



सूचना का
अधिकार
RIGHT TO
INFORMATION



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).

ORDER

This was a Complaint case under Section 18(1) of RTI Act, 2005 received from Shri Tania June & Shri Issac Ejing for denial of 24 (twenty four) point information Improvement of Water Supply system in Katan Circle, in Upper Siang District by the PIO, o/o the Executive Engineer (PHE & WS), Yingkiong Division, Upper Siang District as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 05.11.2024.

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.

This Commission taking serious view of the violation of the provisions of RTI Act by the PIO besides blatant disrespect to this Commission, issued notice dt.17.07.2025 to the PIO, Er. Shri Rajen Taying, EE (PHE & WS), Yinkiong 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 was also directed to appear before this Commission on **30.07.2025 (Wednesday) at 11.30 am** with the requested documents and his explanation on his absence from the hearing.

The PIO did not appear on 30.07.2025 but deputed Er. Shri Tumba Ingo, A.E-APIO along with the copy of explanation dt.26.07.2025 from the PIO and a copy of Govt. order dt. 23.07.2025 issued by the PD(RD) regarding a training programme fixed on 29.07.25 to 31.07.25 on District Level Management Development. The APIO also brought in the requested information in soft copy.

This Commission, on perusal of the said Govt. order, holds that the absence of the PIO today is for genuine reason and as such his personal appearance is hereby dispensed with. The explanation submitted by the PIO is extracted below:

"Sub:- Reply of Show Cause Notice

Ref. APIC NO. 15.2024/517 dt.. Itanagar the 17th July, 2025

Sir,

In response to the subject cited above, I would like to inform you that following facts for favour of your kind consideration and sympathetic action please.

Firstly Sir, in the first hearing on 21.03.2025 the summon letter was received on 24.03.2025, due to late received of summon letter, I could not able to attend the schedule date of hearing on 21.03.2025, copy enclosed for ready reference- Annex-A'.

1. Secondly Sir, in the 2nd hearing on 11.04.2025 the summon letter was received on 14.04.2025 due to late received of summon letter again, I could not appeared before the Hon'ble Court on schedule date of hearing on 11.04.2025, copy enclosed for ready reference in Annex-'B'.
2. Thirdly Sir, in the 3rd hearing on 14.05.2025, owing to visit of Commissioner PHE & WS and Health and Family Welfare Govt. of A.P to visit Upper Siang District on 15th and 16th May, 2025. I being a Executive Engineer Cum HoD of the Department in the District could not leave the station, However my APIO Er.Tumba Ingo, Assistant Engineer , PHE & WS Sub- Division Katan was authorised to appeared before the Hon'ble Court on schedule date of hearing on 14.05.2025 at 10:30 am sharp. Copy enclosed for ready reference in Annex-'C'.
3. Fourthly Sir, in the 4th hearing on 13.06.2025 the summon letter was received on 12.06.2025 due to short notice on receiving the summon letter and ill fated network, I could not reached Itanagar or video conference (VC) on the said hearing date copy enclosed for ready reference in Annex-'D'.
4. Fifthly Sir, in the 5th hearing on 16.07.2025 PIO and APIO could not appearing before the Hon'ble court on 16.07.2025 and intimation was made to Hon'ble court in this regard. Owing to Department Co-ordination meeting of PHE & WS Officers was invited on 16th and 17th July, 2025 at Lumdung in East Kameng District copy enclosed in Annex-'E'.

I therefore your kind Honour is highly requested to looked into the matter favorably and necessary consideration is highly appreciated.

*Yours faithfully,
Sd/-
Executive Engineer,
PHE & WS Division
Yingkiong."*

This Commission, on perusal of the explanation furnished by the PIO on his absence in the hearing vis--vis the records available in this Commission, holds that the reasons of late receipt of the summon notices is not entirely acceptable because the summons for the hearing were issued and dispatched to the o/o the PIO almost a month before the date of hearing and as per the available records (Whatsapp) the notice for last 2(two) hearings on 13.06.25 and 16.07.25 were delivered on 15.05.25 and 16.06.25 respectively. Be that as it may, now that the requested information is being furnished, the show cause notice dt.17.07.25 is hereby kept in abeyance till the PIO discharges its mandated responsibility under the Act fully.

This Commission also perused the letter forwarding the documents by the PIO vide letter dt.25.07.2025 through annexure-A in tabular form. It is seen that in the remarks column, 'Not Applicable' / 'NA' has been mentioned against most of the queries which can not be accepted as an RTI reply. It is the requirement of law that when a particular information is denied, the reasons for such denial has to be furnished in terms of section 7(8)(a) of the RTI Act.

In the premises as above, the PIO is directed to furnish the specific replies to the queries as per the RTI application with justified reasons against the queries for which information is not available or not applicable and report the compliance thereof on 05.09.2025, the next date of hearing failing which the penalty in terms of the show cause notice shall be imposed on the PIO.

Given under my hand and seal of this Commission on this 30th July, 2025.

You are hereby summoned to appear in person in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC on the 5th September, 2025 (Friday) at 2 pm** to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defense.

NOW THEREFORE, take notice that, in default of your appearance, on the day above- mentioned, the matter will be heard and determined in your absence.

Sd/-

(S. TSERING BAPPU)

**State Information Commissioner,
APIC, Itanagar.**

Memo No. APIC-15/2024 / 552

Dated Itanagar, the 1 Aug, 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