



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC- 347/2024.

APPELLANT : Shri Riya Taram, Bengia Tahar and Lokam Namdu, Huto Vill.
Jolang, c/o Riang Store Jollang, Itanagar

RESPONDENT : ThePIO, o/o the Executive Engineer (PWD), Sangram Division,
Kurung Kumey District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Riya Taram, Bengia Tahar and Lokam Namdu for non-furnishing of below mentioned information by the PIO, o/o the Executive Engineer (PWD), Sangram Division, Kurung Kumey District (A.P) as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 22.08.2024.

This Commission on 19.02.2024 ad passed the following interim order:

"Hearing and decision :

This appeal was listed & heard for the 2nd time on 19.02.2024 wherein one of the appellants, namely, Shri Riya Taram was present and Shri Bini Tare, the representative of the PIO, o/o the Executive Engineer (PWD), Sangram Division was present.

In the 1st hearing on 15.01.2025, this Commission upon perusal of the 22 (Twenty two) point information sought by the Appellant, found some of the points to be repetitive while some were not relevant. Therefore, this Commission suggested the appellant to reduce his demand for the information and priorities the ones which are more important which he reagreed to. The appellant, thus, did not press for the following :

- 1.Sl. No. 8 (as the it is repetition of Sl. No.6);*
- 2.Sl. No.13 (being repetition of Sl.6);*
- 3.Sl. No.19 and 20 (not relevant)*

The appellant also agreed not to press for the information which are not available with the PIO's Division. This Commission, however, directed the PIO to make effort to collate and collect whatever information as sought for by the appellant and furnish to him and also furnish specific reasons against those which are not available in his Division.

In compliance with the Commission's direction as above, the representative of the PIO brought in some part of the information through the forwarding letter dt.18.02.2025 addressed to the appellant which have dully been handed over to the

appellant. The appellant went through the same but expressed his dissatisfaction therewith pointing out the following:

1. the copies of sanction orders have not been furnished;
2. the Trading Licence of the firm enterprise has not been furnished;
3. the copy of LOC /the copy of authorization issued by the CE (PWD) to the SBI to release the fund to the E.E not furnished;
4. the Bank A/c and statement thereof of the Division not furnished;
5. the FF copy not furnished;
6. the certified copy of work site by officer concerned not furnished;
7. the scheme billing detail sheet not furnished;
8. the work completion certificate by the E.E concerned.

This Commission perused the list of documents as contained in the aforesaid letter of the PIO, the E.E (PWD), Sangram Division and found that the information/documents brought in by the representative of the PIO were, indeed, not complete as per the list contained in the RTI application of the appellant. It was found that against number of points, the PIO had mentioned either 'not found' or 'not available' while against some of the points, the PIO has stated 'it shall be furnished'.

The appellant expressing his disappointment over the absence of PIO in the hearing pleaded that instead of deputing his PA or other staff he should attend the hearing to explain the reasons for furnishing the incomplete / misleading information, thereby violating the provisions of RTI Act.

This Commission, upon hearing the parties and on perusal of the documents brought in by the representative of the PIO, directs the PIO to furnish:

1. all the left out documents such as, among others, the copy of Trading Licence of the firms, copy of sanction orders, the MB as per the work order and amount paid to individual firm separately, the details of deduction made against GST/Royalty, the copy of LOC/LoA issued to the SBI by the CE, the cheque counterfoils or the RTGS/NEFT records of payment made to the firms/ enterprise separately, Money Receipts, the work completion certificate by the EE concerned ;
2. declaration by way of an affidavit with cogent reasons in respect of the documents / information which are not available with the PIO in terms of rule 5(vi) of the A.P Information Commission (Appeal Procedure) Rules, 2005.

The PIO shall comply with the above direction with intimation to this Commission within 3(three) weeks from the date of receipt of this order, whereafter the next date of hearing, if required, shall be fixed. ”

In the meanwhile the Appellant, Shri Riya Taram, vide his letter dt.6th March, 2025, informed this Commission that despite Commission's order and even after lapses of 3 (three) weeks time the PIO did not furnish the sought for information. The appeal was, therefore, listed again for hearing on 9th April, 2025 and summons were issued to the parties.

Accordingly, the appeal was heard on 09.04.2025 wherein the Er. Shri Modak Riba, EE, the PIO and the appellant, Shri Riya Taram were present physically.

As directed in the interim order dt. 19.02.2025, the PIO furnished the Affidavit declaring that *the documents as sought for by the appellant at Sl. No (i) to (xiv) are either misplaced or not found/available in the Division office*. However, the appellant complained that the affidavit does not indicate the sanction order as per the list of schemes, the name of firms/contractors etc.

This Commission also found that the affidavit, besides the shortcomings pointed out by the appellant, is not attested by Notary or Magistrate and in view thereof, the PIO is directed to furnish a revised and proper affidavit to the appellant with a copy to this Commission within one week from today and the appellant is also directed to intimate the receipt of the affidavit within one week thereafter failing which this appeal shall be closed disposed of closed.

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

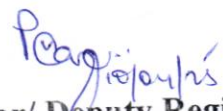
Sd/-

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

Memo No. APIC-347/2024/ 526 Dated Itanagar, the 10 April, 2025.

Copy to:

1. The Chief Engineer (PWD), Central Zone-A, Govt. of A.P, Itanagar, the First Appellate Authority (FAA), for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer, (PWD), Sangram Division, KurungKumey District (A.P) PIN: 791118 for information & necessary compliance please.
3. Shri Riya Taram, Bengia Tahar and Lokam Namdu, Huto Vill. Jolang, c/o Rieng Store Jollang near Catholic Church PIN: 791113 Mobile No. 9383103387/9402443699 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