

ITANAGAR, ARUNACHAL PRADESH

An appeal case U/S 19(3) of RTI Act, 2005

Vide Case No.APIC-196/2025

**BEFORE THE HON'BLE COURT OF SHRI VIJAY TARAM, THE STATE
INFORMATION COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.**



Shri Nabam Tapak

..... Appellant

-VERSUS-

PIO-Cum-Executive Engineer, RWD,
Poma, Yupia, Papum Pare District,
Govt. of Arunachal Pradesh

..... Respondent.

Order:04.06.2026.

JUDGEMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI Act, 2005. Brief fact of the case is that the Appellant Shri Nabam Tapak on **21/10/2024** filed an RTI application under Form-'A' before the PIO-Cum- EE, (WRD) Palin Division, Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in Form-A application. The Appellants, being not satisfied with the information received from the PIO, filed the First Appeal before the First Appellate Authority on **06/12/2024**, the Appellant again having not received the required information(s) from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on **18/02/2025** and the Registry of the Commission (APIC), having receipt of the Appeal registered it as **APIC No-196/2025(Appeal)** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission for hearing on **27/05/2025,13/11/2025,19/03/2026 & 4/06/2026.**

Details of information sought by the Appellant.

Particular of information:-Furnish the details C/O ROAD FROM TARAJULI TO U/TARASO (RADASO)

1. Furnish the Xerox copy of sanction order copy (SO)
2. Furnish the Xerox copy of detail project report (DPR)
3. Furnish the Xerox copy of technical sanction estimate copy (TSE)
4. Furnish the Xerox copy of actual pay receipt (APR) against the scheme to proof that whoever the amount.
5. Furnish the Xerox copy of NIT OR NIQ is yes furnished the Xerox copy of advertisement of local news paper
6. Furnish the Xerox copy of measurement book (MB)
7. Furnish the Xerox copy of name of contractor lies
8. Furnish the Xerox copy name of administrative approval order (AAO)
9. Furnish the Xerox copy of name of the firm/enterprise who took participate in the open tender process and justify how it was select as per Genuine/Guideline
10. Furnish the Xerox copy of final bill sheet against whom the work has been awarded and made payment
11. Furnish the Xerox copy of completion report (CR) of installation wise
12. Furnish the Xerox copy of payment made to contractor and state of schemes.
13. Furnish the Xerox copy of challan of EMD.
14. Furnish the Xerox copy of agreement between the party of GOAP
15. Furnish the Xerox copy of duration of contract period.
16. Furnish the Xerox copy of name of the participant of the during tender
17. Furnish the Xerox copy of name of the contractor and M/S firm
18. Furnish the Xerox copy of land approval by concern administrative head of the area/circle
19. Furnish the Xerox copy of reaming amount of the said scheme
20. Furnish the Xerox copy of already instalment payment to the contractor

21. Furnish the Xerox copy of colouring digital photograph of before work and after work till now
22. Furnish the Xerox copy name of firm rejected tender process by the board members
23. Furnish the Xerox copy of detail list of financial bid of all the participants firm
24. Furnish the Xerox copy of detail financial bid approved by as per competent authority justified rate
25. Furnish the Xerox copy of utilization certificate (UC).
26. Furnish the Xerox copy of field/site verification report
27. Furnish the Xerox copy of cheque counter foils/cheque leaf.
28. Furnish the Xerox copy of guidelines of said scheme
29. Furnish the Xerox copy of key plan/map of said work
30. Furnish the Xerox copy of acceptance letter of agreement drawn against the said work
31. Furnish the Xerox copy of drawing of said scheme

In the 4th hearing held on 4th June 2026, related to the **APIC No-196/2025(Appeal)**. The Appellant Shri Nabam Tapak, found absent during the hearing and PIO-cum EE (RWD) Poma Division, Yupia District Papum-Pare is present during the through online mode.

The Appellant is absent for the 2nd time consecutively in the hearing and it is to be noted that the Appellant was sent notice to be present in the hearing on 30/11/2025 for the 3rd hearing slated on 19/03/2026 again on 19/3/2026 the Appellant was sent notice to be present in the next date of hearing which is today but, in this 4th hearing also the Appellant is absent without reporting the reason for his absence.

Heard the PIO.

The PIO stated that while this appeal was filed before this Commission I was not posted here as PIO and so I was not aware of the hearing going on in the court of the Commission but after 19/03/2026 as and when I came to know about the hearing going on, I have delved into the matter personally and found that the information which the Appellant is seeking for a particular project executed by our Department but unfortunately the same project is under investigation from an investigating agency. Therefore, all the documents and other related files have been seized by the investigating agency and therefore the inability of this office to provide the information to the Appellant till now.

After hearing the PIO, the Commission not going into merits of the case, observe as below;

- i) When an Appellant file an appeal against the PIO, it is the sole responsibility of the Appellant to be pursuing his appeal seriously and presenting himself in the court hearing fixed by the Arunachal Pradesh State Information Commission(APIC).\
- ii) It is observed by the Commission that the Appellant has been consecutively absenting in the hearing despite hearing notice duly issued by the Commission. The Appellant has not even bothered to report the reason for his absences to the Commission which in fact is taken as contempt to the proceeding of the court of the APIC.
- iii) Such non sincere and non-serious Appellant(s) unnecessarily waste the precious time of the PIO and hamper public service to be rendered by PIO for the fact that had not the Appellant unnecessarily file an appeal against the PIO to let attend court hearings instead of attending public services. Such non-serious Appellant need not be taken very seriously by the Commission in the event of filling new appeals by the same individual before the Commission.

Under the above statements of the PIO and the observations of the Commission, the Commission is clearly of the opinion that such Appellant be discouraged by dismissal of their appeal instantly without going into the merit of the case. Under such minute observations the Commission hereby dispose of this appeal and close it once for all.

In view of the above, facts and circumstances the Commission, find this appeal fit to be disposed and closed. And, accordingly, this appeal stands disposed of and closed once for all.

Judgment/Order pronounced in the open Court of this Commission today on the 4th day of June' 2026.

Copy of Judgment/Order be furnished to the parties.

Given under my hand and seal of this Commission/Court on this 4th day of June' 2026
Sd/-

(Vijay Taram)
State Information Commissioner
APIC-Itanagar

Memo.No.APIC-196/A/2025/1320

Dated Itanagar, the ..1..June, 2026.

Copy to:

1. PIO-Cum-Executive Engineer, RWD, Poma Div. Yupia P/Pare District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code:791110**
2. Shri Nabam Tapak, Lekhi Village, Naharlagun, P/Pare District Arunachal Pradesh, for information please. **Contact No. 8131870684**
3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy

P. Rang...
10/06/26
Registrar/Dy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar