



**ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC) ITANAGAR.**

An Appeal Case U/S 19(3) of RTI Act, 2005  
Vide Case No. APIC- 518/2023

(Summon to appear in person)  
(Or.5, R.3 of CPC)

Smti Tongyang Mema Bengia ..... APPELLANT.  
Lower Chimpu Itanagar  
PO- Chimpu, PS- Itanagar, AP  
Vs  
PIO, o/o the EE, RWD Laying Yangte Division,  
District –Kurung Kumey, AP ..... RESPONDENT.

**SUMMONS**

This is an appeal under Section 19(3) of RTI Act, 2005 received from **Smti Tongyang Mema Bengia, Lower Chimpu Itanagar, PO- Chimpu, PS- Itanagar, Arunchal Pradesh** for non-furnishing of information by **the PIO –cum- EE, RWD, Laying Yangte Division, Kurung Kumey District, Govt. of Arunachal Pradesh** as sought for by the Appellant under section 6(1) (Form-A) of RTI Act, 2005.

This appeal is heard for the 5<sup>th</sup> time today on 03.07.2024 wherein the PIO, Er. Shri Rambao Zimik, the Executive Engineer, RWD Laying Yangte Division, Kurung Kumey and the Advocate Shri Tarh Kama, the Counsel for the appellant, Smti Tongyang Mema Bengia were present.

The Ld. Counsel for the appellant submitted that the PIO, Er. Shri Rambao Zimik, Executive Engineer has been malafidely denying the sought for information to the appellant despite imposition of penalty of Rs.25,000.00 and compensation of Rs.20,000.00 by the Commission. He further submitted that the PIO is willfully disobeying the order of the Commission and not furnishing the information and therefore, he should be proceeded against under the provisions of section 20(2) of the RTI Act, 2005.

The PIO, who reached the Court room little later, however, handed over forwarding letter dt.02.07.2024 addressed to the appellant enclosing therein some of the information sought by the appellant and also complaining thereby that some of the points on which the appellant has sought information are repetitive while some are vague.

Upon perusal of the submission made by the PIO in the forwarding letter and on comparative analysis thereof with the 37 point information sought by the appellant in his application in form-A, the Commission observed that some of the points on which information was sought are, in fact, either overlapping or repetitive while some are vague and not specific. For instance, the query on “xerox copy of completed report (CR) of installation” (item No.11) is not clear / specific. Further, the “names of contractor list” (Sl.No.7), the “names of firm who took participation in the tender process” (point. No. 9) and “the names of firms rejected in the tender process” (point No.22) are either overlapping or repetitive.

Also the “copy of acceptance letter of agreement” (point No.30) is overlapping with the “copy of agreement between the contractor and Govt. of A.P” (point No.14). Some points at Sl.No.15, 16,17, and 18 are also found repetitive.

When pointed out such indiscriminate, overlapping and vague points in the appellant's application for information, the Ld. Counsel for the appellant assured to discuss with his appellant client for limiting/ restricting his demand for information on specific points.

As regards few other remaining information, the PIO assured to furnish them, such as the information on phase-wise / installment-wise payment to the contractor (point No.20). The PIO will also furnish the Utilisation Certificate (point No.25) against the work on completion of the work. However, as against Cheque No/PFMS (point No.37), the PIO submitted that since the payment is being made on OMMAS (Online Management, Monitoring and Accounting System) mode, the question of maintaining cheque counter foils / cheque leaf does not arise of which the Ld. Counsel was fully convinced with.

Having done the exercise as above and after hearing the parties, the Commission directs the PIO to furnish the remaining furnishable /available information to the appellant **on or before the next date of hearing.**

The Ld. Counsel for the appellant is also advised to impress upon his appellant client not to insist on those information which are repetitive and which are exempted under the relevant provisions of section 8(1) of the RTI Act, 2005.

**The next date of hearing of this appeal is fixed on 21<sup>st</sup> August, 2024.**

**NOW THEREFORE**, the PIO, o/o the EE, RWD Laying Yangte, Kurung Kumey District, Govt. of AP is hereby summoned to appear in the Hon'ble Court of Shri Sangyal Tsering Bappu, SIC in person or online on the above-mentioned date and time with the documents sought for without fail.

To avail online hearing, download "**WEBEX MEETING APP**" from the Google Play Store. For further technical assistance Shri Himanshu Verma, IT Consultant (Mobile No.8319014957) may be contacted.

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

Memo. No. APIC- 518/2023/93  
Copy to:-

Dated Itanagar, the 10<sup>th</sup> July, 2024

1. The PIO, o/o the EE, RWD, Laying Yangte, Kurung Kumey District, Pin-791118, Govt. of Arunachal Pradesh for information & necessary action please.
2. Smti Tongyang Mema Bengia, Lower Chimpu Itanagar, PO- Chimpu, PS- Itanagar, Pin-791111, Ph-8132068416, Arunachal Pradesh, for information.
3. The Computer Operator/Computer Programmer for uploading on the Website of APIC, please.
4. Office copy.
5. S/Copy.

Registrar/ Deputy Registrar  
APIC, Itanagar.  
Arunachal Pradesh Information Commission  
Itanagar