



ARUNACHAL PRADESH INFORMATION COMMISSION ITANAGAR

(Before the Hon'ble Information Commissioner Mr. Genom Tekseng)

APIC-No.157/2021/ (Appeal)

UNDER SECTION 19 (3) RTI ACT, 2005.

Shri Jesun Yangfo,
Jollang Near Nyokum Lapang,
Ground, Po/Ps: Itanagar, Papum Pare Distt,
Arunachal Pradesh.

Appellant

Vs

Executive Engineer PIO-cum-PWD,
Chayantajo Division, Camp Seppa, Govt.
Arunachal Pradesh.

Respondent

Date of Hearing: - 26.11.2021.

Date of Decision: - 26.11.2021.

Date of RTI Application	14.12.2020.
Date of PIO Response	07.01.2021.
Date of First Appeal (FA)	11.02.2021.
Date of First Appellate Authority's Response (FAA's)	02.03.2021.
Date of receipt of Second Appeal/Complaint	22.06.2021.

ORDER

The Appellant Shri Jesun Yangfo filed an application dated on 14.12.2020 under RTI Act, 2005 before the PIO-cum-EE, PWD Division Chayantajo seeking information on 06 points, as contained therein.

The PIO vide its response dated 07.01.2021 furnished the information except those relating to payment details and NOC from Civil Aviation department.

The First Appeal was filed on 11.02.2021 as all the information was not provided. First Appellate Authority did not take up the case for its disposal for the reasons best known to him. Hence, a Second Appeal before this commission.

During the course of hearing on 24.09.2021 the Appellant Submitted before the commission that the PIO cannot deny information which is permissible under the law and requested the commission to direct the PIO to furnish the remaining information about payment details and NOC. Shri Y.Nyorak, AE-cum-APIO, stated that all the information available with the department had already been furnished. He, however, informed that he was ready to furnish details of the payment and the NOC, if the Appellant agrees to receive the same information but sought time for verification of the information so furnished. The commission allowed the request of the Appellant and directed him to report to the commission in case he finds any deficiencies in the information before next hearing.

The case was also heard on 22.10.2021. The Appellant who was attending the hearing stated that information furnished by the PIO is incomplete and requested the commission to direct the PIO to furnish complete and correct information. A written submission dated 01.10.2021 was also received from the Appellant, wherein it was alleged that the information relating to NIT and details of payments furnished by the PIO was incorrect and incomplete.

The commission after considering the submissions made by the appellant and perusing of records, directed the PIO to furnish the following information.

1. CC Payment at Chayantajo :

- (a) Copy of NIT for package-1.
- (b) Copy of contract agreement for both package-I and II.
- (c) Copy of running as well as final bills.

2. Road from Chayantajo to Phanssang:

- (a) Copy of NIT for package-I, II, III and IV.
- (b) Copy of running and final bills.

3. Outdoor stadium at Chayantajo :

- (a) Copy of running and final bills.

The PIO was directed to send compliance report to the commission by 29.10.2021. The case came up for again on 05.11.2021. The Appellant was present. The commission after hearing the Appellant directed to the PIO to comply with the commission's order dated 22.10.2021.

Today is 4th hearing of the case. The PIO is again absent. The Appellant who is present during the hearing, stated that PIO has not furnished the remaining information.

After hearing the appellant and perusal of records, the commission observes that the PIO has failed to comply with the commission order dated 22.10.2021 and 05.11.2021. The commission takes a very strong exception of non-attendance of the PIO during the hearing and also non-compliance of the above mentioned direction of the commission. The PIO is hereby directed to furnish complete information to the appellant within 7 days from the receipt of this order, failing which non-compliance action shall be taken against you.

The hearing is adjourned to 21.01.2022 at 10:30 hrs

Take notice that in default of your appearance on the day of hearing mentioned above, exparte action shall be taken against you under section 20 (1) of the RTI Act, 2005.

Issue notice to both the parties.

Sd/-

(Genom Tekseng)

Information Commissioner

Memo No. APIC-157/2021/ 125

Dated Itanagar the 6th December, 2021.

Copy to:

1. Executive Engineer PIO-cum-PWD Chayantajo Division, Camp Seppa, Govt. of Arunachal Pradesh.
2. Shri Jesun Yangfo, Jollang Near Nyokum Lapang Ground, Po/Ps: Itanagar, Distt. Papum Pare Arunachal Pradesh.
3. Computer Programmer, APIC to upload in APIC website please.
4. Case file.

Arunachal Pradesh
Registrar/Dy. Registrar
APIC, Itanagar.