



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

BEFORE THE FULL BENCH COURT OF STATE INFORMATION COMMISSIONERS

No.APIC-533/2023

Dated, Itanagar the **4th April, 2024**

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Geke Ete, Village Darka, PO/PS Aalo, West Siang District, Arunachal Pradesh, PIN-791001, (M)8794081567/9862344210.

Vs

Respondent: The SPIO-cum-EE(PHE & WS), Govt. of A.P., Mechukha Division, Shiyomi District, Arunachal Pradesh. PIN-791003. (M) 94736022744

3rd Party : Shri Tashi Sona, S/o Late Mindu Sona, Resident of village Barangang, Po/Ps Mechuka, District Shi-Yomi, Arunachal Pradesh. PIN-791003.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Geke Ete, Village Darka, PO/PS Aalo, West Siang District, Arunachal Pradesh for non-furnishing of information by the SPIO-cum-EE(PHE & WS), Govt. of A.P., Mechukha Division, Shiyomi District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 23/02/2023 regarding Water supply system for Mechukha Township & peripheral villages with sewerage system and river development for boosting tourism of Mechukha Township.

The 5th hearing is held today on 4th April, 2024 as scheduled. Shri Marken Riba, the SPIO-cum-EE (PHE & WS), Govt. of A.P., Mechukha Division, Shiyomi District, Arunachal Pradesh is represented by Shri Jomta Loya, APIO. The 3rd party is represented by Adv. B. Ori, and the Appellant is represented by Adv. Mipe Ete.

The counsel for the 3rd party reiterated that this appeal is not maintainable as the appellant has not followed proper appeal procedure. As per the government of Arunachal Pradesh notification the First Appellate Authority is Chief Engineer and not superintendent Engineer. The Appellant has not appealed to the Chief Engineer and also the some information like Bank detail and Aadhar card are personal private documents which cannot be shared to the appellant. The 3rd party counsel also placed before the commission documents with receipt signature of the Appellant and submitted that all the information as sought for by the Appellant has been furnished.

The counsel for the Appellant submitted that they have received information but they required documents submitted as per Standard Bidding Document.

The Commission after hearing both the parties' submission, reiterated regarding the First Appellate Authority (FAA), that Superintendent Engineer (SE) as First Appellate Authority as has been in practice and allowed by the commission for last many years for the easy accessibility of the common citizen. As *Under section 19(1) of the RTI Act, 2005, the FAA shall be such officer who is senior in rank to the Public Information Officer.* Since, the RTI Act is a citizen friendly law, the rules should be to help citizens access to information easily to contain corruption and bring transparency in working of the government.

Further, the commission in view of document available observed that all the information as sought for by the Appellant in the Form-A dated 23/02/2023 has been furnished by the PIO. Extra information sought for by the counsel of the Appellant pertains to third party personal information and those have not been specifically sought by the appellant in the Form-A application. Since, all the information has been furnished the Commission decides to dispose of and close the appeal case.

Therefore, the case is hereby disposed of.

Order copies be issued to all the parties.

Sd/-

(Rinchen Dorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission

Itanagar

Dated, Itanagar the 5 April, 2024

Memo No.APIC-533/2023/1426

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2. Case file.

Registrar /Dy. Registrar

Arunachal Pradesh Information Commission

Itanagar

Deputy Registrar

Arunachal Pradesh Information Commission
Itanagar