सत्यमेव जयते

सूचना का अधिकार
RIGHT TO INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

BEFORE THE HON'BLE COURT OF SHRI SANGYAL TSERING BAPPU,
STATE INFORMATION COMMISSIONER.

No. APIC- 450/2026 **Dated Itanagar, the _____Oct., 2026**

Shri Matung Payne, Vill. Byate, Sangdupota.
Vs.
The PIO, o/o the EE (PHE & WS), Itanagar Division.

SHOW CAUSE NOTICE
(Form-4 CPC r/w section 20 of the RTI Act, 2005)

To

Er. Shri Tad Logi, EE -cum-PIO,
o/o the EE (PHE & WS),
Itanagar Division,
Itanagar.

1. WHEREAS Shri Matung Payne, Village Byate, Sangdupota Circle, vide his application dated 30.03.2026, had sought for the following 27(twenty seven) point information from the PIO, o/o the EE (PHE & WS), Itanagar Division under section 6(1) (Form-A) of RTI Act, 2005.

A. Particular of information:

1. Total amount of fund allocation for construction of bore wells.
2. Total numbers of bore well has been constructed so far against Sangdupota Circle, District Papum Pare under JJM Scheme 2010 to till date.

B.Details of information required:

1. Furnish the certified copy of the guidelines for implementation of bore wells construction under Jaal Jivaan mission (JJM) scheme from government of India.
2. Furnish the certified copy of the total amounts of fund allocated for construction of bore wells under sangdupota circle.
3. Furnish the certified copy of the total numbers of bore wells has been constructed so far under sangdupota circle.
4. Furnish the certified copy of the photograph of the project site before execution and after execution work
5. Furnish the certified copy of the Non-duplicity certificate copy.
6. Furnish the certified copy of the survey & Investigation for feasibility report copy along with followings test report copy viz (7) (1) before construction (site investigation) test copy (2) during construction test copy (3) after construction test copy
7. Furnish the certified copy of the detailed Project of said project.
8. Furnish the certified copy of the Notice inviting tender copy with date and published News Paper name.
9. Furnish the certified copy of the check list of total firms participated during the NIT.

10. Furnish the certified copy of the name and details of the firm to whom the water supply project was awarded.
11. Furnish the certified copy of the Bill of Quantity (BOQ) of the winning firm.
12. Furnish the certified copy of the formal letter of acceptance copy by the winning firm.
13. Furnish the certified copy of the copy of issue notice to proceed with the work.
14. Furnish the certified copy of the Geo tagging copy of the three stages of project site: - Before the project commenced, after the project started and after the completion of the project.
15. Furnish the certified copy of the Agreement copy between the executing agency and working agency for maintenance of the said project.
16. Furnish the certified copy of the total tender bidding amount.
17. Furnish the certified copy of non-tendering work order issue copy if any?
18. Furnish the certified copy of the projects/works completion report copies submitted by the concern Site JE and VWSC against different s head of projects/works completed along with photograph or CD/Videography copies.
19. Furnish the certified copy of the copy of counter foil of cheque/PMFS Generated print payment Advise copy in every payment.
20. Furnish the certified copy of the how many amounts have been deducted for TDS/GST Viz CGST/SGST/Income tax or other taxable etc details please?
21. Furnish the certified copy of the utilization certificate of the said project.
22. Furnish the certified copy of the measurement book of every bill paid for the said project.
23. Furnish the certified copy of the approval letter by Chief Engineer PHE&WS and the Superintending Engineer PHE&WS of tender balance amount.
24. Furnish the certified copy of the cost justification of balance amount/fund.
25. Furnish the certified copy of the whether the surrender amount has been utilized or deposited? If utilized provide the work Order or tender documents where the amount was utilized.
26. Furnish the certified copy of the status report of the said project.
27. Furnish the certified copy of the bore wells beneficiaries list along with their Aadhar card copy which was submitted against aforementioned project.

D. Period for which information asked for: From 2010 to till date.

2. AND WHEREAS the appellant failed to obtain the information from the PIO which prompted him to file his 1st appeal before the Superintending Engineer (PHE & WS), Itanagar Circle, Naharlagun, the First Appellate Authority (FAA) under section 19(1) of the RTI Act vide his Memo of Appeal dt.02.05.2026. However, there was no record of the FAA's conducting the hearing but the appellant, vide his Memo of Appeal dt. 23.06.2026, has preferred his 2nd appeal before this Commission under section 19(3) of the RTI Act, 2005 on the ground of non-furnishing of requested information.

