



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

Second Appeal APIC no.96/2021.

(1) Shri Takam Dolu - Appellant

(2) Shri Gyamar Gunia

Guni Village Near Nirjuli Tinali

C/o- Takam Raju Po/Ps Nirjuli,

Papum pare District

Arunachal Pradesh.

Vs

Er. Techi Totu Tara

Respondent

PIO-cum-EE, RWD Sagalee

Division, Papum Pare, Arunachal Pradesh.

Date of hearing: 23/04/2021, 13/08/2021, 27/08/2021 and 17/09/2021.

Date of Decision:-

Date of RTI Application/Complaint	19/06/2020
PIO Response	23/08/2021
Date of the First Appeal	28/01/2021
First Appellant's Response	02/02/2021
Date of receipt of Appeal/Complaint by the Commission	18/03/2021(Appeal) 30/08/2021(Complaint)

ORDER

FACTS

The Appellant vide his RTI application sought information on 09 (nine) points as contained therein.

The PIO did not response to RTI application. The Appellant then filed a First Appeal. The First Appellate Authority also did not appropriately dealt with the Appeal. First Appellate Authority vide letter dated 02.02.2021 simply forwarded the RTI application to the PIO without any direction.

Therefore, the Appellant filed a second Appeal before the commission with a request to provide correct and complete information.

HEARING

Hearing of the second Appeal was taken up on 23/04/2021, 13/08/2021 and 27/08/2021.

On 23/04/2021 the commission directed the PIO to produce all the information sought by the Appellant on the next date of hearing fixed on 04/06/2021. In view of the Covid-19 situation in the state hearing was adjourned to 13/08/2021.

On 13/08/2021 the PIO, while attending the hearing informed that he had furnished the information sought in point No. (i), (ii) & (iii) of the application and that information sought in point No. (iv), (v), (vi), (vii) & (viii) of the application cannot be provided as the contractors raised objection to the furnishing of these information. The Appellant accepted to have received the information in point No. (i), (ii) & (iii) of the application. After hearing the submissions of both the parties, the commission noted that PIO cannot deny the information permissible under the RTI Act and so directed the PIO to furnish the required information to the Appellant. The PIO was also directed to give clear reply on point No. (ix) & (x) of the application.

The case came up for hearing again on 27/08/2021. The Appellant who was present informed that the PIO did not furnish the requested information to him despite commission's direction. Shri Toko Talam, AE, Mengeo attending the hearing through Video conference was directed to provide the information on 28/08/2021 under intimation to the commission.

The commission also received a complaint dated nil from the Appellant on 30/08/2021. The Appellant in his complaint alleged that information furnished by the PIO on 23/08/2021 is incorrect, incomplete and misleading. The Appellant/Complainant has, therefore, requested the commission to initiate action under section 20 of the RTI Act for furnishing incomplete, incorrect and misleading information and for the deliberately delay in furnishing the requested information.

Hearing of both the Appeal and the complaint are taken up today for its disposal. Both the Appellant and the PIO are absent. No request has been received from either of the party for postponement of hearing.

The PIO is not present to contest the submissions/allegation made by the Appellant. The Appellant is also not present to substantiate his claims further. Hence, the hearing is adjourned on 01/10/2021 at 1030 hrs.

The PIO is directed to appear before the commission in person during the hearing of appeal and the complaint.

Copy of this order be issued to the Appellant and the PIO.

Sd/-

(Genom Tekseng)

State Information Commissioner
Arunachal Pradesh Information
Commission
Itanagar

Memo No.APIC-96/2021/677

Dated,Itanagar the...23...September,2021

Copy to :

- (1) Er. Techi Totu Tara PIO-cum-EE,RWD Sagalee Division, Papum Pare, Arunachal Pradesh.
- (2) (i) Shri Takam Dolu (ii) Shri Gyamar Gunia
Guni Village Near Nirjuli Tinali C/o- Takam Raju Po/Ps Nirjuli,
Papum pare DistrictArunachal Pradesh.
- ~~1(3)~~ Computer Programmer,APIC,Itanagar,To Upload In APIC Website.
- (4) Case file.

Registrar/Dy.Registrar

Arunachal Pradesh Information Commission
Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar.