



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

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

Case No. APIC-920/2025.

APPELLANT : Shri Tamchi Gungte, near KV-II School Chimpu, Itanagar.
RESPONDENT : The PIO, o/o the Executive Engineer (WRD), Ziro Division.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tamchi Gungte for non-furnishing of 12 (twelve) point information on implementation of Works/ projects sponsored by State fund/ Central fund or both (such as SIDF/ BE/ RE/ RIDF/ SADA/ ADA/ / MPLAD/ SPA/ Article 275(1)/ PMJVK/ CRIF/ PMDe Vine/ NEC/ NESIDS / Non-BADP, SASCI, FMBAP, PMKSY etc. during the financial year 2020-21 to 2025-26 by the PIO, o/o the Executive Engineer (WRD), Ziro Division, Ziro as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 10.09.2025.

This appeal was listed and heard for 3(three) times on 08.05.2026, 12.06.26 and 15.07.26.

On 15.07.2026, this Commission, after hearing the appellant, Shri Tamchi Gungte and Er. Shri Nani Tade, APIO, representing the PIO, passed the following order:

"Heard the parties.

The appellant reiterated his submission made in the last hearing on 12.06.2026 that he had submitted a revised list of specific request to the PIO in the month of May but the PIO did not furnish the replies. The APIO, on the other hand, contended that the o/o the PIO, vide letter dt.24.06.2026, had advised the appellant to deposit a sum of Rs.4530.00 being the cost of documents as per the revised list of information but the appellant did not deposit the amount and as such the replies/information as sought for by him remained unfurnished.

This Commission perused the aforesaid letter dt.24.06.26 from the PIO asking the appellant to deposit the cost of documents which the appellant had refused on the ground that the PIO failed to respond and furnish the requested information within the prescribed period of one month.

In this regard this Commission deems it appropriate to remind the PIO of the provisions of section 7(1) of the RTI Act, 2005 which mandates the PIO to furnish the requested information to the applicant within 1(one) month of the receipt of RTI application and as per sub-section-(6) of section-7, if the PIO fails to furnish the information within the prescribed period of one month, the information has to be furnished to the applicant free of cost.

In the present case the PIO, having received the appellant's RTI application on 19.09.25 (as per the tracking record of Speed post), was bound to furnish the requested information on or before 18.10.2025 but, instead, vide his letter dt. 27.10.2025 asked the appellant to pay/deposit a sum of Rs. 40200/- (Rupees Forty Thousand Two

Hundred) being the cost of documents. The appellant, apparently, disappointed with the demand of such cost of documents by PIO, that too after the expiry of the statutory period, had approached the Chief Engineer, WRD, Western Zone, Vivek Vihar, Itanagar the First Appellate Authority (FAA), under Section 19 (1) of the RTI Act.

The PIO, having committed the lapse, thereby violating the provisions of sub-section (1) of section-7 of the RTI Act, could not have asked for the cost of the documents from the appellant but ought to have furnished the documents free of cost in terms of sub-section (6) of section-7 of the RTI Act.

This Commission, therefore, rejects the PIO's demand for the cost of documents from the PIO and directs him to furnish to the appellant the requested documents/information free of cost in respect of **11(eleven) funding heads out of 18 (eighteen) heads. The information on rest 7(seven) funding heads namely, MPLAD, SPA, CRIF, PMDeVine, NEC, NESID and FMBAP need not be furnished which the appellant has fairly agreed because, as submitted by the APIO, the Ziro Division did not execute any projects under those funding heads.**

It is made clear that as mandated by section -7(8)(i) of the RTI Act, 2005 when an information is denied to the applicant, the reason thereof has to be communicated to the applicant to his/her satisfaction. And as mandated by section-18(3)(c) and rule-5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, the submission/reply of the PIO has to be declared on an affidavit.

The PIO shall comply with the above direction within 2(two) weeks from the date of receipt of this order and the appellant shall, thereafter, within 1(one) week intimate this Commission of the receipt of the same failing which this appeal shall stand closed without further notice."

Pursuant to the order of this Commission as above, the o/o the Chief Engineer (WRD), Western Zone Itanagar, the First Appellate Authority (FAA), vide his letter dt.27.07.2026, had also advised the PIO to comply with the direction of this Commission to furnish the requested information free of cost.

The appellant, however, vide letter dt.31.07.26 complained that the PIO failed to comply with the order of this Commission and requested for summoning the PIO.

This Commission noticed that the PIO, despite this Commission's order and the FAA's advice as above, indeed failed to comply with the order of this Commission which amounted to blatant and willful disrespect to this Commission and the RTI regime making him liable to be proceeded against under the relevant provisions of RTI Act.

In view thereof the PIO was directed, vide by this Commission's order 10th August, 2026, to furnish the information/documents to the appellant within 3(three) weeks from the date of receipt of the said order and report the compliance therewith to this Commission on 4th September, 2026, making it clear that penalty of Rs.25,000.00 as prescribed under section 20(1) of the RTI Act, 2005 shall be imposed upon him if he fails to comply with the order.

Today on 04.09.2026, the PIO, Er. Padi Sambyo Tabin, E.E is present in person with the requested information/documents. The appellant, Shri Tamchi Gungte is however, did not appear due to demise of a relative.

Heard the PIO who reiterated his letter dt.24.06.26 asking the appellant to deposit the cost of documents/information as per revised queries which this Commission had already rejected in its earlier order dt.15.07.2026.

Since the appellant is absent, the documents/information brought in by the PIO are returned to the PIO. The appellant is directed to collect the same from the o/o the PIO within 2(two) weeks from the date of receipt of this order and 1(one) week thereafter, he shall intimate this Commission of the receipt of the same failing which this appeal shall stand closed.

Given under my hand and seal of this Commission on this 4th Sept., 2026.

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

Memo No. APIC- 920/2025/882 Dated Itanagar, the 8 Sept., 2026

Copy to:-

1. The Chief Engineer (WRD), Western Zone Itanagar Vivek Vihar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer (WRD), Ziro Division, Lower Subansiri District (A.P) PIN: 792129 for information and compliance.
3. Shri Tamchi Gungte, Near KV-2 School Chimpu, Itanagar Mobile No. 9233567279 for information for compliance.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC please.
5. Office copy.
6. S/Copy.

P. Raghu
Registrar/ Deputy Registrar
APIC, Itanagar.
Deputy Registrar
Arunachal Pradesh Information Commission
Manager