3. AND WHEREAS this appeal was, accordingly, listed and heard on 02.09.2026 wherein the appellant, Shri Matung Payne was present in person while the PIO was represented by Er. Shri Ngorang Karuh, A.E-cum-APIO, o/o the EE(PHE & WS), Itanagar.

4. AND WHEREAS the PIO had brought in the requested information through forwarding letter dt.01.09.2026 but the appellant refused to accept the same saying that the information/replies so furnished are not properly paged/indexed making it difficult to comprehend the information. The replies/information as brought in by the APIO are as under:

"Sir,

In response to your application in form A of the RTI Act 2025.

Sl. No.	*Particular*	*Reply*
1	*Furnish the certified copy of the guidelines for implementation of bore wells construction under Jal Jevaan mission (JJM) scheme from the government of India.*	*Published at JJM portal*
2	*Furnish the certified copy of the total amounts of fund allocated for construction of bore wells under Sangdupota circle.*	*Rs. 178.59 lakhs*
3	*Furnish the certified copy of the total numbers of borewells has been constructed so far under sangdupota circle.*	*3 No.*
4	*Furnish the certified copy of the photograph of the project site before execution and after execution work.*	*Enclosed*
5	*Furnish the certified copy of the non-duplicity certificate copy.*	*Enclosed*
6	*Furnish the certified copy of the survey & Investigation for feasibility report copy along with following test report copy viz (7) (1) before construction (site investigation) test copy (2) during construction test copy (3) after construction test copy.*	*Enclosed*
7	*Furnish the certified copy of the detailed project of said project.*	*Enclosed*
8	*Furnish the certified copy of the notice inviting tender copy with date and published newspaper name.*	*8 Nos of firms.*
9	*Furnish the certified copy of the check list of total firms participated during NIT.*	*Enclosed*
10	*Furnish the certified copy of the name and details of the firm to whom the water supply project was awarded.*	*Enclosed*
11	*Furnish the certified copy of the BMI of quantity (BOQ) of the winning firm.*	*Enclosed*
12	*Furnish the certified copy of the formal letter of acceptance copy by the winning firm.*	*Enclosed*
13	*Furnish the certified copy of the copy of issue notice to proceed work.*	*Enclosed*
14	*Furnish the certified copy of the geo tagging copy of the three stages of project site: Before the project commenced, after the project started and after the completion of the project.*	*Enclosed*
15	*Furnish the certified copy of the Agreement copy between the executive agency and working agency for maintenance of the aid project.*	*Enclosed*
16	*Furnish the certified copy of the total tender bidding amount.*	*Enclosed*
17	*Furnish the certified copy of the non-tendering work order issue copy if any?*	

18	*Furnish the certified copy of the project/works completion report copies submitted by the concern site JE and VWSC against different head of projects/works completed along with photograph or CD/Videography copies.*	
19	*Furnish the certified copy of the copy of counter foil of cheque/PMFS Generated print payment Advise copy in every payment.*	
20	*Furnish the certified copy of the how many amounts have been deducted for TDS/GST Viz CGST/SGST/ income tax or other taxable etc. details please?*	
21	*Furnish the certified copy of the utilization certificate of the said project.*	
22	*Furnish the certified copy of the measurement book of every bill paid for the said project.*	
23	*Furnish the certified copy of the approval letter by Chief Engineer PHE & WS and the Superintending Engineer PHE & WS of tender Balance amount.*	*Enclosed*
24	*Furnish the certified copy of the cost justification of balance amount/fund.*	
25	*Furnish the certified copy of the whether the surrender amount has been utilized or deposited? If utilized provide the work order or tender documents where the amount was utilized.*	
26	*Furnish the certified copy of the status report of the said project.*	
27	*Furnish the certified copy of the status report of the said project.*	

Your faithfully,
Sd/-
EE (PHE & WS)
Division Itanagar."

5. AND WHEREAS this Commission also noticed that the information/replies so brought in by the APIO were not properly indexed and paged as per the list of queries in the RTI application filed by the appellant. This Commission also noticed that replies/information to many of the queries were not furnished and on pointed query, the APIO replied that the replies to those queries which related to accounts aspects, shall be furnished with the assistance of the staff dealing with the accounts matter.

