



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-577/2025.

(Summon to appear in person)

(Or.5 R.3 of CPC)

APPELLANT :Shri Tamchi Gungte, near KV-II School Chimpu Itanagar,
RESPONDENT :The PIO, o/o the Executive Engineer (PHE & WS), Basar
Division, Leparada District (A.P)

ORDER/SUMMONS

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tamchi Gungte for non-furnishing of 31(thirty one) point information c/o "Integrated smart drinking water supply to Basar Township and its peripheral settlement (1.6 MLD) with Tourism and components in Leparada District" sanctioned under NESIDS-ORTI during the financial year 2024-25 by the PIO, o/o the Executive Engineer (PHE & WS), Basar Division, Leparada District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 29.04.2025.

This appeal is listed for the 3rd time today on 25.02.2026, the first two dates being 21.11.2025 and 23.01.2026.

On 21.11.25, the appellant was absent but the PIO, Er. Shri Bomi Nyorak, EE appeared though the VC who submitted that the information/documents sought for by the appellant are kept ready and that vide letter dt.28.05.2025, the appellant was advised to collect the information/documents by paying a sum of Rs.3500.00 and Rs.500.00 being the cost of papers including tender papers but the appellant failed to deposit the amount and collect the documents. This Commission, in the absence of the appellant, however, could not find out as to how the cost of documents has been calculated in improper manner. The hearing was, therefore, adjourned to 23.01.2026.

On 23.01.2026, the appellant appeared through VC but the PIO was absent.

The hearing was, therefore, had to be again adjourned to 25th February, 2026.

Today on 25.02.2026, the appellant is present in person while the PIO is represented by Shri Token Basar, UDC-cum-APIO with the requested documents/information.

Heard the parties.

The APIO reiterated the submission made by the PIO in his letter dt.28.05.2025 that the appellant was advised to collect the information/documents by paying a sum of Rs.3500.00 and Rs.500.00 being the cost of papers including tender papers but the appellant failed to deposit the amount and collect the documents. The appellant, however, contested by saying that since he was not furnished the information within one month as prescribed under section-7(3) but was informed of the cost of documents by the PIO on 28.05.25 which he received on 10.06.2025, the question of payment of the cost of documents does not arise as provided under section-7(6).

The appellant also complained that the PIOs often ask for the cost of documents without properly following / applying the method and rates prescribed by the relevant provisions of RTI Act and the rules made thereunder. In this regard he also cited an instance where he was asked by the PIO to deposit more than Rs.1.00 lakh as the cost of documents calculated by the o/o the PIO wrongly without following the prescribed method.

This Commission, upon hearing the parties and perusing the records/evidence (Post Office delivery report dt. 10.06.25) produced by the appellant regarding the late receipt of the intimation letter dt.28.05.25 from the o/o PIO on deposit of the cost of documents, is not in a position to accept the finding of the FAA, as contained in his order dt.03.07.2025, that "the PIO had issued an intimation for remittance of document cost within the prescribed period of 30 days, as mentioned under Section 7(3) of the RTI Act. The delay in receipt by the appellant is attributable to postal delivery, and not to the PIO." for the simple reason that though the PIO's action in writing the letter dt. 28.05.2025 to the appellant was within the prescribed period of 30 days, it was too late an action leaving little or no time for the appellant to respond with the deposit of the cost. Moreover, as per the post office deliver records, the said letter was delivered to the appellant on 10.06.2025 i.e four days after the expiry of period of 30 days on 05.06.25 from the date of delivery of the RTI application on 07.05.2025. In view of this factual position, the FAA could not have come to the conclusion with the above findings and resultantly, this Commission concludes that the requested information/documents brought in by the APIO have to be furnished to the appellant free of cost.

The documents are, accordingly, handed over to the appellant who is directed to go through the same and report the shortcomings, if any, therein to this Commission on next date which is fixed on 17th April, 2026.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC on 17th April, 2026 (Friday) at 2 pm** 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.

To avail online hearing please at least notify or get in touch one day prior to the hearing, download "**WEBEX MEETING APP**" from Google Play store. For further technical assistance Shri Himanshu Verma, IT Consultant (Mobile no. 8319014957) maybe contacted.

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

Memo No. APIC- 577/2025 / 688 Dated Itanagar, the 27th Feb., 2026

Copy to:

1. The Chief Engineer (PHE & WS), Central Zone, Aalo, the First Appellate Authority (FAA) PIN: 1001 for information and compliance by the PIO.
2. The PIO, o/o the Executive Engineer (PHE & WS), Basar Division, Leparada District (A.P) PIN: 791101 for information and compliance..
3. Shri Tamchi Gungte, Near KV-2 School Chimpu, Itanagar 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.

B. Singh
27/02/26
Registrar/ Deputy Registrar
APIC, Itanagar
Arunachal Pradesh Information Commission
Itanagar