



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)

TANAGAR.

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

No. APIC- 266/2024.

(Summon to appear in person)

(Or.5, R.3 of CPC)

Shri Sonam Venia and Shri Kome Venia, Transport
Colony, Seppa, East Kameng District, (A.P)

: APPELLANT

Vs

The PIO, o/o the Executive Engineer (RWD),
Bameng Division, DPIU-II RWD, Chayang Tajo,
E/ Kameng District (A.P)

: RESPONDENT

ORDER/SUMMONS

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Sonam Venia and Shri Kome Venia for non-furnishing of information by the PIO o/o the Executive Engineer, (RWD), Bameng Division, East Kameng District, (A.P) as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 08.05.2024.

Facts of the case:

Records reveal that the applicants/appellants had sought for the following information from the PIO, the Executive Engineer, (RWD), Bameng Division, East Kameng District:

- 1) **Particulars of information:** Road from 21 KM SAWA Venia PMGSY Road to Diya Sullung under Sawa Circle, East Kameng District under Vibrant Village Programme.
- 2) **Details of information:**
 - a) Technical sanction order copy Vol-I and II;
 - b) Guidelines;
 - c) Service Report (Survey Report);
 - d) DPR.
 - e) Period for which information is sought: 2023 – 2024

Having failed to obtain the information from the PIO within the stipulated period of one month, the applicant/appellants file their 1st appeal before the First Appellate Authority (FAA), the Superintending Engineer (RWD), Rupa Circle West Kameng District under section 19(1) of the RTI Act vide their Memo of Appeal dt.13.06.2024.

Records further reveal that in response to the said appeal from the applicants/appellants, the office of the S.E(RWD), Rupa Circle, vide letter dt.14.06.2024 signed by the ASCO, forwarded the appeal to the o/o the Executive Engineer(RWD), Bameng, seemingly without conducting a hearing under section 19(1) of the RTI Act with direction to furnish the required information to the applicants/appellants at the earliest. This letter was followed by a subsequent letter dt.10.07.2024 signed by the E.E(P), o/o the SE(RWD), Rupa Circle directing the E.E (RWD) Bameng Division / DPIU-II RWD, Chayang Tajo, E/Kameng District to take necessary steps and provide necessary report or status to the applicant. It is, however, seen that the information sought by the applicants/appellants remained unfurnished. Hence, this 2nd appeal to this Commission under section 19(3) of the RTI Act which has been filed vide memo of appeal dt.09.10.2024.

Hearing and decision:

This appeal was, accordingly, listed for hearing today on 29th November, 2024 wherein the appellants, Shri Sonam Venia and Shri Kome Venia are present in person but the PIO is absent.

This Commission, upon hearing the appellants and on perusal of the records, found that the First Appellate Authority, the SE (RWD), Rupa Circle did not adjudicate on the appeal as required under section 19(1) of the RTI Act but simply issued directions to the PIO concerned to furnish the information which made this appeal fit to be remanded to the said FAA for consideration and passing a reasoned speaking order.

This Commission, however, took up the appeal for hearing under section 19(3) and on careful perusal of the application and the particulars and details of information sought by the appellants thereunder, it is found that the information sought by the them do not fall under any of the exemption clauses under section 8 of the RTI Act, 2005 which ought to have been furnished by the PIO concerned. During the course of hearing the appellants complained that despite their repeated requests to the office of the PIO, the were refused the sought for information.

In the premises as above, the PIO, o/o the E.E (RWD) Bameng Division/DPIU-II RWD, Chayang Tajo, E/Kameng District is directed to furnish the sought for information to the applicant/appellant within one month from the date of receipt of this order and the report compliance thereof to this Commission on or before the next date of hearing.

List this appeal on 20.12.2024(Friday) 2 pm.

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

NOW THEREFORE, take notice that, in default of your appearance, on the day above-mentioned, the matter will be heard and determined in your absence.

To avail online hearing 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 contacted.

Sd/-

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

Memo No. APIC-266/2024/ 848

Dated Itanagar, the 2 December, 2024

Copy to:-

1. The o/o the Executive Engineer (RWD), Bameng Division, DPIU-II RWD, Chayang Tajo, E/ Kameng District (A.P), PIN. 790102 for information and compliance.
2. The First Appellate Authority (FAA), the Superintending Engineer (RWD), Rupa Circle, Rupa West Kameng District, Rupa Pin: 790003 for information and ensuring compliance of this order by the PIO.
3. Shri Sonam Venia and Shri Kome Venia, Transport Colony Seppa, East Kameng District, (A.P) Mobile No. 9863228270/6909447368 PIN: 790102 for information.
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.