7. AND WHEREAS this Commission, upon hearing the parties had directed the PIO, vide order dt.02.09.2026, to furnish the requested information / replies including the documents brought in today to the appellant as per his RTI application in a tabular form with proper indexing and paging within 3(three) weeks from the date of receipt of the said order and report the compliance thereof to this Commission on 25.09.2026, the next date of hearing.

7. AND WHEREAS on 25.09.26, the appellant, Shri Matung Payne was present in person while the PIO is represented by Shri Khyoda Abo, Surveyor with documents in the same manner and form as in last hearing on 02.09.26.

8. AND WHEREAS the appellant, expressing his utter dismay over the lackadaisical approach of the PIO in complying with the provisions of the RTI Act despite categorical order of this Commission to furnish the requested documents/information with proper paging and indexing, demanded penal action under the RTI Act, 2005. The appellant also went on to state that he was attending the hearing leaving more important work but the PIO appeared least bothered about his statutory duties under the RTI Act.

9. AND WHEREAS this Commission was also constrained to conclude that the non-compliance of its direction contained in order dt.2nd September, 2026 by the PIO amounted to wilful disrespect to the Commission and the RTI regime attracting penalty prescribed u/s-20 of the RTI Act, 2005. However, the representative of the PIO had assured to furnish the requested information in proper manner, i.e in a tabular form as per the queries and with proper indexing and paging within 3 days.

10. AND WHEREAS as assured to by the PIO's representative, the PIO was directed, vide order dt.25.09.26, to furnish the information in the manner as stated above so as to avoid action under section 20 of the RTI Act and the appellant was also directed to report the receipt of the same to this Commission by 05.10.2026 for further consideration of the appeal.

11. AND WHEREAS the appellant, vide his letter dt. 09.10.26 (as reproduced below), has complained that he has received the information /documents from the PIO but complained that the o/o the PIO has furnished incomplete information.

"Respected Sir,

I most respectfully submit that I had sought certain information under the provision of the Right to information Act 2005, from Executive Engineer, PHE&WS Itanagar Division cum PIO.

*Subsequently, the matter was brought before by the Hon'ble state information commissioner court Dated 25.09.2026 held hearing APIC No-450/2026 and Hon'ble state information commissioner Court has been directed to representative of PIO to furnish information to Appellant before 05-10.2026 moreover dated on 06.10.2026 I received some information from representative of PIO and after receiving information from representative of PIO, I examine documents which was furnish by the concerned PIO but I found information/documents was incomplete information asking in the form 'A' Serials No-**1,2,3,4,6,14,17,18,19,21,22,23,24,27.***

I therefore request Hon'ble state information commission court to direct concerned PIO to furnish left/incomplete and correct information as sought in my RTI application.

Thanking you.

Your sincerely,
Sd/
Shri Matung Panye."

12. AND WHEREAS furnishing of incomplete information attracts the provisions of section 18(1) (e) of the RTI Act, 2005 which reads as under:

"18(1) Subject to the provisions of this Act, it shall be the duty of the Central Information Commission or State Information Commission, as the case may be, to receive and enquire into a complaint from any person,-

(a)……

(b)……

(c)……

(d)……

(e) who believes that he or she has been given incomplete, misleading or false information under this Act."

13. AND WHEREAS in order that this Commission is not constrained to impose penalty prescribed under section 20(1) of the RTI Act for non-compliance of it's order and the provisions of RTI Act, this Commission deems it appropriate to direct the PIO to show cause as to why the penalty Rs.25,000.00 as prescribed u/s-20(1) of the Act should not be imposed on him.

14. NOW THEREFORE, Er. Shri Tad Logi, E.E (PHE & WS), Itanagar Division is hereby directed to appear before this Commission on 05.11.2026 (Thursday) at 10.30 a.m with his replies to this Notice and the reasons /explanation on an affidavit in respect of the queries, the replies/information whereof are denied.

Given under my hand and seal of this Commission on this 22nd Oct., 2026.

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

Memo No. APIC-450/2026/9514 Dated Itanagar, the 28 Oct., 2026

Copy to:

1) The Superintending Engineer (PHE & WS), Itanagar Circle, Naharlagun, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2) The PIO, o/o the EE (PHE & WS), Itanagar Division PIN: 791111 for information and compliance.
3) Shri Matung Payne, Vill. Byate Sangdupota, PO: NIT Jote PS Balijan PIN: 791113 Mobile NO. 9402035115 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.

Registrar
Arunachal Pradesh Information Commission
Itanagar