



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- 197/2026.

APPELLANT : Shri Tapir Mize and Shri Tashi Pangu, Upper Niti Vihar Itanagar.
RESPONDENT : The PIO, o/o the EE (WRD), Namsai Division, Namsai.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tapir Mize and Shri Tashi Pangu for non-furnishing of 10(ten) point information on schemes under PMKSY and on 9 (nine) various schemes under RIDF/SIDF by the PIO, o/o the EE (WRD), Namsai Division, Namsai District as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 27.09.2025.

This appeal was heard on 22nd May, 2026 wherein the appellants, Shri Tapir Mize and Shri Tashi Pangu were present in person while the PIO was represented by Advocate Bajongso Kri through VC.

This Commission, after hearing the parties and upon perusal of the documents furnished by the PIO vide letter dt.21.02.26, directed the appellants to visit the o/o the PIO and collect the left out documents within 1(one) week from the date of receipt of order dt.22.05.26 and go through the requested replies / information received from the PIO during the hearing and those to be collected from the o/o the PIO and report their satisfaction therewith to this Commission within 2(two) weeks thereafter.

The PIO was also directed to furnish appropriate replies/information, instead of 'N/A'. It was also made clear that as required by section -7(8)(i) of the RTI Act when an information is denied to the applicant, the reason thereof has to be communicated to the applicant to his satisfaction and on an affidavit in terms of section-18(3)(c) of the RTI Act, 2005 and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.

In compliance of this Commission's order as above, the PIO vide his letter dt. 4th June, 2026 (as reproduced hereunder) furnished the information:

"Sir,

With reference to above cited subject, I am furnishing herewith some of the remaining RTI replies pertaining to PMKSY & RIDF/SIDF respectively as per Court Hearing before the Court of Hon'ble State Information Commissioner, Itanagar, Arunachal Pradesh on 22nd May 2026 for your ready reference.

PMKSY

Sl. No.	Particulars	Page No.
1	Utilization certificate	01 to 12
2	Status of all PMKSY scheme under Namsai Division	13
3	Completion certificate	14 to 18

RIDF/SIDF

Sl. No.	Particulars	Page No.
1	Utilization certificate	01 to 12
2	Status of all RIDF/SIDF scheme under Namsai Division	10
3	Completion certificate	11 to 15

Enclosed: As stated above.

Yours faithfully,

Sd/-

(Er. C. J. Mannou)

Executive Engineer PIO."

This Commission, however, observed that the appellants, vide their letter dt. Nil which was received in this Commission on 09.06.2026, had complained that the PIO did not furnish complete information /replies to their queries. The extract of their complaint is as under:

"Respected Sir,

With reference to the hearing held before the Hon'ble Commission and the directions issued vide Memo No. APIC-197/2026/853 dated 26/05/2026, we, the RTI applicants in the matter, wish to bring the following to your kind notice:

- 1. n compliance with the directions of the Hon'ble Commission, we visited the office of the Public Information Officer, Water Resources Department, Namsai, on 4th June 2026 to collect the information sought under RTI Application (Form-A) submitted to the PIO, WRD, Namsai on 27/09/2025.*
- 2. The PIO, WRD, Namsai, has furnished the information only partially. The information not furnished yet are as follows-*
 - e. Part-A serial no. a list of schemes sanctioned under 130 AIBP is not furnished.*
 - f. Part-A Serial no. 3 PFMS payment vouchers are not furnished.*
 - g. Part-B Serial no. 2LoA is furnished but agreement between the executing agency and the contractor are not furnished.*
 - h. Part-B Serial no. 3Scheme-wise LoC are not provided.*

The non-furnishing of complete information amounts to non-compliance with the directions of the Hon'ble Commission and constitutes a violation of Section 7(1) of the Right to Information Act, 2005.

Prayer

In view of the above, we humbly request your good office to:

- 1. Take cognizance of the partial compliance by the PIO, WRD, Namsai;*
- 2. Issue necessary directions to the PIO to furnish the remaining information within a stipulated time frame;*
- 3. Initiate penal action under Section 20(1) of the RTI Act, 2005, against the PIO for deliberate and malafide denial of information, as deemed fit by the Hon'ble Commission.*

We are enclosing the following documents for your kind perusal:

- 3. Copy of the Commission's order vide Memo No. APIC-197/2026/853 dated 26/05/2026;*
- 2. Copy of the information received from the PIO, WRD, Namsai, dated 4th June 2026.*

We shall be grateful for your urgent intervention in the matter to ensure complete disclosure of information in accordance with law.

Thanking you,

Yours faithfully,

Sd/-

Shri Tapir Mize

Sd/-

Shri Tashi Pangu"

In view of the complaint from appellants as above, the PIO was directed to furnish the left out information as listed at pars-2 of the appellant's complaint or an appropriate explanation/reasons for denial of the said information/documents on an affidavit, as already directed in order dt.22.05.26 and report compliance thereof on 22.07.2026.

Today on 22.07.2026, the appellants are present in person while the PIO is again represented by his Counsel, B. Kri with the affidavit.

This Commission, of perusal of the affidavit noticed that the affidavit was not in proper form and the contents therein were also not consistent with the written statement submitted by the PIO as reproduced hereunder:

• "BEFORE THE COURT OF S. TSERING BAPPU, STATE INFORMATION
COMMISSIONER, ITANAGAR, ARUNACHAL PRADESH •

Appeal APIC no. 197/2026.

In the matter of:

Shri Tapir Mize & Shri Tashi Pegu

..Appellants

Vs

The PIO cum EE (WRD), Namsai Division, (A.P) Respondent

Respondent most humbly submits this reply in compliance with the Hon'ble Commission's Order and Direction dated 22.05.2026 passed in APIC No. 197/2026.

The point-wise reply is as follows:

(a) That in respect of part-A SI. No. - A List of schemes sanctioned under 130 AIBP:

The office of the PIO-cum-Executive Engineer, Water Resources Division, Namsai, does not have any records/documents pertaining to the schemes sanctioned under 130 AIBP, as the said projects were undertaken prior to the bifurcation of the Namsal WRD Division from the Tezu WRD Division. Hence, no such information is available in this office for furnishing.

(b) That in respect of part -A SI No. 3 PFMS payment vouchers:

The PFMS payment vouchers sought pertains to third-party information. Under section 8(1)-(g) (j) of the act exempted to furnish the information related to information endangering life and personal privacy. While complying the mandate under section 11 of the act PIO um Executive Engineer had contacted the party's through telephonic wherein parties had orally objected to disclose the same. Therefore, this office is unable to furnish the same under the provisions of the Right to Information Act, 2005.

(c) That in respect of part -B SI. No. 2 Agreement between the executing agencies:

Out of total 9 (nine) Nos. of schemes, WRD Namsai Division have executed only 3 (three) Nos, of schemes i.e. SI. No. 1, 2 & 9. Which are furnished herewith this replies.

For the rest 6 (six) Nos. of scheme appellant may seek the record from WRD Tezu division as the said scheme was executed from Tezu division prior to the bifurcation of WRD Namsai Division.

(d) That in respect of part-B Sl. No. 3 Scheme-wise Letter of Credit (LoC)
This office does not receive or maintain scheme-wise Letters of Credit (LoCs). LoCs are received head-wise only by the CE office not by the Executive Engineer Office. Accordingly, the requested information is not available with this office. The applicant may seek the information from the office of the Chief Engineer office, Water Resources Department, which is the appropriate authority maintaining such records.

This reply is submitted for the kind information of the Hon'ble Commission and for compliance with the aforesaid Order and Direction.

Dated: 22.07.2026
Place Itanagar

Yours faithfully,
Sd/-

PIO-cum-Executive Engineer

Water Resource Division Namsai, Arunachal Pradesh."

The requirement of law is that the statement containing the reasons or explanation in respect of the information/documents being denied to the appellant are to be furnished on an affidavit as an evidence under the provisions of section-18(3)(c) of the RTI Act, 2005 and under rule- 5(vi) of the A.P Information Commission (Appeal Procedure) Rules, 2005 in view whereof this Commission deems it appropriate to direct the PIO to furnish a revised affidavit incorporating therein the statements made in the written submission which the Ld. Counsel has fairly agreed to and assured the appellant and this Commission.

The PIO is, accordingly, directed to furnish the revised affidavit within 1(one) week from the date of receipt of this order and the appellant shall, within 1(one) week thereafter, intimate this Commission of the receipt of the same failing which this appeal shall stand closed without further notice.

Given under my hand and seal of this Commission on this 22nd July, 2026.

Sd/-

(S. TSERING BAPPU)

State Information Commissioner,
APIC, Itanagar.

Memo No. APIC-197/2026

Dated Itanagar, the 24 July, 2026

Copy to:

- 1) The Chief Engineer (WRD), Eastern Zone Miao, Changlang, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO concerned.
- 2) The PIO, o/o the EE (WRD), Namsai Division, Namsai for information and compliance..
- 3) Tapir Mize and Shri Tashi Pangu, Upper Niti Vihar PIN: 791111 Mobile No. 8132895815 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

Arunachal Pradesh Information Commission
Itanagar