



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Case No. APIC-1053/2023

(Or. 5, R.3 of CPC)

APPELLAN : Shri Tagi Ruti, Village Ngopi, PO/PS Likhali, L/Siang.

RESPONDENT : The PIO, o/o the Executive Engineer (PWD), Gensi Division, Lower Siang Distt.

ORDER/SUMMONS

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tagi Ruti for non-furnishing of below mentioned information by the PIO o/o the Executive Engineer (PWD), Gensi Division, Govt. of Arunachal Pradesh, as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 01.08.2023:

A.Particulars of information : Sought for various projects/schemes under Gensi PWD Division.

B.Details of Information Required:

- a) Fund sanctioned project/scheme wise
- b) Expenditure statement
- c) Copy of estimated cost
- d) Technical Specification.
- e) Copy of Technical Sanction.
- f) Tender NIT (award of tender)
- g) Paper cutting of published NIT
- h) Name of Board Members
- i) Participating firm and their details
- j) Details of Bidders firm documents.
- k) Name of the Firm.
- l) Copy of work order.
- m) Details of payment.
- n) Copy of final & Abstract bill counter signed by JE, AE & EE of concern authority.
- o) Copy of MB against every schemes.
- p) Copy of design and photo.
- q) Copy of UC.

C. Period: 2018-19 to till date.

Facts emerging from appeal.

Brief facts of the case are that the appellant filed an RTI application dt. 01.08.2023 seeking information from the PIO on various works projects/schemes under Gensi PWD Division but the appellant failed to get the requested information from the PIO which prompted him to approach the Superintending Engineer, PWD Basar Circle as the First Appellate Authority (FAA) vide his Memo of Appeal dt.05.10.2025. But apparently he still could not obtain the information from the PIO. Hence, he filed his 2nd appeal before this Commission vide his Memo of Appeal dt.15.11.2023.

This Commission, on 23.09.2024, after hearing the party and perusing the records, noticed that the First Appellate Authority (FAA) did not adjudicate on the first appeal filed before him under section 19(1) of the RTI Act. Therefore, the appeal was remanded to First Appellate Authority vide this Commission's order dt.23.09.2024 to consider and dispose the case, following the principle of natural justice and pass reasoned and speaking order on merit within three weeks from the date of receipt of the order, with liberty of the appellant to file second appeal afresh, if not satisfied with the decision of the FAA.

Records produced by the appellant vide his letter dt. 01.02.2025 disclosed that the FAA, in compliance with the Commission's order dt.23.09.2025, conducted the hearing on 30.10.25 and directed the PIO to furnish hard copies of all relevant documents, duly certified the copies (CTC), for each financial year starting from 2018-19, within one month of each starting in November 2024. But, the appellant, apparently, did not receive the requested information/documents and hence this 2nd appeal before this Commission for second time in terms of the liberty granted to him vide this Commission's aforesaid order dt.23.09.2024

It is pertinent to record here that this appeal was earlier considered by the Hon'ble Court of HIC, Shri Dani Gombu. But he had to recuse himself from this appeal as the projects under the Division in question were executed under him when he was the Chief Engineer and the officers in the department are closely known to him and as such the appeal was re-allotted to the Court of undersigned on 02.09.2025. Hence, this summon notice from the court of undersigned. Hence, accordingly, this Court issued summon notice for hearing on 24.10.2025.

This appeal is, thus, listed today on 24.10.2025 wherein the appellant, Shri Tagi Ruti is present in person but the PIO is absent without any intimation.

Heard the appellant who expressed his deep anguish and dismay on the long delay in adjudication of his appeal. Reiterating his grievance stated that his RTI application filed on 01.08.2023 has not yet been met with positive response from the authorities including this Commission who has remanded the appeal to the FAA and now again taking its time to consider and dispose. The appellant, thus, venting his frustration, pleaded for a direction for an adequate compensation to him from the public authority concerned.

This Commission, while appreciating the grievance and frustration of the appellant, however, is not inclined to accede to his prayer inasmuch as today's hearing is the 1st hearing in so far as the court of this Commission is concerned and without affording adequate opportunity of hearing to the respondent PIO/public authority, it would be inappropriate to invoke any of the penal provisions of the RTI Act as that would be against the principle of '*Audi alteram partem*' (no one should be punished without hearing).

* In the premises as above, the hearing of this appeal is adjourned to 21.11.2025.*

NOW, THEREFORE, You are hereby summoned to appear in person in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC in person on the 21st November, 2025 (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 and this Commission shall be constrained to invoke the penal provisions of the RTI Act, 2005.

Sd/-

(S. TSERING BAPPU)

State Information Commissioner

APIC Itanagar.

Memo No. APIC- 1053/2023/1699 Dated Itanagar, the 27 Oct., 2025

Copy to:-

1. The Superintending Engineer, (PWD), Basar Circle, Leparada District, A.P. cum the First Appellate Authority for information and ensuring compliance by the PIO concerned.
2. The PIO, o/o the Executive Engineer (PWD), Gensi Division, Lower Siang District, Arunachal Pradesh for compliance.
3. Shri Tagi Ruti, Village Ngopi, PO/PS Likhali, Lower Siang District, A.P PIN : 791125 Mobile No. 600005989/9612924347
4. The Computer Programmer, Itanagar, APIC to upload in APIC website and mail to concerned department email please.
5. Office copy.
6. S/Copy.

Registrar/ Deputy Registrar
APIC, Itanagar.

Registrar
Arunachal Pradesh Information Commission
Itanagar