



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**BEFORE THE FULL BENCH COURT OF STATE INFORMATION
COMMISSIONERS**

No.APIC-919/2023

Dated, Itanagar the 7th May, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Chau Sumanta Khen, Vill- Jenglai, Po- Piyong, Ps-Namsai, District Namsai, Arunachal Pradesh, PIN-792103, (M) 9612567153.

Vs

Respondent: The PIO-cum-EAC, Chongkham Administrative Circle, Chongkham-Hq, District Namsai, Arunachal Pradesh Pradesh, PIN-792103.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by ChauSumantaKhen, Vill- Jenglai, Po- Piyong, Ps-Namsai, District Namsai, Arunachal Pradesh, for non-furnishing of information by the PIO-cum-EAC, Chongkham Administrative Circle, Chongkham-Hq, District Namsai, Arunachal Pradesh Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 07/07/2023 regarding **MGNREGA for the year of 2019-2023**.

The 1st hearing is held today on 7th May, 2024 as scheduled. The PIO-cum-EAC, Chongkham Administrative Circle, Chongkham-Hq, District Namsai, Arunachal Pradesh Pradesh and the Appellant Chau Sumanta Khen are present. The PIO has submitted that all the available information had been provided to the Appellant but the Appellant rejected the same stating that documents are not authenticated.

The Commission observed that the Appeal case has not been heard by the First Appellate Authority (FAA). As per the principle of natural justice fair opportunity of being heard must be given to both the parties and after hearing the case necessary direction in speaking order should be passed on merit. If the Appellant feels aggrieved by the decision of the FAA, he can appeal to the Commission with a copy of order passed by the FAA. Actually this appeal case should have been remanded back to the FAA for its hearing but the PIO has already collected the information, the PIO is directed to furnish information to the Appellant with authentication. Further, the PIO is directed to furnish remaining information if any left out under his control and in case the information pertains to other office or PIO, he is directed to transfer such portion to the concern office/ PIO asking him to furnish those information directly to the Appellant with intimation to the Appelant. The Commission giving reasonable opportunity adjourns the court for the next date of hearing.

Both the parties are directed to appear before the Commission's court on the next date of hearing without fail. If the PIO is found absent the Commission may initiate penal action as per provision under section 20(1) of the RTI Act-2005 and in case Appellant is found absent the case shall be disposed of without any further notice, presuming that the Appellant is satisfied with the information so furnished.

The next date of hearing is fixed on 21st May, 2024 (Tuesday) at 1030 hrs.

Therefore, the PIO-cum-EAC, Chongkham Administrative Circle, Chongkham-Hq, District Namsai, Arunachal Pradesh Pradesh is hereby summoned to appear before this Court in person on the scheduled date and time without fail.

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/-

(RinchenDorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission

Itanagar

Memo No.APIC-919/2023/02 Dated, Itanagar the 08th ~~March~~ ^{May} 2024

Copy to:

1. ✓ Computer Programmer, APIC, Itanagar, to upload in APIC Website & send mail to all the parties.
2. Case file.

Registrar /Dy. Registrar
Arunachal Pradesh Information Commission

Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar