



**ARUNACHAL PRADESH INFORMATION COMMISSION  
ITANAGAR**

BEFORE THE COURT OF DR.JORAM BEGI, STATE CHIEF INFORMATION COMMISSIONER

No.APIC-100/2020

Dated, Itanagar the 25<sup>th</sup> August, 2020

Under Section 19(3) RTI Act, 2005

**Appellant**

Shri Bengia Sagung,  
Tumru-Lekha Segment,  
Doimukh,  
Papum Pare District,  
Arunachal Pradesh.

Vs

**Respondent**

Shri D.K.Baishya,  
Public Information Officer,  
PHEP NEEPCO Ltd Doimukh,  
District Papum Pare,  
Arunachal Pradesh.

Dated of hearing: 25<sup>th</sup> August' 2020.

**ORDER**

Whereas, an appeal under Section 19(3) of RTI Act, 2005 has been received from Shri Bengia Sagung, Tumru-Lekha Segment, Doimukh, Papum Pare District, Arunachal Pradesh, for non-furnishing of information, by Shri D.K.Baishya, Public Information Officer-cum-HOP, PHEP NEEPCO Ltd Doimukh, District Papum Pare, Arunachal Pradesh, as sought, by the Appellant under section 6(1) of RTI Act, 2005 on 28/01/2020.

Whereas, the rescheduled 1<sup>st</sup> hearing was held through online Video / Audio conferencing on 25<sup>th</sup> August' 2020. Shri D.K. Baishyam, PIO-cum-HOP, PHEP NEEPCO Ltd., Doimukh, the Appellant Shri Bengia Sagung and the Advocate Shri Tai Shiva representing the Appellant attended the hearing through online video & audio conference.

Whereas, the Commission on careful examination of the cases registered under APIC-96/2020, APIC-97/2020 & APIC-100/2020 made by one Appellant Shri Bengia Sagung to Shri D.K. Baishya (HOP) PHEP NEEPCO Ltd., Doimukh, it has been found that the Appellant has made his appeal to the Chief Secretary to Government of Arunachal Pradesh as the **First Appellate Authority vide his appeal letter No. NIL dated 11/05/2020**. Although, the Chief Secretary, vide the UO.NO. CS/RTI/01/2020 Dated 12<sup>th</sup> May, 2020, directed Commissioner (Power), Govt. of A.P. to take the necessary action. The Under Secretary(HPD)-cum-PIO, Govt. of Arunachal Pradesh, Itanagar directed vide his letter No. SHPDE/E-99/2019/1092 Dated Itanagar, the 15<sup>th</sup> May, 2020, the Head of Project, Pare Hydro Electric Plant (PHEP), NEEPCO, to take necessary action. The Commission found that the appeal made to the First Appellate Authority by the Appellant is in gross violation of section 19(1) of the RTI Act 2005, in which it is clearly stipulated that the First Appellate Authority shall be –