



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-105/2025.

(Summon to appear in person)

(Or.5, R.3 of CPC)

APPELLANT : Shri Birendra Tallong & Hetung Waghe, Chimpu, Itanagar.

RESPONDENT : The PIO, o/o the Executive Engineer (PHE & WS) Itanagar Division, Senki View, Itanagar.

ORDER/SUMMON

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Birendra Tallong & Hetung Waghe for non-furnishing of below the mentioned information by the PIO, o/o the Executive Engineer (PHE & WS), Itanagar Division, Senki View, Itanagar, Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 06.11.2024.

A) Particular of information: c/o with letter No. W-11011/49/2021-wayer-DDWS; dtd. 10.01.2024 of NJJM; (i) Creation of infrastructure of Provisioning higher Service levels i.e, 55I pcd to FHTC every household(s) rural and Urban; (ii) Creation of infrastructure for supplying water to urban household(s) under Itanagar PHE & WS Division/ Itanagar Circle/ Ward(s)/ Block/ Colony/ Sector/ Panchayat/ village (providing water supply) etc, 2021-till date.

B.Details of information required :

1. Details & total numbers of schemes sanction, under NJJM/JJM in ward(s) sector (s), colony(s) Borum block and panchayat(s) and village(s) provide true and certified copies only. Certified Sanction Order copy.
2. Certified true copies of details of Govt. recognized/certified/notified /allocated/sanctioned, urban localities, villages(s), where scheme(s) has been sanctioned. Tender Evaluation copy of Technical Bid along with list of Firms participated in the Tender process for the work.
3. Certified true copies of household planned in each scheme sanctioned (A/q to SECc2011) or other authentication surveys based thereto
4. Measurement Book (MB).
5. Account register maintained while payment had been @ per GFR, CPWD work manual & operational guidelines for JJM.
6. Bill paid to contractor(s) phase wise.
7. Bill register, contractor ledger, register of works, materials account and cash book @per GFR, CPWD Works Manual & Operational guidelines JJm and others.
8. Documents of all the tender participants/bidders submitted while participation.
9. Monthly, quarterly and annually reports of the works, progressed with Geo tagged

10. District Action Plan.
 11. Copy of total amount /fund sanctioned/allocated; DPR and TS of each and every project(s) /scheme(s) respectively.
 12. Copy of work order, certificate/letter stating date of commencement and completion reports/utilization certificate submitted to GoAP/GOI against each and every project(s)/Scheme(s) respectively.
 13. Total number of household and numbers of households, anganwadicentres, GP buildings, health centre, wellness centers and community building(s) where tap connection(s) had been made, Geo tag photograph/video graphs.
 14. Details and types of pipe(s) of varied diameter(s) lying/used for the projects) with geo-tagged photograph.
 15. Details of materials used in FHTC to each household with purchasing bill slip(s) and depth of main and secondary pipelines laid.
 16. Details of revenue generated from JJM FHTC program/water supply till date.
 17. Details of name and designation of officials involved in the various projects of JJM.
- C) Period for which information required : 2021 to till date (06.11.2024)

This appeal is listed and heard for 2nd time today on 13.06.2025, the first time being on 25.04.2025.

In the hearing on 25.04.2025, wherein one of the appellants, Shri Birendra Tallong and Shri Khyoda Abo, Surveyor on behalf of the PIO were present in person, this Commission, upon hearing the parties, and on the assurance given by the representative of the PIO that the requested information shall be furnished to the appellant, directed the o/o the PIO to provide the appellants the documents / information which this Commission found not covered by any of the exemption clauses of section 8(1) of the RTI Act, 2005 within 2(two) weeks from 25.04.2025. The appellant was also directed to intimate this Commission of the receipt of the documents/information within 1(one) week.

The appellant, Shri Birendra Tallong, vide letter dt.16.05.2025, however, intimated that the PIO, despite assurance given in the hearing and the direction of the Commission, did not provide the requested documents/information. The appellant had, hence, pleaded for appropriate action against the PIO for willful violation and contravention of the order of this Commission.

This Commission, taking a serious view of the PIO's failure to comply with the order this Commission summoned the PIO again to this Commission for hearing in person on 13th June, 2025 with the requested documents/information making it clear that his failure will entail penal action under section 20 of the RTI Act against him.

In today's hearing the appellant, Shri Birendra Tallong is present in person. However, the PIO is again absent but deputed Er. Shir Nabam Kaku, JE with the requested documents/replies.

Heard the parties.

The appellant who has been handed over the documents brought in by the representative of the PIO complained that many of the requested documents including the MB which most important document have not been furnished but simply mentioned as NA which is clear and deliberate violation of the provisions of RTI Act attracting penal action under the relevant provisions of the RTI Act.

The representative of the PIO on the other hand submitted that both the PIO and APIO, (E.E and A.E) have been on long leave because of which some of the requested documents could not be readied. He, however, assured that as soon as the PIO rejoins his duties, the left out informations will be furnished.

This Commission perused the covering letter dt.12.06.2025 by which the replies to the requested documents has been furnished by the o/o the PIO and it is noticed therein that against some of the points, viz, Sl.No.4, 10,13,15,16 and II(vii), the reply has been shown as "NA". Whether, the said remark stands for 'Not Available' or "Not Applicable", is not clear. Such a vague reply/information is against the spirit of the RTI regime. As per the mandate of RTI Act, the reply should not be incomplete, misleading or false so as not to attract penal action under the RTI Act.

The PIO is, therefore, directed to furnish the left out information/ replies and without any vagueness as to the replies and with specific reasons for 'NA' (whateve it stands for) within a period of one month from the date of receipt of this order and in any case before 18th July, 2025, the next date of hearing.

Given under my hand and seal of this Commission on this 13th June, 2025.

You are hereby summoned to appear in person in the Hon'ble Court of Shri Sangyal Tsering Bappu, SIC on the 18th July, 2025 (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.

NOW THEREFORE, take notice that, in default of your appearance, on the day above- mentioned, the matter will be heard and determined in your absence.

Sd/-

(S. TSERING BAPPU)

State Information Commissioner,

APIC, Itanagar.

Memo No. APIC- 105/2025 / 454 Dated Itanagar, the 16 June, 2025

Copy to:

1. The Chief Engineer (PHED), Western Zone, Govt. of A.P, Senki Park, Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance of the order by the PIO concerned.
2. The PIO, o/o the Executive Engineer (PHE&WS), Itanagar Division, Senki view, Itanagar Arunachal Pradesh PIN – 791111 for information and compliance.
3. Shri Birendra Tallong, Village Chimpu-I, PO R K Mission, District : Papum Pare A.P. Mobile No. 6009821985, 8794588032 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

Arunachal Pradesh Information Commission
APIC, Itanagar
Itanagar