



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

BEFORE THE COURT OF SHRI RINCHEN DORJEE, STATE CHIEF INFORMATION COMMISSIONER
No.APIC-150/2022 Dated, Itanagar the 14th June'2022

Under Section 19(3) RTI Act, 2005

Appellant

Sri Tasi Chader,
Papu Nallah, Yupia Tinali,
Naharlagun,
Arunachal Pradesh.

Respondent

The PIO-cum-Executive Engineer,
Govt. of A.P.,
Department of Hydro Power Development,
Daporijo Division
Upper Subansiri District,
Arunachal Pradesh.

Vs

Dated of hearing: 14th June'2022.

ORDER

Whereas, an appeal under Section 19(3) of RTI Act, 2005 has been received from Sri Tasi Chader, Papu Nallah, Yupia Tinali, Naharlagun, Arunachal Pradesh for non-furnishing of information by The PIO-cum-Executive Engineer, Govt. of A.P., Department of Hydro Power Development, Daporijo Division, Upper Subansiri District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 on 18/10/2021 regarding Details of ongoing Hydro Power Project in Taksing circle.

Whereas, the 1st hearing was held on 1st March'2022 at 1030hrs as scheduled. Shri Taba Tagu, the PIO-cum-Executive Engineer, Govt. of A.P., Department of Hydro Power Development, Daporijo Division, Upper Subansiri District, Arunachal Pradesh and the Appellant Shri Tasi Chader were present during the hearing. The Appellant informed the Commission that the PIO has not furnished any information. The PIO informed that he has recently joined at the present posting place and all the information are not available in his office, some information are available in the other divisions. However, the PIO assured that all the information available will be furnished to the Appellant.

Whereas, the Commission directed the PIO to furnish all the available information to the Appellant and also write to the other division PIOs / incharge to furnish the information directly to the Appellant before the next date of hearing. The Commission asked the Appellant to be specific in seeking information and also asked the Appellant to receive the information and go through same to convey his satisfaction or dissatisfaction in the next date of hearing.

Whereas, the 2nd hearing was held on 26th April'2022 at 1030hrs as scheduled. The PIO-cum-EE (Hydro Power), Govt. of A.P., Daporijo Division Lower Subansiri District, Arunachal Pradesh was found absent during the hearing. However, Shri Taba Tagu, SW(Hydro Power), O/o Chief Engineer, (Hydro Power), Itanagar represented the PIO. The Appellant Shri Tasi Chader was present. The Appellant informed the Commission that the PIO has not furnished the information as sought by him in the Form-A. The representing officer for the PIO informed that he was the PIO but now he has been transferred from the Daporijo division and posted at Chief Engineer (Hydro Power) office, Itanagar. So, for this hearing he is representing the PIO (Hydro Power) Daporijo. The representative also informed that all the information sought by the Appellant are not available in the Daporijo Division. Some are in other Divisions.

Whereas, the Commission directed the PIO to furnish all the information available in his division free of cost to the Appellant. The PIO is also directed to give proper reasons for the information which are not available in his office and to write to the concern PIOs to furnish the information available with them directly to the Appellant with a copy of the latter to the Appellant. The Commission asked the Appellant to Approach the concern PIOs or apply a fresh Form-A application to them for the information. The Commission also asked the Appellant to receive the available information with the PIO and convey his satisfaction or dissatisfaction in the next date of hearing.

Whereas, the 3rd hearing was held on 14th June'2022 at 1030hrs as scheduled. Shri Tasi Chader, Appellant and Shri Hage Chatung, PIO-cum-EE (Hydro Power), Govt. of A.P., Daporijo Division, Upper Subansiri District, Arunachal Pradesh were present during the hearing.

The PIO informed that he is newly posted to Daporijo Division. The information in question is related to an old project, executed and completed during tenure of his predecessor. Further he informed that there is no any documents available related to completed project in his office. His predecessor had not handover any such documents to him. So, he is unable to furnish the information as sought for by the appellant.

The appellant also agreed that the project is already executed old one, completed during the tenure of previous Executive Engineer (EE). He further insisted that if the statement given by the PIO is true, he should be able to submit his statement in writing in form of Affidavit. The PIO agreed to do so.

After hearing from both the parties, the commission directed the PIO to file Affidavit stating his submission in Affidavit for the satisfaction of the appellant before the next date of hearing.

The next date of hearing is fixed on 2nd August'2022 at 1030 hrs.

Therefore, Shri Hage Chatung, the PIO-cum-Executive Engineer, Govt. of A.P., Department of Hydro Power Development, Daporijo Division, Upper Subansiri District, Arunachal Pradesh is hereby summoned to appear before this Court in person on the scheduled date and time without fail.

Sd/-

(Rinchen Dorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission


Itanagar

Memo No.APIC-150/2022/300

Dated, Itanagar the 14th June'2022

Copy to:

1. The FAA-cum- Chief Engineer(Western Zone), Govt. of A.P., Department of Hydro Power Development, Jal Vidyut Bhawan, Near I.G. Park, Itanagar, Arunachal Pradesh,
2. The PIO-cum-Executive Engineer, Govt. of A.P., Department of Hydro Power Development, Daporijo Division, Upper Subansiri District, Arunachal Pradesh,
3. Sri Tasi Chader, Papu Nallah, Yupia Tinali, Naharlagun, Arunachal Pradesh,
4. Computer Programmer, APIC, Itanagar, to upload in APIC Website.
5. Case file.


Registrar / Dy. Registrar,
Arunachal Pradesh Information Commission
Arunachal Pradesh Information Commission
Itanagar