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- 525/2026.

APPELLANT : Shri Hemmar Diyum and Domin Sora, Vill. Kombo Tarsu Mobuk, Aalo.

RESPONDENT : The PIO, o/o the EE (WRD) Aalo Division, Aalo.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Hemmar Diyum and Domin Sora for non-furnishing of 18(eighteen) point information regarding the ***c/o protection wall on Bolek WRC Field at Paya Village of West Siang district*** by the PIO, o/o the EE (WRD) Aalo Division, West Siang District as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 09.02.2026.

This appeal was, accordingly, listed and heard on 09.09.2026 wherein both the PIO, Er. Rimi Loyi, E.E and one of the appellants namely, Shri Hemmar Diyum were present through VC and this Commission after hearing the parties, particularly, the PIO who submitted that the information/documents requested by the appellants are ready and that the appellants may visit his office any working day, had directed the appellant, vide order dt.09.09.2026, to visit the o/o the E.E and collect the documents within 1 (one) week from the date of said order and intimate this Commission of the receipt of the documents for further consideration of the appeal, if so warrants.

One of the appellants, namely, Shri Hemmar Diyum, vide letter dt. 24th Sept. 2026 (as reproduced below), has complained that the PIO has furnished only the half of the information and therefore, pleaded for a direction to the PIO to furnish complete documents as per his RTI application.

"Hon'ble Sir

With due respect, it is to inform you that, I am appellant of the above mentioned case and accordingly the case was listed before your Hon'ble Court on 09/09/2026 and as per your hon'ble court judgement of dated 09/09/2026, the Executive Engineer cum PIO is has directed to furnish full sought information within 1 week from the date of order of your Hon'ble Court

For that, its is further to inform you that, the Executive Engineer cum PIO, Department of WRD, Aalo Division has furnished half information and thereby lingering to furnish full sought information which is contempt of the court order of 09/09/2026.

The following information to be furnish are as below;
1. Technical Sanction order
2. Provide copies of Inspection Report or "Tour Note' field by the Executives Engineer of Superintendent Engineer regarding their visit to this specific site at Paya Village.
3. Photograph of before, during and after completion of work.
4. Geo tagging details.
5. Quality test reports.
6. Completion certificate

Therefore, I highly pray before your honour to may be please to direct the Executive engineer Cum Department of WRD, Aalo Division to furnish the above mention remaining points of document which they have not furnish as per Hon'ble Court order or may be pleased to issue necessary order as Hon'ble Court may deem fit and proper in the interest of justice please.

An act of kindness is highly solicited.
Enlo: As state above.

Yous faithfully,
Sd/-
Sri Hemmar Diyum

In the premises as above, vide order dt.30.09.26, the PIO was directed to furnish the requested information/documents complete in every respect and report the compliance thereof to this Commission on the date of hearing on 11.11.2026 so as not to constrain this Commission to invoke the penal provisions of RTI Act, 2005.

Today on 11.11.2026, both the appellants, Shri Hemmar Diyum and Domin Sora and the PIO, Er. Rimi Loyi, E.E are present through VC.

Heard the parties.

The appellants, expressing their utter disappointment over the PIO's non-furnishing of the complete information as indicated in their aforementioned letter, pleaded for penal action against the PIO.

The PIO, on the hand submitted as under:

1. Technical Sanction order was not issued in the execution of the project in question.
2. Inspection was done but no report was prepared since the scheme /project was a small project.
3. The photographs of before and during the execution furnished but after completion not furnished.
4. Geo-tag details such as the coordinates, location etc. are mentioned in the DPR.
5. Quality Test Report are not furnished separately but mentioned and recorded in the Measurement Book and dully certified by the concerned PIO;
6. Completion certificate is not issued but attached with UC Certificate. Separate Completion Certificate is not available as it was not issued by the earlier E.E, who executed the project.

This Commission, after hearing the parties and considering the submission of the PIO as above, directs the PIO as under:

a) the PIO shall furnish his explanation/replies as at Sl.1, 2, 5 and 6 above on an affidavit as required under section-7(8)(i) of the RTI Act read with section-18(3)(c) of the RTI Act, 2005 and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.

The extract of above sections are reproduced hereunder:

Section 7(8)(i) of RTI Act, 2005.

"(8) Where a request has been rejected under sub-section(1), the Central Public Information Officer or State Public Information Office, as the case may be, shall communicate to the person making the request:-
(i) the reasons for such rejection
(ii) ……
(iii) ……"

Section 18(3) (C)

"(3) The Central Information Commission or the State Information Commission, as the case may be, shall, while inquiring into any matter under this section, have the same powers as are vestyed in a civil court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:-
(a)……
(b)……
(c) receiving evidence on affidavit.
(d)……
(e) ……
(f)…… "

Rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005,

"5. Procedure in deciding appeal: In deciding the appeal, the Commission shall,
(i)….
(ii)…..
(iii) ….
(iv)……
(v)……
(vi) receive evidence on affidavit from State Public Information Officer, Assistant State Public Information Officer, such Senior Officer who decided the first appeal or third party."

b) the PIO shall furnish the photograph of the project/scheme after completion. Alternatively, as agreed to by him during the course of hearing, facilitate site inspection of the project as demanded by the appellants under section-2(j)(i) of the RTI Act, 2005.

c) Visible geo-tag of the project containing the details of coordinate (latitude, longitude, locations etc.) shall be furnished.

The PIO is directed to furnish the left-out documents/information and/or the affidavit within 3(three) weeks from the date of receipt of this order and the appellants shall intimate the receipt of the same this Commission within 1(one) week thereafter failing which this appeal shall stand closed without further notice.

Given under my hand and seal of this Commission on this 11th Nov., 2026

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

Memo No. APIC-525/2026 /995 **Dated Itanagar, the** 16 **Nov., 2026**

Copy to:

1. The Chief Engineer (WRD), Western Zone, Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the EE (WRD) Aalo Division, West Siang District PIN: 791001 for information and compliance
3. Shri Hemmar Diyum and Domin Sora, Vill. Kombo Tarsu Mobuk, Aalo PIN: 791001 Mobile NO. 8132912326 for information and compliance.
4. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
5. Office Copy.
6. S/Copy.

16/11/26

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar