



सत्यमेव जयते



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**An Appeal Case U/s 19(3) of RTI, Act,2005
Vide Case No. APIC -337/2023**

**(Summon to appear in person)
(Or.5. R.3 of CPC)**

Shri Bamang Pacho,
Forest Park Near Main Powerhouse,
House No.IMC-491, W-10, Itanagar,
Arunachal Pradesh.

..... **APPELLANT**

-Vs-

Shri P.Bagang,
PIO-cum-PD,DRDA,Koloriang
Kurung Kumey District
Arunachal Pradesh,

..... **RESPONDENT**

JUDGEMENT ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Bamang Pacho, Forest Park Near Main, Power. House No 491, W-10, Itanagar. Arunachal Pradesh, for non-furnishing of information by Shri P.Bagang, PIO-cum-PD, DRDA, Koloriang Kurung Kumey District, Arunachal Pradesh as sought for by the Appellant under section 6(1) (Form-A) of RTI Act, 2005.

In the 5th hearing of this case, which was held on 16th Nov,2023 (Thursday) as scheduled. The Appellant was present, but the PIO was absent, nor he had replied to the show cause issued vide no.APIC/337/2023/2360 dtd Itanagar the 20th October,2023 and WT/Mail Message Vide No. APIC-337/2023/163 dtd 6th November,2023. on which the Commission viewed seriously of the absence of the PIO without any intimation and one Shri Chera Ngoya, TA(RE) who represented lately on behalf of the PIO was not well versed of the content of the case. The PIO was directed to provide the information sought by the appellant on or before the hearing fixed on 16/11/2023 vide Show Caused Order No. APIC/337/2023/2360 dated 20th Oct,2023 which establishes prima-facie evidence of violation of Sub Section 01 of the Section 7 of the RTI Act,2005 by the PIO, in spite of repeated directions given by the Commission to the PIO in every hearing for furnishing information's to the appellant, but the PIO failed to furnish the information's as sought by the Appellant till the 5th hearing.

In view of above facts and circumstances as aforesaid PIO-cum-PD, DRDA, Koloriang, Kurung Kumey District, is found liable for imposing a reasonable penalty under Sub Section (1) of Section 20 of the RTI Act,2005. And accordingly, the PIO is held liable for imposing penalty under the Act and ordered as follows: -

1. That, the PIO-cum-PD, DRDA,Koloriang, Kurung Kumey District, shall pay a fine amounting to Rs 25,000/- (Rupees Twenty-five Thousand) only on or before the next date of hearing of this case fixed on 20th Dec,2023. The fine amount shall be deposited through Treasury Challan payment in favour of the Registrar, Arunachal Pradesh Information Commission (APIC) Itanagar against the Head of Account No.0070 Other Administrative Charge.
2. That, the PIO shall furnish the information sought by the appellant on or before the next date of hearing of this case fixed on 20th December,2023.
3. That, the PIO shall submit all records or payments receipts made against the penalty to the Commission on or before the next date of hearing for enabling the Commission for final disposal and closure of this appeal.
4. Provision of sub-section (2) of Section 20 of the RTI Act,2005 may be invoked for disciplinary proceeding against him in the event of his failure to comply with all or any of the above order made against him.

The next date of hearing is fixed on 20th December,2023 (Wednesday) at 1030 hrs.

NOW THEREFORE, the PIO-cum-PD,DRDA,Koloriang, Kurung Kumey District, Arunachal Pradesh is hereby summoned to appear in the Hon'ble Court of Shri Gumjum Haider, SIC in person on the above scheduled date and time without fail.

GIVEN under my hand and seal of this Commission Court on this 17th November,2023.

Sd/-
(Gumjum Haider)
State Information Commissioner
Arunachal Pradesh Information Commission
Itanagar

Memo No.APIC-337/2023/155

Dated, Itanagar the 20 November,2023.

Copy to:

1. Shir P.Bagang, PIO-cum-PD,DRDA, Koloriang, Kuruang Kumey District, Pin- 791118 Govt of Arunachal Pradesh for information and necessary action please.
2. Shri Bamang Pacho, Forest Park Near Main Power House, House No.IMC-491, W-10, Itanagar, PH- 9402275313, Pin-791111 Arunachal Pradesh for information and necessary action please.
3. The Computer Programmer/Computer Operator, APIC, Itanagar, to upload in APIC Website.
4. Case file.


Registrar /Dy. Registrar
Arunachal Pradesh Information Commission
Itanagar
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar.