



**ARUNACHAL PRADESH INFORMATION COMMISSION, APIC
ITANAGAR**

**An Complaint case U/S 18(1) of RTI Act, 2005
Vide Case No. Complaint-07/C/2026.**

**BEFORE THE COURT OF SHRI KHOPEY THALEY, STATE INFORMATION
COMMISSIONER**

Shri Tam Rararu

Complainant

Versus

PIO-cum-O/o Director, (Gazetteers) Chimpu,
Itanagar, Papum Pare District.

Respondent

Date of hearing and attendance of the complainant & PIO		
Nos. & Date of hearing	Complainant	PIO
1 st hearing 19/08/2026	Present in person	Absent

Date of decision/Judgment : 19/08/2026

INFORMATION COMMISSIONER : Shri Khopey Thaley
Relevant facts emerging from Appeal:

RTI application file on : 11/03/2026
PIO replied on :
First appeal file on : Nil
First Appellate Authority's order :
2nd Appeal dated : 13/03/2026

Information sought :

The appellant file a RTI Application dated 11/03/2026 seeking Details regarding :- appointment and joining report copy of LDC, Peon, Driver, Chowkider Contingency and all MTS Staff.

As per the case record, PIO has denied to accept the application.

Feeling aggrieved and dissatisfied, complainant approached the Commission with instant complaint case.

JUDGEMENT ORDER

This is an complaint filed under sub-section (1) of Section 18 of the RTI Act, 2005. Brief fact of the case is that the complainant Shri Tam Rararu on **11.03.2026** filed an RTI application under Form-'A' before the PIO-cum-O/o the Director (Gazetteers), Chimpu, Itanagar, Papum

Pare District, Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in Form-A application. The complainant, being not satisfied with the information denied, filed this complaint before the Arunachal Pradesh Information Commission on **13.03.2026** and the Registry of the Commission (APIC), having receipt of the appeal, registered it as **APIC No. 07/C/2026(Complaint)** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission for 1 (one) time i.e on 19/08/2026. In this hearing of the complaint on 19th day of August, 2026, the complainant Shri Tam Rararu present and PIO is found absent without any intimation to the Commission.

The present complaint has been filed by the complainant under Section 18 of the Right to Information Act, 2005, alleging non-furnishing of information by the Public Information Officer (PIO) in response to an alleged application under the RTI Act.

The complainant has contended that the information sought by him was not furnished by the concerned PIO and has sought appropriate action against the PIO.

The Commission has carefully examined the complaint and the submissions made by the complainant as well as the records available before it.

A material issue for consideration is whether the complainant has established that an RTI application seeking the alleged information was actually submitted to or received by the concerned PIO.

In the present case, the complainant has not produced before the Commission any certified/true copy of the alleged RTI application, acknowledgement of its receipt, postal receipt/tracking report, receipt issued by the public authority, or any other documentary evidence establishing that the alleged RTI application was duly submitted to and received by the concerned PIO.

The complainant has primarily relied upon an oral assertion that the RTI application was submitted and that the information was denied/not furnished. Mere oral submission, in the absence of any supporting documentary material demonstrating submission and receipt of the RTI application, cannot by itself establish that the PIO had received a valid RTI application requiring action under the provisions of the RTI Act.

The Commission observes that proceedings under the RTI Act must necessarily proceed on the basis of ascertainable facts and available records. Before examining an allegation of failure or refusal on the part of a PIO, it is necessary to establish that an RTI application was actually made and received by the concerned public authority/PIO.

In the instant case, the complainant has failed to place on record sufficient evidence to establish:

1. the existence and contents of the alleged RTI application;
2. the date on which the application was submitted;
3. the manner in which the application was transmitted or delivered to the PIO; and
4. the receipt of such application by the concerned PIO.

Consequently, the Commission is unable to hold, on the basis of the material available on record, that the concerned PIO had received the alleged RTI application and thereafter failed or refused to furnish the information sought.

It is also pertinent to observe that the burden of establishing the foundational fact that an RTI application was submitted to the concerned public authority cannot be discharged merely through an unsubstantiated oral assertion when no supporting documentary evidence is produced before the Commission.

The Commission, therefore, finds that the allegation of denial/non-furnishing of information by the PIO has not been substantiated by cogent and reliable evidence.

In view of the foregoing facts and circumstances, and in the absence of documentary evidence establishing submission and receipt of the alleged RTI application by the concerned PIO, the Commission finds no sufficient basis to proceed against the PIO under the provisions of the Right to Information Act, 2005.

Accordingly, the complaint is rejected/dismissed for want of substantiation and is hereby disposed of. Accordingly the complaint case No. **APIC-07/C/2026(Complaint)** is disposed of and closed.

Judgment/Order pronounced in the open Court by the Commission today on this **19th day of August, 2026**. Each copy of Judgment/Order be furnished to the parties.

Given under my hand and seal of this Commission/Court on this **19th day of August, 2026**.

Sd/-

(KhopeyThaley)

State Information Commissioner

APIC, Itanagar.

Memo. No. APIC- 07/C/2026(Complaint) /52

Dated Itanagar, the 24th August, 2026

Copy to:

1. PIO-Cum-O/o the Director (Gazetteers), Chimpu, Itanagar. Papum Pare District, Pin Code:-791113 , Arunachal Pradesh for kind information.
2. Shri Tam Rararu, Polo Colony, Naharlagun, PO/PS:-Naharlagun, Papum Pare District, Pin Code:-791110, (A.P). **Contact No-8415937464.**
- ✓ 3. The Computer Programmer/Operator, for uploading on the website of APIC please.
4. Office Copy.

P. Singh
Dy. Registrar/Registrar
APIC Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar,