

ITANAGAR, ARUNACHAL PRADESH

An appeal case U/S 19(3) of RTI Act, 2005

Vide Case No.APIC-125/2024

**BEFORE THE HON'BLE COURT OF SHRI VIJAY TARAM, THE STATE
INFORMATION COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.**

Shri Mamu Sono

..... Appellant

-VERSUS-

PIO-Executive Engineer, RWD,
Ziro, L/Subansiri District,
Govt. of Arunachal Pradesh

..... Respondent.

Order:01.07.2025.

JUDGEMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI 2005. Brief fact of the case is that the Appellant, Shri Mamu Sono, on 05/12/2023 filed an RTI application in form 'A' before the PIO-cum-Executive Engineer, RWD, Ziro, Lower Subansiri District, Govt. of Arunachal Pradesh. Whereby seeking various information as quoted in Form 'A' application; The Appellant not being provided with the information by the PIO, filed the First Appeal before the First Appellate Authority (FAA) on 16/10/2024. Appellant again having not received the required information from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on 11/11/2024 and the Registry of the Commission (APIC) having receipt of the Appeal registered it as APIC- No. 130/2024 (Appeal) and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission on 06/02/2025, 10/04/202 & 01.07.2025. Details of Information sought from the PIO;

Regarding the SIDF, RIDF, ADA, SADA, BADP/Non-BADP Schemes from 2010 to till date:

- (i) Furnish the copies of total sanction amount order letter.
- (ii) Furnish the copies of total list of fund allocation under Executive Engineer, RWD, Ziro Division with scheme names and places where the above mentioned schemes are implemented.

In the final hearing of the Appeal on 1st July 2025. The Appellant is present during the hearing. The PIO found absent without intimating the Commission the reason for his inability to attend the hearing before the Commission.

Heard the Appellant.

The Appellant stated before the Commission that despite order from the Commission on 10.04.2025 to furnish the information(s) as applied in the Form-A of the Appellant;

The PIO has failed to provide the information(s) till date whereas, he was represented by his APIO through online mode on 10.04.2025 who admitted and agreed to provide the above listed information(s) to the Appellant on or before the next date of hearing which is today i.e 01.07.2025.

The Commission find willful negligence by the PIO as he has not taken the order of the Commission seriously, and therefore, the PIO is penalized with an amount of Rupees 10,000/- (rupees ten thousand) only, as per the provisions of Section 20(1) of RTI, Act, 2005 for willfully disobeying the order of the Commission, and thereby malafidely denying the information(s) to the Appellant.

The Commission order as follows;

- i) PIO shall pay a fine amount of Ra. 10,000/- (rupees ten thousand) for his violation of Sub-Section (1) of Section- 7 of the RTI, Act, 2005. The penalty amount shall be deposited through Challan payment in the name of Registrar, APIC, Itanagar, against the Head of Account No. 0070.

- ii) PIO shall submit all related records regarding payment of penalty including furnishing of information(s) to the Commission within 30th July' 2025, without fail.

Now the Commission hereby orders;

The above listed information(s) shall be furnished to the Appellant on or before 30th July' 2025 without fail, failing which disciplinary action against the PIO will be ordered, to be initiated by the competent authority as per the Service Rules.

The further hearing of the appeal is not necessary and so, the case is disposed today with liberty given to the Appellant to inform the Commission on the failure by the PIO to provide the information(s) completely on or before 30th July' 2025.

In the eventuality of the negligence of the PIO to provide the information(s) within the stipulated time as given above necessary action as well as penalty will be imposed upon the PIO.

Under the above stated facts and circumstances and pursuant to the procedural law of RTI, Act, 2005 this case is disposed today.

In view of the above facts and circumstances the Commission, finds this appeal fit to be disposed and closed. And accordingly this appeal stands disposed and closed once for all.

Judgment/Order pronounced in the open Court of this Commission today on this **1st day of July, 2025**. Copy of this Judgment/Order be furnished to the parties.

Given under my hand and seal of this Court on this **1st day of July, 2025**.

Sd/-

(Vijay Taram)

State Information Commissioner

APIC-Itanagar

Memo.No.APIC-130/R/2024

1493

Dated Itanagar, the10... July, 2025.

Copy to:

1. PIO-Cum-EE, RWD, Ziro, L/Subansiri District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code-791120.**
2. Shri Mamu Sono, Sood Village, PO/PS-Naharlagun, P/Pare District Arunachal Pradesh for information please. **Contact No. 9436215521**
- ✓ 3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy.

P. Rajiv
Registrar/Dy. Registrar
APIC, Itanagar.