



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- 530/2026.

(Summon to appear in person)

(Or.5 R.3 of CPC)

APPELLANT
RESPONDENT

: Shri Robin Rigam, Bank Tinali, Itanagar.

: The PIO, o/o the EE (PWD), Mechuka Division, Shi-Yomi District.

ORDER/SUMMON

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Robin Rigam for non-furnishing of 16(sixteen) point information on the Administrative Approval and Expenditure Sanction for the construction of District Hospital Tato, Shi-Yomi Dist. (FY 2019-2020) by the PIO, o/o the EE (PWD), Mechuka Division, Shi-Yomi District as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 16.03.2026.

This appeal was listed and heard on 04.09.2026 wherein the appellant, Shri Robin Rigam was present in person while the PIO, Er. Shri Onit Borang appeared through VC.

This Commission, upon hearing the parties, more particularly the PIO who assured to furnish the requested information either through messenger or through post, directed him, vide order dt.04.09.26, to furnish the information within 1(one) week from the date of receipt of the said order and the appellant was also directed to intimate the receipt thereof within 1(one) week thereafter, making it clear that this appeal shall stand closed if the appellant fails to intimate the Commission of the receipt of the information.

The appellant as directed, has vide letter dt.09.09.26 (reproduced hereunder), informed the PIO failed to comply with the direction of this Commission and pleaded for penal action under section-20 of the RTI Act, 2005.

"To

*The Hon'ble State Information Commissioner
Arunachal Pradesh Information Commission (APIC)
Itanagar, Arunachal Pradesh-791111.*

Sub : *Complaint regarding continued non-compliance and failure to furnish RTI information by Shri Onit Borang, Executive Engineer, PWD Mechuka Division- Appeal Case No. APIC-530/2026.*

Appeal Case No.: APIC-530/2026

Section: Appeal under Section 19(3) of the Right to Information Act, 2005

Respected Sir/Madam,

I, Robin Rigam Taniang, respectfully submit this complaint before the Hon'ble Arunachal Pradesh Information Commission regarding the continued failure of Shri Onit Borang, Executive Engineer, PWD Menchuka Division, to furnish the RTI information and documents sought by me.

The matter was heard before the Hon'ble Commission at APIC, Itanagar, on 4 September 2026. During the hearing, Shri Onit Borang had given an undertaking/assurance before the Hon'ble Commission that the required RTI information and documents would be furnished within one week.

However, despite the undertaking given before the Hon'ble Commission and expiry of the promised period, I have not received the required RTI information/documents till date. The respondent has also failed to provide any satisfactory written explanation for the continued delay or non-compliance.

Strong Grounds for Action

Failure to comply with undertaking before the Commission:

The respondent expressly assured the Hon'ble Commission during the hearing that the information would be furnished within one week. Failure to honour such an undertaking undermines the authority and proceedings of the Commission.

Continued denial of information:

Despite the RTI proceedings and hearing, the information/documents have still not been supplied to me, thereby defeating the very purpose of the RTI Act, 2005.

Unreasonable and unexplained delay:

No satisfactory reason or lawful justification has been communicated to me for withholding the information after the hearing.

Failure to discharge statutory responsibility:

The concerned public authority/PIO is required to deal with RTI requests in accordance with the provisions of the RTI Act. Continued non-compliance after intervention by the Commission warrants serious consideration.

Possible applicability of penalty provisions:

I request the Hon'ble Commission to examine whether the conduct of the concerned officer attracts proceedings under Section 20 of the RTI Act, 2005, particularly if the Commission finds that the information was knowingly withheld, unreasonably delayed, or that there was persistent failure to comply with the RTI requirements.

Public accountability and transparency:

The information sought relates to a public authority, and withholding such information without lawful justification defeats the principles of transparency and accountability embodied in the RTI Act.

Prayer

In view of the above facts and circumstances, I most respectfully request the Hon'ble State Information Commissioner to:

Take immediate cognizance of the continued non-compliance by Shri Onit Borang, Executive Engineer, PWD Menchuka Division.

Direct the concerned authority/PIO to furnish the complete RTI information and certified copies of the requested documents immediately and without any further delay.

Call upon Shri Onit Borang to submit a written explanation for his failure to comply with the undertaking given before the Hon'ble Commission.

Consider initiating appropriate proceedings under Section 20 of the RTI Act, 2005, if the statutory conditions for penalty are found to be satisfied.

Pass such other appropriate directions/orders as the Hon'ble Commission may deem fit to ensure compliance with the RTI Act and the Commission's proceedings.

I respectfully submit that repeated non-compliance despite the matter being heard before the Hon'ble Commission requires urgent intervention so that the information sought under the RTI Act is not indefinitely withheld.

Enclosures:

- 1. Copy of RTI application.*
- 2. Copy of first/second appeal.*
- 3. Copy of APIC hearing notice/order.*
- 4. Copies of previous correspondence.*

Yours faithfully,

Sd/-

Robin Rigam Taniang Appellant."

In view of the complaint received from the appellant as above, this Commission deems it appropriate to hear the PIO and as such this appeal is listed again on 06.11.2026 and directs the PIO, in the meantime, to furnish the requested information to the appellant and report the compliance thereof to this Commission on the said date of hearing failing which this Commission shall be constrained to invoke penal provisions of section 20 of the RTI Act, 2005.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC in person on 6th November, 2026 (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.

Take notice that, in default of your appearance, on the day above-mentioned, the matter will be heard and determined, including closure of the appeal, in your absence.

To avail online hearing please at least notify or get in touch one day prior to the hearing, download "**WEBEX MEETING APP**" from Google Play store. For further technical assistance Shri Himanshu Verma, IT Consultant (Mobile no. 8319014957) maybe contacted.

Given under my hand and seal of this Commission on this 30th Sept., 2026

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

Memo No. APIC-530/2026 / 929 Dated Itanagar, the 01 Oct., 2026

Copy to:

- 1) The Chief Engineer (PWD), Central Zone (B), Pasighat, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
- 2) The PIO, o/o the EE (PWD), Mechuka Division, Shi- Yomi District PIN: 791003 for information and compliance.
- 3) Shri Robin Rigam, Bank Tinali, Itanagar PIN: 791111 Mobile NO. 6909657115 for information.
- ✓ 4) The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
- 5) Office Copy.
- 6) S/Copy

P. S. Singh
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar