



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. 273/2023(Appeal)

Shri Tania June & Shri Teli Ango
C/o Hotel Chandini
E-Sector Naharlagun
Papumpare Dist. A.P
Pin: 791110
(M) 8131848230 / 8414883393

Appellant

Versus

1) The PIO-Cum-EE, RWD, Aalo Division
(Liromoba), West Siang District,
Arunachal Pradesh.
Pin: 791101

Respondent

2) The FAA-Cum-CE (PMGSY) RWD,
Govt. of Arunachal Pradesh, Itanagar
Pin: 791111

Date of hearing: 01.04.2024

Both the appellant Shri Tania June & Shri Teli Ango did not appear. Respondent no.1, the PIO cum EE RWD, Aalo Division also did not appear. The first appellate authority was represented, without authorisation letter, by Shri Likha Tei, Addl Chief Estimator cum APIO in the office of the Chief Engineer (PMGSY) RWD, Itanagar.

The appellant filed an RTI application dated 16.02.2023 seeking information regarding state govt. scheme under RWD: "Approach road from Liromoba to Nyipo prayer centre Liromoba Circle" for the period w.e.f 2016 to 2019 from the PIO cum EE (RWD) Aalo Division. There is no record of any response from the PIO within the stipulated period for rejection / furnishing information.

The appellant then filed first appeal on 21.02.2023 to the FAA cum Chief Engineer (PMGSY) RWD. In response the APIO o/o the Chief Engineer (PMGSY) RWD Itanagar has written a letter with memo no. RWD/PMGSY/RTI-158/2009-10/3426-29 dated 13.03.2023 to the Superintending Engineer, Rural Work Circle, Pasighat, copy endorsed to the EE / DPIU, RWD Aalo and to the appellant Shri Tania June. The representative of the FAA states that no such scheme for which information sought is executed by RWD. To substantiate it he has produced a letter written by the ASW / APIO o/o the Executive Engineer, RWD Aalo Division addressed to the APIO o/o the Chief Engineer (PMGSY) RWD, Itanagar with memo no. EEA/RWD/RTI-CELL-01/2019-20/03/10-14 dated 06.04.2023, copy endorsed to the Registrar APIC, SE RWD Pasighat and to the appellant Shri Teli Ango and Shri Tania June.

Feeling aggrieved the appellant approached the commission with this instant second appeal dated 27.03.2023 albeit before 90 days from the date of filing first appeal.

While perusing the document it is observed that there is no clear role of the Chief Engineer (PMGSY) RWD as FAA and it is not clear as to whether the case is closed at FAA level or not. The mere letter and correspondence made by his APIO is not as per guidelines to FAA for disposal of RTI appeal case as given in the Right to Information Act 2005 and in the Arunachal Pradesh right to information rule. The case is remanded to FAA cum Chief Engineer (PMGSY), RWD, Itanagar to conduct hearing of the case by summoning the appellants and PIO to disposed of the case with an 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.

The 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-273/2023/1003
Copy to:

Dated Itanagar the 9 April 2024

- 1 The FAA-Cum-Chief EGINEER (PMGSY) RWD, Govt. of Arunacha Pradesh, Itanagar. Pin:791111
- 2 The PIO-Cum-EE, RWD, Aalo Division (Liromoba), West Siang District, Arunachal Pradesh. Pin: 791101

- 3 Shri Tania June & Shri Teli Ango, C/o Hotel Chandini, E-Sector Naharlagun, Papumpare Dist. A.P, Pin: 791110 (M) 8131848230 / 8414883393
- 4 Computer Programmer, APIC Itanagar to upload in APIC website.
- 5 Office copy.

Registrar
APIC Itanagar
Arunachal Pradesh Information Commission
Itanagar.