



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

An Appeal Case U/s 19(3) of RTI, Act, 2005

Vide Case No. APIC -248/2023

(Summon to appear in person)

(Or.5. R.3 of CPC)

Shri Simi Yangfo,
Karsingsa Village, PO/PS-Banderdewa,
Papumpare District, Arunachal Pradesh,

..... APPELLANT

-Vs-

Er. Bamang Tad
PIO-cum-EE(PHE&WS) Sangram-Laaying Division,
Kurung Kumey District
Arunachal Pradesh,

..... RESPONDENT

JUDGEMENT ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from **Shri Simi Yangfo, Karsingsa Village, PO/PS- Banderdewa, Papumpare District, Arunachal Pradesh**, for non-furnishing of information by **Er. Bamang Tad, PIO—cum-EE(PHE&WS) Sangram-Laaying Division, Kurung Kumey District, Arunachal Pradesh** as sought for by the Appellant under section 6(1) (Form-A) of RTI Act, 2005.

In the 6th hearing of this case, which was held on 18th October, 2023 (Wednesday) as scheduled. The Appellant was present, but the PIO was absent, nor he had deputed anyone to be present on his behalf for today's hearing, on which the Commission viewed seriously of the absence of the PIO without any intimation. The PIO was directed to provide the payment details/statement of the amount paid to the contractor's to the appellant on or before the hearing fixed on 18/10/2023 vide Summon Order No. APIC/248/2023/2101 dated 19th September, 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 6th hearing.

In view of above facts and circumstances as aforesaid PIO-cum-EE(PHE&WS) Sangram-Laaying Division, 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-EE(PHE&WS) Sangram-Laaying Division, 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 16th November, 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 left-out information viz payment statement/details of the amount paid to the Contractor's as sought by the appellant on or before the next date of hearing of this case fixed on 16th November, 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 16th November 2023 (Thursday) at 1030 hrs.

NOW THEREFORE, the PIO-cum-EE(PHE&WS) Sangram-Laaying Division, 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 18th October,2023.

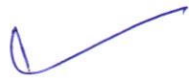
Sd/-
(Gumjum Haider)
State Information Commissioner
Arunachal Pradesh Information Commission
Itanagar

Memo No.APIC-248/2023 / 2839

Dated, Itanagar the 19 Oct,2023.

Copy to:

1. Er. Bamang Tad, PIO-cum-EE(PHE&WS) Sangram-Laaying Division, Kurung Kumey District, Govt of Arunachal Pradesh for information and necessary action please.
2. Shri Simi Yangfo, Vill-Karsingsa,PO/PS-Banderdewa, District-Papumapre, PH-6033834959/6009439392 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