



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Vide Case No. APIC- 956/2023.

(Summon to appear in person)
(Or.5, R.3 of CPC)

Shri Riya Taram RTI Secy. (ALSU) **APPELLANT**
Adv. Takam Sakap C/o Hotel River View Naharlagun
PIN: 791110

Vs

The PIO, o/o the Executive Engineer, Water **RESPONDENT.**
Resources Department (WRD), Anini Division,
Dibang Valley District, Arunachal Pradesh.
PIN :792101

ORDER/SUMMONS

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Riya Taram for non-furnishing of information by the PIO o/o the Executive Engineer, Water Resources Department (WRD) Anini Division, Dibang Valley District, Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide application dated 19.07.2023.

Facts of the case:

The Appellant, Shri Riya Taram, vide his application dt. 19.07.2023, had sought 28 (twenty eight) point information against the fund allocated under PMKSY-HKKP/CLUSTER SMI SCHEME / SIDF / BE / RE / SADA / ADA / MLA-LAD / MP -LAD / SPA / SJETA / CCI / CMCRP/BA/SCA-TSS/SWRD or Maintenance and supply works and implementation at entire Anini Division from 2016 to till date from the PIO o/o the Executive Engineer (WRD) Anini Division, Dibang Valley District.

Record reveals that the, the appellant had filed First Appeal before the First Appellate Authority (FAA) i.e the Chief Engineer (WRD) (E.Z), Miao vide his application dt. 21.08.23 which was posted through Speed Post at Itanagar Post Office on same date. Record also discloses that the Appellant filed his 2nd Appeal before this Commission on 29.09.2023 on the ground of non-furnishing of the information but record is silent as to adjudication on the appeal by the 1st Appellate Authority (FAA), the Chief Engineer (WRD) (E.Z), Miao.

Hearing & Decision.

This Commission finds that this appeal having not been adjudicated at the level of the FAA as required under section 19(1) of the RTI Act, is fit to be remanded to him

authorities under RTI Act should not lead to employees of a public authorities prioritising 'information furnishing', at the cost of their normal and regular duties"

In the light of aforesaid provisions of section 7(9) of the RTI Act, 2015 and the principles of law as laid down by the Hon'ble Supreme Court in the CBSE case (supra) and after considering the fact that the information sought for by the appellant in the instant case, which in deed, is voluminous and indiscriminate inasmuch as the same pertains to past 8 years (2016 to 2023) and for multiplicity of funding programs such as PMKSY-HKKP/CLUSTER SMI SCHEME / SIDF / BE / RE / SADA / ADA / MLA-LAD / MP-LAD / SPA / SJETA etc., this Commission is of the opinion that the request of the appellant is disproportionate, indiscriminate and impractical request and therefore, this Commission directs the PIO to furnish information for 2(two) Financial Years i.e for the F.Y 2022-23 and 2023-24 against the schemes under 3(three) programs namely, PMKSY-HKKP/CLUSTER SMI SCHEME, SIDF and the programmes for SJETA department within 4(four) weeks from the date of receipt of this order and the Appellant shall report his satisfaction or otherwise thereon before the next date of hearing which is fixed on **1st November, 2024 at 02.00 pm.**

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

To avail online hearing facility, download "**WEBEX MEETING APP**" from Google Play store. For further technical assistance Shri Himanshu Verma, IT Consultant (Mobile no. 8319014957) may be contact

Sd/-

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

Memo No. APIC- 956/2023/ *285*

Dated Itanagar, the *1st* *Oct* *2024*

Copy to:-

1. The PIO o/o the Executive Engineer, Water Resources Department (WRD) Anini Division, Diabang Valley District, Arunachal Pradesh PIN: 792101 for information & necessary action.
2. Shri Riya Taram, RTI Secy. (ALSU) Adv. Takam Sakap and Adv. Lokam Tadam, c/o Hotel River View Naharlagun PIN: 791110 Mobile no. 9383103387/9402443699 for information & necessary action please.
3. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
4. Office copy.
5. S/copy

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar