



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

**Appeal U/S 19(3) of RTI Act, 2005**  
**Vide No.APIC-38/2020**

**BEFORE THE HON'BLE COURT OF SHRI GOTO ETE, THE STATE**  
**INFORMATION COMMISSIONER**

Shri Birendra Tallong  
C/o Shri Techi Tajum  
Village Chimpu-I, PO-RKM  
Papumpare District  
Arunahal Pradesh ..... Appellant.

**-VERSUS-**

Shri/Er. Nani Tath  
PIO-cum-Executive Engineer  
Naharlagun Highway Division, PWD,  
Nirjuli, Arunachal Pradesh ..... Respondent.

Date of Judgment/Order: **13.08.2020.**

**JUDGMENT/ORDER**

Fact of the case in nutshell is that the appellant, as a person of the category of Below Poverty Line, filed an RTI application under Form-A, being accompanied by a ration card on 15.11.2019 before the PIO, wherein, seeking various information against constructions of National Highway from Hollongi to Chandranagar in the year 2011-16 and from Chandranagar to Pappu Nallah in the year 2017-19. On receipt of the application the PIO vide his letter No.NHD/W-26/2018-19/1010-13 dated-25.11.2019 requested the appellant to submit his original BPL Certificate. The appellant, instead of submitting his original copy of BPL Certificate, filed the First Appeal before the First Appellate Authority-cum-Chief Engineer, Highway Zone, PWD, Itanagar, on 09.01.2020. Having not received response from the FAA, he filed the Second Appeal before the Arunachal Pradesh Information Commission on 12.02.2020 on ground of non-furnishing of the information sought under the RTI Act. The Registry of the Commission, on receipt of the same, registered it as APIC-38/2020 and processed before the Commission for its hearing and disposal.

Accordingly, the appeal came-up before the Commission for consecutive four times for hearing. During the first hearing on 22.05.2020 both appellant and the PIO were present and PIO was then directed to furnish the information sought to the appellant within a week time. But the PIO had not either been present nor had he complied with the direction of the Commission in furnishing of the information sought until the second hearing of the appeal held on 04.06.2020. For such default, including for his failure to furnish the information sought within prescribed period of 30 days as provided under sub-section (1) of Section- 7 of the RTI Act a show cause notice was directed to be issued against him and, accordingly, a show cause notice was issued against the PIO on 15.06.2020 with a direction to him to appear before