Appellant is absent the commission could not hear from him.

The Commission after going through the records available and submission made by the PIO, it is found that the information sought are vague, voluminous and no specific period for which information has been sought is not mentioned by the Appellant. In observance of the clause (b) of subsection(1) of section 6 and subsection (9) of Section (7) of the RTI Act, 2005 the Commission has decided that information seekers should seek information for one financial year, of one specific work in one application so that the PIO can furnish information within prescribed period without disproportionately diverting the public resources.

The Commission also observes that the matter has not been heard by First Appellate Authority (FAA) which is mandatory under the RTI Act, 2005.

Therefore, the appeal case is premature to be heard by the Commission. Therefore it is remanded to the FAA with the direction to summon both the parties within 30(thirty) days from the issue of this order, giving equal and fair opportunities of being heard in the interest of the natural justice and pass speaking orders on merit. The Appellant is at his liberty to file fresh appeal to the Commission if he is aggrieved or not satisfied with the decision of the FAA.

Therefore, the case is hereby closed and disposed of.

Order copies be issued to all the parties.

Sd/-

(Rinchen Dorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission

Itanagar

Memo No.APIC-1097/2023/

Dated, Itanagar the 31 May,2024

Copy to:

1. The FAA-cum-Superintendent Engineer, Govt. of A.P. Public Health Engineering Department, Shergaon (Rupa), West Kameng District, Arunachal Pradesh, PIN-790002 for information and necessary action please.
2. Computer Programmer, APIC, Itanagar, to upload in APIC Website& send mail to all the parties.
3. Case file.

Registrar/ Dy. Registrar
Arunachal Pradesh Information Commission
Itanagar

Deputy Registrar

Arunachal Pradesh Information Commission
Itanagar