



**ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR**

(Before the Hon'ble Information Commissioner Mr. Genom Tekseng)

**AN APPEAL UNDER SECTION 19 (3) OF RTI ACT, 2005.**

APIC-No.163/2023(Appeal)

Sh. Nikam Dabu, Ms. BBB Enterprise, H-Sector, Itanagar P/Pare District, