



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC- 649/2023.

APPELLANT : Shri Tamchi Gungte (General Secretary), Arunachal Pradesh Peoples' Right Forum APPRF), Chimpu, Itanagar (A.P).

RESPONDENT : The PIO, o/o the Executive Engineer (RWD), Govt. of A.P, Likabali Division, Lower Siang District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tamchi Gungte, for denial of information by the PIO O/o the Executive Engineer (RWD), Likabali Division, Lower Siang District, Govt. of Arunachal Pradesh sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 27.04.2023.

Brief facts:

The facts emerging from the appeal are that the appellant, Shri Tamchi Gungte, has requested the PIO, o/o the EE(RWD), Aalo Division for 16 point information in respect of the following 3(three) projects under the Pradha Mantri Jan Vikas Karyakaram (PMJVK), formerly -MsDP during executed during the year 1017-18:

- (1) c/o 60 bedded Girls Hostel at Govt. Hr. School Likabali;
- (2) c/o 50 bedded Girls Hostel at Govt. Hr. School, Kamku, Likabali Block and
- (3) c/o replacement of existing School at ME School, Silli (8ACRs) in Likabali Block.

The appellant having failed to obtain the information from the PIO, o/o the EE(RWD), Aalo Division, had filed his 1st appeal under section 19(1) of the RTI Act before the SE(RWD), Pasighat Circle vide his Memo of Appeal dt.05.06.2023 but failed yet again to obtain the information. Hence, this 2nd appeal before this Commission under section 19(3) of the RTI Act vide Memo of Appeal dt.14.07.2025.

Hearing and decision:

This appeal was, thus, listed for hearing for the 11(eleven) times on 31.05.24, 21.06.24, 26.07.24, 20.09.24, 16.10.24, 08.11.24, 06.12.24, 29.01.25, 19.02.2025, 23.04.25 and 14.06.2025.

In the 6th hearing of the appeal on 08.11.2024, the EE (RWD), Likabali Division was made the PIO for this particular case as the requested information /documents were being held by the o/o the Likabali Division and directed him to furnish the information to the appellant.

In the 7th hearing on 6th December, 2024, the representative of the PIO, o/o E.E (RWD), Likabali Division, Er. Shri P.C. Yadav, ASW had brought in the duly certified information which was handed over to the appellant who was directed to go through the same and report his satisfaction or otherwise within one week from 06.12.2024 so that next date of hearing, if required, can be fixed.

As directed, the appellant, vide his letter dt. 18.12.2024 addressed to the PIO, o/o E.E (RWD), Likabali Division, with copy endorsed to this Commission, had intimated that documents furnished to him during the hearing were incomplete and not as per his RTI application.

This appeal was, therefore, listed and heard on 29.01.2025 for the 8th time. However, no one appeared from the o/o the PIO despite summon notice. The appellant who was present, reiterated his dissatisfaction as already communicated to the PIO vide his letter dt.18.12.2024 and pleaded for direction to the PIO to furnish the documents in complete form as requested by him.

The hearing of this appeal was again adjourned to 19.02.2025 and the PIO was directed to attend the hearing with the left out/complete information without fail to avoid penal action under the relevant provisions of RTI Act, 2005.

The appellant did not turn up on 19.02.25 but the APIO, Shri P.C.Yadav, ASW was present with the left out documents with forwarding letter dt.14.02.2025 addressed to the Appellant.

This Commission, upon hearing the APIO, then directed the appellant to go through the documents with the photographs of the completed projects and report his satisfaction or otherwise therewith to this Commission within 2 (two) weeks from the date of receipt of the order so as to fix the next date of hearing, if required.

In compliance with the Commission's order dated 19th February, 2025 the appellant, vide his letter dated 26.03.2025 informed this Commission that despite Commission's order dt. 19th Feb. 2025, the APIO/PIO failed to furnish him the complete information. The appellant also requested for hearing the appeal again.

The appeal was, accordingly, listed and heard for the 8th time on 23.04.2025 but the PIO nor any of his representatives attended the hearing.

The appellant who was present in person in the hearing complained that he did not receive the information which the PIO had claimed to have furnished vide the letter dt.14.02.2025. Therefore, the PIO was directed to provide the left out information to the appellant within 2(two) weeks from 23.04.2025 in order to avoid penal action under section 20 of the RTI Act, 2005. **It is was also made clear in the order that against those information which are not available with the PIO, a declaration to that effect shall be furnished by the PIO by way of an affidavit.**

In the meantime the appellant vide letter dated 21st May, 2025 complained that despite Commission's order dt. 23rd April, 2025 the PIO failed to provide the information. The appellant had, hence, requested for further hearing of the appeal by this Commission.

This Commission subsequently received another letter dt.04.06.2025 from the appellant enclosing therein a copy of "undertaking" dt.02.06.2025 in a 20 Rupee non-judicial stamp paper signed by the PIO stating therein that certain documents requested by the appellant are not available /required. In this regard, this Commission reminded the PIO of earlier direction of this Commission referred to in preceding paragraph which speaks about "**declaration by way of an affidavit**" in terms of the provisions

contained in the A.P Information Commission (Appeal Procedure) Rules, 2005 framed under section 27(2)(e) of the RTI Act, 2005 and not undertaking.

This Commission, considering the necessity of hearing the appeal further, summoned the PIO in person with the left-out documents and proper affidavit to appear on 13th June, 2025 (FRI DAY) at 2 PM failing which, it was made clear that, penalty of Rs.25,000.00 as prescribed under section 20(1) of the RTI Act shall be imposed upon him without further notice.

On 13th June, the APIO, Er. Shri P.C. Yadav was present with the documents which was handed over to the appellant present in the hearing who was directed to go through the same and report his satisfaction or otherwise within a week for further consideration of the appeal. Accordingly, the appellant, vide his letter dt.19.06.2025, informed this Commission that he has gone through the documents and satisfied therewith.

In the premises as above, this appeal now no longer requires adjudication and resultantly, it stands disposed of and closed.

Given under my hand and seal of this Commission on the 19th June, 2025.

Sd/-
(S. TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC- 649/2023/ *465*

Dated Itanagar, the 24 June, 2025

Copy to:-

1. The S.E (RWD), East Siang District, Pasighat, the First Appellate Authority (FAA) for information..
2. The PIO, o/o the Executive Engineer (RWD) Likabali Division, Lower Siang (A.P) Pin-791125 for information.
3. The PIO, o/o the E.E (RWD), Aalo Division, West Siang District (A.P) PIN: 791001 for information.
4. Shri Tamchi Gungte, General Secretary, Arunachal Pradesh Peoples' Right Forum (APPRF), Near K.V2 School, Chimpu Itanagar Pin:791113 (M. No 9233567279/8257994249) for information.
- ✓ 5. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
6. Office copy.
7. S/copy.

Peargiz 13/06/25
Registrar/ Deputy Registrar
APIC, Itanagar.
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar