सत्यमेव जयते

सूचना का अधिकार
RIGHT TO INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-130/2025.
(Summon to appear in person)
(Or.5, R.3 of CPC)

APPELLANT : Shri Tamchi Gungte, near KV-II School Chimpu.

RESPONDENT : The PIO, o/o the Executive Engineer (PWD), Nacho Division, Upper Subansiri District (A.P)

ORDER/SUMMON

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tamchi Gungte for non-furnishing of 28(twenty eight) point information on construction of Road from Daporijo – Nacho Bro to ADC HQ at Khoduka in Upper Subansiri Dist. in Arunachal Pradesh (10.00 km) by the PIO, o/o the Executive Engineer (PWD), Nacho Division, Upper Subansiri District Govt. of Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 14.10.2024.

This appeal was, accordingly, heard on 25th July, 2025, wherein the appellant, Shri T.Gungte and Er. Shri Makcha, A.E-cum-APIO, representing the PIO were present in person.

This Commission, upon hearing the parties and on perusal of the records found that the appellant's RTI application dt.14.10.2024 was delivered to the o/o the PIO on 24.10.2024. As per the provisions of sub-section(1) of section 7 of the RTI Act, the PIO was bound to furnish the requested information within one month from the date of receipt of the application and as per sub-section(6) of section 7, if the PIO failed to comply with the time limit prescribed under sub-section(1), the information was to be provided free of cost. In the present case, the time limit of one month having clearly been over by 23.11.2024, this Commission held that the PIO could not have asked for the cost of documents as he did vide his letter dt.25.11.2024.

In the premises as above, this Commission, directed the PIO to provide the documents free of cost. The PIO was also directed that if his office does not hold information/documents against any of the queries in the application, the same shall be declared categorically by way of an affidavit with reasons and the direction was to be complied with within one month from the date of receipt of the order and the appellant was directed to intimate this Commission, within one week from the date of receipt of the documents from the PIO.

The appellant, vide his letter dt 26.08.2025 has now intimated as under:

"Respected Sir,

As per your previous order, the PIO was directed to furnish the incomplete documents and provide to the Appellant within 30 days, as I am writing this to inform the honorable court, that the PIO has failed to furnish the complete documents making inappropriate excuse under section 8 & 11, whereas the documents does not fall under exemption.

Therefore, I request the honorable court to fix another date to deliver justice against the non-furnish document by the PIO.

Thank you.

Yours Faithfully
Sd/-
Tamchi Gungte."

The following are the information claimed to have not furnished :

1	Serial No. 2 PRC	The information is not furnished is unclear and there is no documents of other participant.
2	Serial No. 3 (fund allocated)	The documents furnished is incomplete as it contain details of about 9.14 crore whereas as per progress report 12.14 crore has been allocated.
3	Serial No. 4 (UC)	Only 2.64 crore UC has been furnished but as per progress report 12.14 crore has been utilized, therefore the documents furnished is incomplete
4	Serial No. 8 (Newspaper)	The reply furnished does not justify whether the required documents has been published or not.
5	Serial No. 11 (Technical Bid)	The reply furnished is inappropriate as per the RTI Act. 2005 as the documents should not be exempted under section 8 & 11 as the projects fall under the subject of Public Interest.
6	Serial No.14,15,16,17&18	Incomplete documents furnished as there is no documents of the other participant.
7	Serial No. 22 (Photograph)	Incomplete documents as per the scope of work and there is no clarity in the photography that which photograph is or which work items. Lastly there is no photograph of before starting of work of the work items.
8	Serial No. 24 (Payment Details)	The reply furnished does not justify whether the payment has been made to the contractor.
9	Serial No. 25,26 & 27	Incomplete documents furnished as there is no documents of the other participant.

In view of the complaint of the appellant as above, this appeal is listed again for hearing on 08.10.2025

NOW THEREFORE, you are hereby summoned to appear in person in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC on the 8th Oct., 2025 (Wednesday) at 10.30 am** with the left out documents and to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defense.

Take notice that, in default of your appearance, on the day above- mentioned, the matter will be heard and determined in your absence.

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

Memo No. APIC- 130/2025 /6330 **Dated Itanagar, the** 10 **Sept., 2025**

Copy to:

1. The Chief Engineer (PWD),Govt. of A.P Central Zone-A, Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer (PWD), Nacho Division, Upper Subansiri Dist. Govt. of Arunachal Pradesh PIN: 791122 for information and compliance.
3. Shri Tamchi Gungte, Near KV-II School Chimpu, Itanagar PIN: 791113, A.P. Mobile No. 9233567279 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar