सूचना का अधिकार
RIGHT TO INFORMATION

ITANAGAR, ARUNACHAL PRADESH

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

Vide Case No.APIC-306/2024

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

Shri Sama Yangfo ..... **Appellant**

-VERSUS-

PIO-Cum-Executive Engineer, RWD,
Bameng, East Kameng District,
Govt. of Arunachal Pradesh ..... **Respondent.**

Order: 05.11.2026.

JUDGEMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI Act, 2005. Brief fact of the case is that the Appellant Shri Sama Yangfo on 28/1062024, filed an RTI application under Form-'A' before the PIO-Cum-EE, Department of (RWD) Bameng Division, Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in Form-A application. The Appellant, being not satisfied with the information received from the PIO, filed the First Appeal before the First Appellate Authority on **29/07/2024** the Appellant, again having not received the required information(s) from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on 28/10/2024 and the Registry of the Commission (APIC), having receipt of the Appeal registered it as **APIC No. 306/2024 Appeal)** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission 6 times i.e on **28/01/2025, 10/04/2025,17/06/2025 21/08/2025, 4/12/2025 ,7/04/2026, 25/08/2026 & 5/11/2026.**

Details of information sought by the Appellant.

1. Please furnish the approved Detail Project Report (DPR) of PMGSY Road from Sewa to Venia with regard to Package No. AR/03/03/048; Stage-1
2. Please furnish the copy of government of India/State government approval/sanction erder for construction of PMGSY Road from Sewa to Venia with regard to Package No.
3. Please furnish the copy of the Notice Inviting Tender (NIT) published by the RWD for construction of PMGSY Road from Sewa to Venia with regard to Package No. AR/03/03/048; Stage-1
4. Please furnish the extract copy of the news paper published by the department of RW in two local and two national newspapers for advertisement of NIT against construction of PMGSY Road from Sawa to Venta (Package No. AR/03/03/048; Stage-1.
5. Please furnish the name of the contractor/firm in NIT process for construction of road from Sewa to Venia with regard to Package No. AR/03/03/048; Stage-1
6. Please furnish the copy of the Technical Sanction (T/S) order issued by the competent authority for construction of PMGSY Road from Sawa to Venta (Package No. AR/03/03/048; Stage-1).
7. Please furnish the name of the contractor'fiien who has been awarded the works for construction of mus from Sewa to Venla with regard to Package No AR. 03 15 049. Stage-1
8. Please furnish the copy of the Tender Evaluation Bord proceedings selecting reconanending the contractor for construction of road from Sewa to Venla with regard to Package No. AR/03/03/048; Stage-1
9. Please furnish the copy of the copy of the contract agreement in between the contractor/firm and the Executive Engineer RWD Bameng Division for construction of road from Sewa to Venia with regard to Package No. AR/03/03/048; Stage-1

10. Please furnish the copy of the quarterly Progress Report and the works completion certificate/Report issued by the Executive Engineer RWD Bameng Division for construction of road from Sewa to Venia with regard to Package No. AR/03/03/048; Stage-1
11. Please furnish the copy of the contractor enlistinent certificate of the contractor who has been awarded the contract works for construction of road from Sewa to Venia with regard to Package No. AR/03/03/048; Stage-1
12. Please furnish the total amount of money paid to the contractor/firm against the construction of road from Sewa to Venia with regard to Package No. AR/03/03/048; Stage-1 and furnish the copy of the draft/cheque if any.

In this 7th hearing of the appeal on 5th **day of Nov, 2026**. The Appellant Shri Sama Yangfo, present during the hearing and the PIO-cum- Executive Engineer (RWD), Sangkoli Cheda, Bameng Division East Kameng District Govt. of Arunachal Pradesh, is absent for the consecutive 6 (six) times in the hearing without intimating the reason for his absence.

Heard the Appellant .

The Appellant stated that the PIO has not provided any information till now. Further the Appellant stated that the present PIO was the then A.E who had Executed the work for which he has applied the information, and now he is promoted as the EE in the same division but he has denied him the information till now.

The Appellant prays before the court of the Commission to pass judgment for providing the information to him within a short period of time.

After hearing the Appellant the Commission hereby observes;

i) The PIO has been absenting form the hearings since the 1st hearing that was held on 28/01/2025, 2nd hearing held on 01/04/2025, 3rd hearing held on 21/08/2025, 4th hearing held on 4/12/2025 and 5th hearing held on 7/4/2026, 6th hearing held on 25/8/2026 and today is 7th hearing wherein the PIO has not bothered to attend the hearing despite hearing notice issued to him in advance for all the hearings date. And also he had been arrested once for not attending the hearing by the Chayangtajo Police.

Now it is evident that the PIO does not want to provide the information to the Appellant and that's why he is intentionally absenting from the hearings but such intentionally absenteeism cannot be tolerated for the delivery of justice and therefore, in the interest of justice the court of the Commission pass the below orders;

i) The PIO-cum EE (RWD) Bameng Division East Kameng District, Govt of Arunachal Pradesh, to provide the information to the Appellant within 1(one) month time from today that is on or before 5th Dec'2026 without fail, **failing which the PIO will be penalized as well as disciplinary action against him will be recommended to his appointing authority.**

ii) The Appellant to approach the office of the PIO in the meantime to collect the information from the office of the PIO in person.

iii) In the event of PIO not furnishing the information to the Appellant, within the time as ordered above the Appellant to give in written to the Commission that the PIO has not provided him the information.

With the above orders the Commission doesn't see reason to further the hearing of this appeal and therefore, dispose this appeal with the above orders but, the PIO's negligence to provide the information to the Appellant within the above ordered time, will let this appeal to be acted upon with the necessary action required as per the provision of RTI AQct.2005.

In view of the above facts and circumstances the Commission, find this appeal fit to be disposed and closed and therefore, this appeal is disposed of with the above orders..

Judgment/Order pronounced in the open Court of this Commission today on this 5th **day of Nov 2026.**

Given under my hand and seal of this Commission/Court on this **5th day of Nov, 2026.**

Sd/-

(Vijay Taram)
State Information Commissioner
APIC-Itanagar

Memo.No.APIC-306/A/2024 /218 **Dated Itanagar, the** 10 **November, 2026.**

Copy to:

1. PIO-Cum-Executive Engineer, RWD, Bameng, E/Kameng District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code:790102**
2. Shri Sama Yangfo, Namta Yangfo Village, Chayangtajo, E/Kameng District Arunachal Pradesh for information please. **Contact No. 8119864875**
3. The Computer Programmer, APIC for uploading on the Website of APIC and mail it to the concerned department please.
4. Office Copy.

Registrar/Dy. Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar