



सत्यमेव जयते



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)

ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Vide Case No. APIC- 853/2023.

(Summon to appear in person)

(Or.5, R.3 of CPC)

Shri Nabam Tapak and Shri Kholi Bharat,
Lekhi Village near Iconic Dealer, PO/PS
Naharlagun, District Papum Pare (A.P).

.....APPELLANT

Vs

The PIO, o/o the Superintending Engineer,
(Co-ordination)(PWD), Govt. of A.P, Itanagar.

.....RESPONDENT.

ORDER/SUMMONS

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Nabam Tapak and Shri Kholi Bharat for non-furnishing of information by the PIO, o/o the Superintending Engineer (Co-ordination), APWD, Govt. of A.P, Itanagar as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide application dated 02.05.2023.

This appeal is heard for 3rd time today on 29.11.2024 wherein one of the appellants, Shri Nabam Tapak is present in person while the PIO, Er. Shri S.T.Tara, S.E (Coordination)(PWD) attended through the VC.

Heard the parties.

In the 2nd hearing of this appeal on 30.10.2024 this Commission upon perusing the details of information sought for by the appellant vide his application dt.02.05.2024 and endorsing the order dt.10.08.2023 passed by the FAA, the Chief Engineer (Vigilance & Training & Co-ordinaton) (PWD), Itanagar, had passed an order directing the PIO to furnish the remaining information as indicated in para-7 of the order within 2(two) weeks from the date of issue of the order i.e 08.11.2024.

During the course of hearing today, the PIO submitted that the said order of this Commission could not be complied with as the documents are under the custody of the Special Investigation Cell (Vigilance) PS which were seized by them in SIC(Vigilance) PS Case No.07/2023. In this regard, the had also submitted a written statement vide letter dt. 26.11.2024 addressed to the HCIC enclosing therein the copies of various correspondences with the SIC (Vigilance) including the copy of seizure list /memo of the documents dt. 24.07.2024.

The appellant, however, responded by saying that the PIO ought to have collected those documents from the SIC (Vigilance) and provide to him which the PIO has not done thereby disobeying the order of this Commission.

This Commission, upon hearing the parties and on perusal of the written statement including the seizure memo of the documents, is of the considered view that the PIO should make a written request to the SIC (Vigilance) to release the seized documents which have been sought by the appellant and whatever documents are released by the SIC(Vigilance) should be provided to the appellant.

The PIO is accordingly, directed to take necessary steps and intimate to this Commission the compliance report within 2(two) weeks from the date of issue of this order.

List the appeal for next hearing on 20.12.2024 (Friday) 2 pm.

Given under my hand and seal of this Commission on this 29th November, 2024.

NOW THEREFORE, the parties are hereby summoned to appear in the Hon'ble Court of Shri Sangyal Tsering Bappu, SIC in person or online on the above date and time without fail.

To avail online hearing please at least notify or get in touch one day prior to the hearing, download "WEBEX MEETING APP" from Google Play store. For further technical assistance Shri Himanshu Verma, IT Consultant (Mobile no. 8319014957) maybe contact.

Sd/-

(SANGYAL TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC- 853/2023/ 349 Dated Itanagar, the 2 Decemeber, 2024

Copy to:-

1. The Chief Engineer (Vigilance, Training & Co-ordination) (PWD), Govt. of A.P, Itanagar, PIN: 971111, the F.A.A for information and ensuring compliance of this order by the PIO.
2. The PIO, o/o the Superintending Engineer (SE), Co-ordination, PWD, (AP), Itanagar PIN: 971111 for information and compliance.
3. Shri Nabam Tapak & Shri Kholi Bharat Lekhi Village near Iconic Dealer, PO/PS Naharlagun, District Papum Pare A.P PIN: 791110 Mobile No. 8794134135for information and necessary action.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/copy.

Registrar/ Deputy Registrar
APIC, Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar