



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**BEFORE THE HON'BLE COURT OF MAJOR GENERAL JARKEN GAMLIN, AVSM, SM,
VSM (RETD), STATE CHIEF INFORMATION COMMISSIONER**

No.APIC-157/A/2026

Dated, Itanagar the 11th August' 2026

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Chera Taji, Village Lower Tarasso, Po/Ps Balijan, Papum Pare District, Arunachal Pradesh, PIN-791123, (M) 8131991209.

Vs

Respondent: The PIO-cum-EE (RWD), Govt. of A.P., Rural Work Department, Papum Poma Division, Yupia, Papum Pare District, Arunachal Pradesh, PIN-791123.

ORDER

1). This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Chera Taji, Village Lower Tarasso, Po/Ps Balijan, Papum Pare District, Arunachal Pradesh, for non-furnishing of information by the PIO-cum-EE (RWD), Govt. of A.P., Rural Work Department, Papum Poma Division, Yupia, Papum Pare District, Arunachal Pradesh, as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 14/11/2025 regarding c/o Bridges over the rivers namely (1) Bormai river (2) Taraso river (3) Radaso river, Road from Tarajuli to U/Taraso (Radaso) total length 19.50km, under PMGSY Scheme, District Papum Pare, Arunachal Pradesh.

2). The first hearing was held on 5th May' 2026. The PIO-cum-EE (RWD), Govt. of A.P., Rural Work Department, Papum Poma Division, Yupia, Papum Pare District, Arunachal Pradesh was represented by Er. Ngurang Nija, AE (RWD) Papum Poma Division. The Appellant Shri Chera Taji was present.

3). During the first hearing, the Commission had admonished the PIO for denying information merely based on some difference in nomenclature, and that under section 6(1) of the RTI Act 2005 it was the duty of the PIO to render all reasonable assistance to the information seeker. The PIO was directed to furnish all the information. In case any information were not available in the office record, the PIO was directed to give justifiable reasons in writing under intimation to the Commission. The Appellant was directed to visit office of the PIO after fifteen days from the date of issue of the order and collect information. The Appellant was also asked to intimate his satisfaction or dissatisfaction after receipt of information.

4). The Appellant vide letter dated 09/06/2026 informed the Commission that the PIO had not furnished information, instead he was served with a letter No. PRWD/DOC-1/2020-21/241-43 dated the Yupia 3rd Jun'2026 stating that the information cannot be furnished as the matter was sub-judice.

5). The Commission in view of the letter and documents submitted by the Appellant decided to fix a fresh date of hearing.

6). The next date of hearing is fixed on 15th September'2026 (Tuesday) at 11am.

7). The Commission observes that the High Court of Delhi in *Municipal Corporation of Delhi v. R.K. Jain* in W.P. (C) 14120/2009 dated 23.09/2010 had adjudicated that :-

"5 The matter being sub judice before a court is not one of the categories of information which is exempt from disclosure under any of the clauses of Section 8(1) of the RTI Act."

8). Further, the Commission also observes the decision of the Central Information Commission in *Mr. Ashu v. CPIO / Sr. Supd of Posts, Department of Posts* in CIC/BS/A/2015/001578/11769 dated 28.11.2016 :

"At the outset it is clarified that the RTI Act provides no exemption from disclosure requirements of sub-judice matters. The only exemption for sub-judice matters is regarding what has been expressly forbidden disclosure by a court or a tribunal and what may constitute contempt of court."

8). **Therefore**, the PIO-cum-EE (RWD), Govt. of A.P., Rural Work Department, Papum Poma Division, Yupia, Papum Pare District, Arunachal Pradesh, is hereby summoned to appear before this Court in person or through Video Conferencing on the scheduled date and time without fail, with relevant document/order/direction from the Court/ Tribunals which specifically forbids furnishing of information as sought by the Appellant under RTI Act.

9). Take notice that in case of default in appearing on the day of hearing mentioned above, the appeal will be heard and determined ex-parte and penalty under section 20(1) of the RTI Act, 2005 shall be invoked against the PIO. In case the Appellant remains absent the case would be disposed of.

10). **N.B:** - PIO and Appellant can avail online mode of hearing by downloading "**Webex App**" from Google Play store. May contact **Shri Himanshu Verma** at **Mob:- 8319014957** for further technical assistance.

Order copies be issued to all the parties.

Sd/-

[Major General Jarken Gamlin, AVSM, SM, VSM (Retd)],

State Chief Information Commissioner

Arunachal Pradesh Information Commission

Itanagar

Memo No.APIC-157/A/2026 / 520

Dated, Itanagar the 11th August' 2026

Copy to:

1. The PIO-cum-EE (RWD), Govt. of A.P., Rural Work Department, Papum Poma Division, Yupia, Papum Pare District, Arunachal Pradesh, PIN- 791123 for compliance.
2. Shri Chera Taji, Village Lower Tarasso, Po/Ps Balijan, Papum Pare District, Arunachal Pradesh, PIN-791123, (M) 8131991209 for compliance.
3. Computer Programmer, APIC, Itanagar, to upload in APIC Website.
4. Case file.

Registrar / Dy. Registrar

Arunachal Pradesh Information Commission

Itanagar

Arunachal Pradesh Information Commission

Manager