



**ARUNACHAL PRADESH INFORMATION COMMISSION, APIC**  
**ITANAGAR**

An Appeal Case U/S 19(3) of RTI Act, 2005.  
Vide Case No. APIC-373/2025  
(Summon to appear in person)

(Or. 5, R.3 of CPC)

Smt. Tamchi Gungte -V/S- PIO-Cum-EE, PWD, Naharlagun, P/Pare District, A.P.

To,

The Executive Engineer,  
PWD, Naharlagun,  
Papum Pare District A.P.  
Pincode: 791110

**SUMMON**

**WHEREAS**, in connection with the **APIC-No. 373/2024**, your personal appearance is required before the Commission on **22<sup>nd</sup> July, 2025 at 02:30 PM**. The **1<sup>st</sup>** hearing held on **24<sup>th</sup> April, 2025** related to the **APIC No-373/2024**. The Appellant Shri Tamchi Gungte is present. The PIO-cum-EE, PWD, Naharlagun Division, Papumpare District, Govt. of Arunachal Pradesh found absent during the hearing without intimating to the Commission, the reason for his inability to attend the hearing, which is unbecoming on the part of the PIO, who has to be reminded that, the PIO also has a mandatory duty to attend to statutory duties besides public duties, when an appeal is preferred against him/her.

**Heard the Appellant;**

The Appellant stated before the Commission that the PIO has written a letter to the Appellant on 16.09.2024, stating that the project is for medical college construction for Tomo Riba Institute of Health and Medical Sciences (TRIHMS) Naharlagun, that the office of the PIO is only giving technical support to TRIHMS. TRIHMS authorities are the custodian of the information/documents, sought and therefore, asked the Appellant to apply to TRIHMS authorities for furnishing of documents as sought/applied if any, under RTI, Act, 2005.

**After hearing the Appellant the Commission hereby observes;**

- (i) Section 6(3) of the RTI, Act, 2005 provides that where an application is made against the public authority requesting for information(s) (1) which is held by another public authority, (2) the subject matter which is more closely connected with the functions of another public authority. The public authority to, which such application is made shall transfer the application or such part of it as may be appropriate to that other public authority and inform the Appellant immediately about such transfer.
- (ii) It is the PIO that has to transfer the application of the Appellant to that other public authority, if that other public authority has the information(s) as sought by the Appellant. The PIO has the liability to transfer the application to the other public authority.
- (iii) The PIO has failed in his statutory duty to transfer the application of the Appellant and that the onus of providing information(s) lies through him by following procedures of the RTI, Act, 2005, rather than simply putting back the responsibilities on the Appellant.

**The Commission after hearing the Appellant observes:**

- (i) To send **summons** to the PIO-cum-EE, PWD, Naharlagun to provide the information(s) which are not exempted under RTI, Act, 2005. To transfer the application of the applicant to another public authority, if the office of the PIO does not possess the information(s) as sought by the appellant. And the PIO is further directed to be present on the next date of hearing, failing which necessary action shall be initiated against the PIO as per the legal provisions of RTI, Act, 2005.
- (ii) Notice for the next date of hearing need not be provide to the Appellant as he is present in the court and further more the Appellant is directed to be present on the next date of hearing of this appeal, failing which, the appeal will be heard and decided ex-parte.

**The Commission hereby orders;**

**The next date of hearing be fixed on 22<sup>nd</sup> July, 2025' at 2:30 PM (Evening).**

**N.B:-** To avail online hearing please, notify or get in touch one day prior to the hearing, by downloading "WEBEX MEETING APP" from Google Play store. For further technical assistance may contact **Shri Himanshu Verma, IT Consultant (Mobile no. 8319014957).**

**It is so ordered this 04<sup>th</sup> day of April, 2025 at 03:30 PM.**

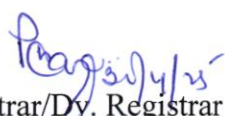
Sd/-  
**(Vijay Taram)**  
State Information Commissioner  
APIC, Itanagar.

**Memo. No. APIC-373/A/2025** / 680

**Dated Itanagar, the ... April, 2025**

Copy to:

1. The computer Operator, for uploading on the website of APIC, please.
2. Office Copy.

  
Registrar/Dy. Registrar  
APIC Itanagar  
Deputy Registrar  
Arunachal Pradesh Information Commission  
Itanagar