

ITANAGAR, ARUNACHAL PRADESH

An appeal case U/S 19(3) of RTI Act, 2005

Vide Case No.APIC-196/2024

**BEFORE THE HON'BLE COURT OF SHRI VIJAY TARAM, THE STATE
INFORMATION COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.**

Shri Niyae Lingri

..... Appellant

-VERSUS-

PIO-Cum-Executive Engineer, RWD,
Daporijo, Upper Subansiri District,
Govt. of Arunachal Pradesh

..... Respondent.

Order: 09.09.2025.

JUDGEMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI 2005. Brief fact of the case is that the Appellant Shri Niaye Lingri on **30/01/2024** filed an RTI application in Form- 'A' before the PIO-cum-Executive Engineer, RWD, Daporijo, Upper Subansiri District, Govt. of Arunachal Pradesh. Whereby seeking various information as quoted in Form 'A' application; The Appellant not being provided with the information by the PIO, filed the First Appeal before the First Appellate Authority (FAA) on **01/03/2024**. Appellant again having not received the required information from the FAA, filed the second Appeal before the Arunachal Pradesh Information Commission on **02/05/2024** and the Registry of the Commission (APIC) having receipt of the complaint registered it as **APIC- 196/2024 (Appeal)** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission for six (6) consecutive time on **18.06.2024, 30.07.2024, 26.11.2024, 04.02.2025, 08.04.2025 & 09.09.2025**. Details of information(s) sought from the PIO;

1. Provide certified copy of sanctioned orders, NIT advertisement, DPR, Participants of Firms (Bidders), and detail of Work Awardees Firm of C/o PMGSY Road from Chichi O-Point to Eso via Haring Kamsar & C/o PMGSY Road from Rakle to Liaye Nungnu via Tasiring, Reamuk, Kamda, Baring.
2. Provide certified copy of Work Order and Cheque/payment issued to contractor, Utility Certificate, Agreement with contractor, completion photographs, completion certificates, Geo-Gagged of construction site of C/o PMGSY Road from Rakle to Liaye Nungnu via Tasiring, Reamuk, Kamda, Baring.
3. Board proceeding reports and approval order from the competent authority.
4. Present status of the project including Physical and Financial Progress of the projects.
5. Re-estimate of cost or cost escalation of the projects if any.

In the sixth and final hearing of this instant appeal on 09.09.2025, the Appellant is present in person during the hearing before the Commission.

The PIO-cum-EE, RWD, Daporijo, Upper Subansiri District, Govt. of Arunachal Pradesh found absent for the sixth consecutive time even after the service of notice from the Commission for hearing on 18.06.2024, on 30.07.2024, on 12.08.2024 on 03.09.2024, on 04.02.2025, on 08.04.2025, on 08.04.2025 and on 09.09.2025 were served upon the PIO-cum-Executive Engineer, RWD, Daporijo.

Going through the Form-A of the Appellant it is seen that the Appellant has not applied for information(s) which are exempted under Sections 8 and 11 under RTI, Act, 2005.

6 (Six) chances of "being heard" have been given exhaustively to the PIO but the ill intention of the PIO in disobeying the orders of the Commission hereby portrays about the cunning ways of the PIO and denial of the information to the Appellant, **therefore, the Commission hereby observes:**

- i) The Appellant Shri Niaye Lingri has been present in the hearing of his appeal very seriously even after coming from very a far off area from Lingri Village which is 58 KM from the Daporijo Town, without fail to Itanagar.
- ii) The information(s) sought by the Appellant are in the public interest as he has applied for the information regarding construction of 2 (two) roads which the Appellant briefed the Commission that funds for the said 2 (two) road projects have been utilized already but in practical the roads have not been built and to unearth the reality of the whole thing he had applied for the information(s) in the welfare of villages that were to be benefited by this 2 (two) roads.
- iii) The claims of the Appellant, that the 2 (two) roads are constructed only on paper but not on the practical ground may be the reason why the PIO is unwilling to provide the information(s) to the Appellant as the PIO may not even have the minimum requisite documents to prove and provide to the Appellant.

Under the above stated circumstances and the facts the Commission hereby order;

- (i) To compensate the travel expenses of the Appellant, who has travelled under hardship from Lingri Village to Itanagar for the hearing of this appeal for all the 6(six) hearings and so, the Commission hereby orders the PIO-cum-Executive Engineer, RWD, Daporijo, Upper Subansiri District, Govt. of Arunachal Pradesh to pay an amount of Rs. 10,000/- (rupees ten thousand only) within one month from the date of this order to the Appellant. The compensation for travel expenses shall be deposited into the Bank Account of Shri Niaye Lingri, Bearing Bank Account No. 34843598928, SBI Nirjuli Branch, Arunachal Pradesh.
- (ii) To provide all the information(s) as applied by the Appellant completely within one month from today, failing which, strict action as provided under the RTI, Act, 2005 shall be initiated against the PIO.
- (iii) The Appellant to intimate the receipt or non receipt of the information(s) from the PIO within 30 days from today.

Order;

In view of the above facts and circumstance the Commission, find this appeal fit to be disposed and closed. And, accordingly, this Appeal stands disposed of.

Judgment pronounced in the open Court of this Commission today on this 9th day of September' 2025. Copy of Judgment be furnished to the parties.

Given under my hand and seal of this Commission/Court on this 9th day of September' 2025.

Sd/-

(Vijay Taram)

State Information Commissioner
APIC-Itanagar

Memo.No.APIC-196/A/2024/895 Dated Itanagar, the 18th September, 2025.

Copy to:

1. PIO-Cum- Executive Engineer, RWD, Daporijo, U/Subansiri District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code-791122**
2. Shri Niaye Lingri, Lingri Village, PO/PS-Taloha, U/Subansiri District Arunachal Pradesh for information please. **Contact No. 8729932834**
- ✓ 3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy

Pear
Registrar/Dy. Registrar
APIC, Itanagar.