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- 530/2026.

APPELLANT : Shri Robin Rigam, Bank Tinali, Itanagar.
RESPONDENT : The PIO, o/o the EE (PWD), Mechuka Division, Mechuka.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Robin Rigam for non-furnishing of 16(sixteen) point information on the Administrative Approval and Expenditure Sanction for the construction of District Hospital Tato, Shi-Yomi Dist. (FY 2019-2020) by the PIO, o/o the EE (PWD), Mechuka Division, Shi-Yomi District as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 16.03.2026.

This appeal was listed and heard on 04.09.2026 wherein the appellant, Shri Robin Rigam was present in person while the PIO, Er. Shri Onit Borang appeared through VC.

This Commission, upon hearing the parties, more particularly the PIO who assured to furnish the requested information either through messenger or through post, directed him, vide order dt.04.09.26, to furnish the information within 1(one) week from the date of receipt of the said order and the appellant was also directed to intimate the receipt thereof within 1(one) week thereafter.

The appellant as directed, has vide letter dt.09.09.26 (reproduced hereunder), informed that the PIO failed to comply with the direction of this Commission and pleaded for penal action under section-20 of the RTI Act, 2005.

"To

The Hon'ble State Information Commissioner
Arunachal Pradesh Information Commission (APIC)
Itanagar, Arunachal Pradesh-791111.

Sub : Complaint regarding continued non-compliance and failure to furnish RTI information by Shri Onit Borang, Executive Engineer, PWD Menchuka Division- Appeal Case No. APIC-530/2026.

Appeal Case No.: APIC-530/2026
Section: Appeal under Section 19(3) of the Right to Information Act, 2005

Respected Sir/Madam,

I, Robin Rigam Taniang, respectfully submit this complaint before the Hon'ble Arunachal Pradesh Information Commission regarding the continued failure of Shri Onit Borang, Executive Engineer, PWD Menchuka Division, to furnish the RTI information and documents sought by me.

The matter was heard before the Hon'ble Commission at APIC, Itanagar, on 4 September 2026. During the hearing, Shri Onit Borang had given an undertaking/assurance before the Hon'ble Commission that the required RTI information and documents would be furnished within one week.

However, despite the undertaking given before the Hon'ble Commission and expiry of the promised period, I have not received the required RTI information/documents till date. The respondent has also failed to provide any satisfactory written explanation for the continued delay or non-compliance.

Strong Grounds for Action
Failure to comply with undertaking before the Commission:

The respondent expressly assured the Hon'ble Commission during the hearing that the information would be furnished within one week. Failure to honour such an undertaking undermines the authority and proceedings of the Commission.

Continued denial of information:
Despite the RTI proceedings and hearing, the information/documents have still not been supplied to me, thereby defeating the very purpose of the RTI Act, 2005.

Unreasonable and unexplained delay:
No satisfactory reason or lawful justification has been communicated to me for withholding the information after the hearing.

Failure to discharge statutory responsibility:
The concerned public authority/PIO is required to deal with RTI requests in accordance with the provisions of the RTI Act. Continued non-compliance after intervention by the Commission warrants serious consideration.

Possible applicability of penalty provisions:
I request the Hon'ble Commission to examine whether the conduct of the concerned officer attracts proceedings under Section 20 of the RTI Act, 2005, particularly if the Commission finds that the information was knowingly withheld, unreasonably delayed, or that there was persistent failure to comply with the RTI requirements.

Public accountability and transparency:
The information sought relates to a public authority, and withholding such information without lawful justification defeats the principles of transparency and accountability embodied in the RTI Act.

Prayer
In view of the above facts and circumstances, I most respectfully request the Hon'ble State Information Commissioner to:
Take immediate cognizance of the continued non-compliance by Shri Onit Borang, Executive Engineer, PWD Menchuka Division.
Direct the concerned authority/PIO to furnish the complete RTI information and certified copies of the requested documents immediately and without any further delay.

Call upon Shri Onit Borang to submit a written explanation for his failure to comply with the undertaking given before the Hon'ble Commission.

Consider initiating appropriate proceedings under Section 20 of the RTI Act, 2005, if the statutory conditions for penalty are found to be satisfied.

Pass such other appropriate directions/orders as the Hon'ble Commission may deem fit to ensure compliance with the RTI Act and the Commission's proceedings.

I respectfully submit that repeated non-compliance despite the matter being heard before the Hon'ble Commission requires urgent intervention so that the information sought under the RTI Act is not indefinitely withheld.

Enclosures:
1. Copy of RTI application.
2. Copy of first/second appeal.
3. Copy of APIC hearing notice/order.
4. Copies of previous correspondence.

Yours faithfully,
Sd/-
Robin Rigam Taniang Appellant."

In view of the complaint received from the appellant as above, this appeal was listed again today on 06.11.2026 with direction to the PIO to furnish the requested information to the appellant and report the compliance thereof to this Commission today.

Today on 06.11.2026, the appellant is absent who, vide his letter dt.05.11.2026, requested for adjournment of the hearing. However, the APIO, Er. Shri Dindup Naksang, JE is present in person who produced a copy of the PIO's letter dt.22.10.26 (as reproduced hereunder), intimating that the in compliance with this Commission's order dt.04.09.26, the requested information/documents had been dispatched to the appellant via Speed Post the receipt whereof is attached in the said letter.

"Sir/Madam,

Inviting your kind attention the subject and letter referred above, it is to apprise you that I have been summoned to the Hon'ble Court of S. Tsering Bappu, State Information Commissioner citing non-compliance of the Commission's directive in furnishing information to the applicant Mr. Robin Rigam. In this connection, I would like your good office to consider the following please:-

That, this office has furnished the information sought by the applicant and sent it via registered post on 13th September after the hearing at the Commission's court on 4th September 2026. (envelope cover and postage details enclosed).

That, this office has heeded the Commission's order and the delays or otherwise arising out of postal logistics /address etc may not be attributed to our office.

That, Mechukha is a remote town with deficit in power voltage for photocopying and printouts, causing unexplainable delays furnishing reports/information.

That this office is open to applicants visiting office and inspecting records on their own.

Considering the above and the remoteness of Mechukha, your good office is requested not to list us for another hearing as documents have been sent and screenshots of tracking is duly enclosed. In the meantime, if required, this office is open to inspection of records by the applicant during office hours.

This is submitted for your kind information and considerate decision please.

Enclo: As stated above

Your faithfully
Sd/-
Executive Engineer,
Mechuka Division, PWD."

This Commission perused the said letter and as per the tracking record of the post office, the consignment (documents) was delivered to the addressee on 18.09.26.

This Commission is inclined to believe that the appellant has received the documents which he ought to have mentioned in his aforesaid letter dt.05.011.2026. Be that as it may, since the appellant di not intimate / acknowledge the receipt of the documents, he is directed to report the receipt of the documents and the short comings, if any, therein to this Commission within 1(one) week from the date of receipt of this order for further consideration failing which it is made clear that this appeal shall stand closed without further notice.

Given under my hand and seal of this Commission on this 6th Nove., 2026

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

Memo No. APIC-530/2026 **Dated Itanagar, the** 10/11 **Nov., 2026**

Copy to:

1. The Chief Engineer (PWD), Central Zone (B), Pasighat, the First Appellate Authority (FAA) for information.
2. The PIO, o/o the EE (PWD), Mechuka Division, Shi- Yomi District PIN: 791003 for information.
3. Shri Robin Rigam, Bank Tinali, Itanagar PIN: 791111 Mobile NO. 6909657115 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
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar