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- 715/2025.

APPELLANTS : Shri Tanya Ronya and Shri Penter Ronya, Yeggo Hydel Road, Aalo.

RESPONDENT :The PIO, o/o the Additional Deputy Commissioner (ADC), Yomcha Sub-Division, West Siang District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tanya Ronya and Shri Penter Ronya for non-furnishing of below mentioned information by the PIO, o/o the Additional Deputy Commissioner (ADC), Yomcha Division, West Siang District (A.P) as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 14.05.2025:

A. Particular of information: Regarding details of Untied Fund of **Annexure-A**

B. Details of information required:

1. Copy of field monitoring report as per format enclosed (to be submitted by DC/ ADC independent charge) (As per modified guidelines of Untied Fund No. PD/ UF/ 08/2018-19/804 Dated 26th Dec., 2018 which read as- (copy enclosed) is DC/ ADC (independent charge) is responsible for proper utilization of fund. Submission of utilization certificate Expenditure statement and completion certificate.
2. Copy of the utilization certificate and completion certificate countersigned by ADC in accordance with the guidelines issued by Planning Finance and Investment Department Govt. of A.P.
3. Non-duplicity certificate issued ADC of the Untied Schemes of any.
4. Copy of DPR with sanction order if any.

C) Period from which information asked for: 2024-25

Brief facts emerging from the appeal:

The appellants herein, vide their RTI application dt.14.05.2025, had requested the PIO, the ADC, Yomcha for the aforementioned information but failed to obtain the same even after expiry of the prescribed period of one month which prompted them to approach the D.C, West Siang District, Aalo, the First Appellate Authority (FAA) under section 19(1) of the RTI Act, 2005 but yet again failed to receive any response from the FAA. Hence, this 2nd appeal before this Commission under section 19(3) of the RTI Act vide Memo of Appeal dt.03.09.2025 on the ground that both the PIO and the FAA had failed to respond to their request for the information.

The records, indeed, reveal that neither the PIO had furnished the requested information nor did the FAA consider and adjudicate the appeal filed by the appellants which is a gross violation of the provisions of the RTI Act and the rules made thereunder.

Be that as it may, the 2nd appeal having been filed and registered in this Commission, the appeal has been taken up today on 16.01.2026 for hearing wherein Shri Gyamar Siang, ADC and the PIO, o/o the ADC, Yomcha is present in person while one of the appellants, namely Shri Tanya Ronya is present through VC.

Hearing and decision:

Heard the parties.

The appellant reiterating his demand for the requested information, pleaded for an appropriate direction to the PIO to furnish the same. The PIO, on the other hand, submitted that he has collected the copy of the DPR and sanction order {Sl. No.(iv)of RTI application}from the work executing agency which will be furnished to the appellants. He, however, submitted that his office does not hold the rest of the information/documents sought at Sl. No.(i)(Field Monitoring Report), (ii)(Utilisation and Completion Certificate) and (iii) (Non-duplicity Certificate issued by the ADC)

This Commission, upon hearing the parties, concludes that if the o/o the PIO does not hold the requested documents, the PIO can not be directed to manufacture the same and provide to the appellants as held in a catena of judicial pronouncements of the Apex Court and High Courts. However, it is the requirement of law under section-7(8)(i) of the RTI Act that when an information is denied to the applicant, the reason thereof has to be communicated to the applicant to his satisfaction. And as mandated by section-18(3)(c) of the RTI Act, 2005 and under rule- 5(vi) of the A.P. Information Commission (Appeal Procedure) Rules, 2005, the submission/reply of the PIO has to be furnished by way of an affidavit.

The PIO is, therefore, directed to provide the copies of DPR and sanction order pertaining to the works/schemes mentioned in the Annexure-A to the appellants' RTI application and also furnish the affidavit as aforesaid to the appellants, with intimation to this Commission, within 2(two) weeks from the date of receipt of this order. The appellants shall, within 1(one) week thereafter, intimate this Commission of the receipt of the same. It is made clear that non-compliance of the direction of the Commission shall be viewed as disrespect to this Commission and the RTI regime and entail penal action under appropriate section of the RTI Act, 2005.

Given under my hand and seal of this Commission on this 16th January, 2026.

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

Memo No. APIC-715/2025 127 **Dated Itanagar, the** 20 **January, 2025**

Copy to:

1. The Deputy Commissioner Aalo, West Siang District (A.P), the First Appellate Authority (FAA) PIN: 791001 for information and ensuring compliance by the PIO concerned.
2. The PIO, o/o the Additional Deputy Commissioner (ADC), Yomcha Sub-Division, West Siang District (A.P) PIN: 791001 for information and compliance.
3. Shri Tanya Ronya and Shri Penter Ronya, Yeggo, Hydel Aalo West Siang District (A.P) PIN: 791001 Contact No. 7085734408 for information.
4. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
5. Office Copy.
6. S/Copy.

Prag 21/01/26

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar