



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

Complaint Case U/S 18 (1) of RTI Act, 2005

Case No. APIC- 15/2024.

APPELLANT

: Shri Tania June & Shri Issac Ejing, E-Sector, Naharlagun, Arunachal Pradesh.

RESPONDENT

: The PIO, o/o E.E (PHE & WS), Yingkiong Division, Upper Siang District (A.P).

SHOW CAUSE NOTICE

{ Section 19(8)(b) & (c) r/w section 20 (1) of the RTI Act, 2005 }

To

Shri Rajen Taying, EE (PHE & WS),
Yingkiong Division, Yingkiong,
Arunachal Pradesh.

WHEREAS Shri Tania June & Shri Issac Ejing, E-Sector, Naharlagun, had filed a Complaint under Section 18(1) of RTI Act, 2005 against the PIO, o/o the Executive Engineer, PHED, Yingkiong Division, Upper Siang District for denial of following information as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 05.11.2024:

A) Particular of information: Improvement of Water Suply system in Katan Circle in Upper Siang District.

B) Details of information required:

1. NIT copies;
2. Photograph and Geo Tagg copies;
3. First and final bill copies;
4. Trading License Proprietor details name list copies;
5. DBT and PFMS xerox copy details name list copies;
6. Site inspection report copies;
7. Utilization Certificate copies;
8. Total payment list copy till date;
9. DPR copies;
10. Work order copies;
11. GST and return fill copies;
12. Money receipt copy and cheque receipt copies;
13. EE/AE/JE details name list copies;
14. Work progress report copies;
15. Cheque receipt xerox copies;
16. Contractor PAN Card/ Aadhar Card xerox copies;
17. Sanction order copies;
18. Firm work express certificate copies;
19. Request for site visit;

- 20.Guideline copies;
 - 21.Advertisement and local newspaper copy;
 - 22.Technical bid and price bid copies;
 - 23.NIT Participate details copies and
 - 24.Firm registration Certificate copies.
- D)Period from which information asked for: 2021-2023

2. AND WHEREAS the request of the appellants was denied by the PIO vide his letter dt.03.12.2024 on the ground that *the application fee is not in the form of treasury challan and also that as per the direction of this Commission, the applicants/complainants should seek specific information of one work for one financial year.*

3. AND WHEREAS this case was, accordingly, registered as Complaint Case No. APIC-15/2024 and was listed for hearing for 5(five) times on 21.03.2025, 11.04.2025, 14.05.2025, 13.06.2025 and 16.07.2025. The PIO did not appear in any of the hearings but on 14.05.2025, Er. Shri Tumba Ingo, A.E appeared on behalf of the PIO.

4. AND WHEREAS this Commission, taking a serious view of the repeated absence of the PIO in the hearing, had warned the PIO on 14.04.2025 hearing that if he fails to appear in the next hearing, necessary action under section 20 of the RTI Act, 2005 shall be initiated against him for being disrespectful to this Commission and its order.

5. AND WHEREAS on 14th May, 2025 wherein on of the complainants, Shri Tania June and Er. Shri Tumba Ingo, Asstt. Egr., representing the PIO were present in person, this Commission after explaining to the appellant the provisions of section 18 and section 19 of the RTI Act which provide different remedies, the complaint was converted to appeal under section 19(3) of the RTI Act and heard the parties.

6. AND WHEREAS this Commission, upon perusal of the details of information/documents requested by the complainants/appellants which were found to be not that voluminous, directed the PIO to provide the same within 30 days or on or before 13.06.2025 i.e the next date of hearing.

7. AND WHEREAS the PIO again failed to appear on 13.06.2025 nor did he depute anyone or provide the requested documents to the appellants despite this Commission's order dt.15.05.2025. But he had informed vide his letter dt.12.06.2025 that his dealing assistant is under going heart treatment at Guwahati and prayed for extension of time for furnishing the documents to the appellant. The PIO also enclosed in his letter copy of Casual leave application dt.09.06.2025 submitted by the Dealing Assistant, Shri Kalit Panyang, J.Estimator.

7. AND WHEREAS the PIO followed up his letter dt.13.06.2025 by letter dt. 10.07.2025 intimating that due to departmental co-ordination meeting of his department on 16th and 17th July, 2025 at Lumding, East Kameng District, he will not be able to attend the hearing fixed on 16.07.2025.

8. AND WHEREAS on 16.07.2025, the appellant, Shri Tania June, who was present in the hearing in person expressed his sheer disappointment on the repeated absence of the PIO and submitted that the PIO is deliberately avoiding his obligation to provide the requested information for which necessary penal action should be initiated against him

9. AND WHEREAS the continued absence of the PIO in the hearings has been viewed seriously by this Commission. This Commission holds that if he was not able to appear personally for any justified reason, he ought to have deputed his APIO or any representative from his office but he miserably failed to comply with the orders of this Commission. Such an attitude of the PIO amounts to violation of the provisions of RTI Act besides blatant disrespect to this Commission in view whereof, this Commission is constrained to hold that the PIO, as already cautioned earlier, should be imposed penalty as prescribed under section 20(1) of the RTI Act, 2005.

10. NOW THEREFORE Er. Shri Rajen Taying, EE (PHE & WS), Yinkiong Division is directed to show cause as to why penalty of Rs.25,000.00 (Rupees twenty five) thousand shall not be imposed on him as prescribed under section 20(1) of the RTI Act, 2005. He is further directed to appear before this Commission on 30.07.2025 (Wednesday) at 11.30 a.m with the requested documents and his explanation on his absence from the hearing.

Given under my hand and seal of this Commission on this 17th July, 2025.

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

Memo No. APIC-15/2024 / 577 Dated Itanagar, the 17 July, 2025

Copy to:

1. The Chief Engineer (PHE and WS), Central Zone, Govt. of A.P, Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance of this order by the PIO concerned.
2. The PIO, o/o the Executive Engineer (PHE & WS), Yingkiong Division, Upper Siang District, (A.P) for information and compliance.
3. Shri Tania June & Issac Ejing, E-Sector, Naharlagun, Arunachal Pradesh, 791110 Mobile No. 8131848230 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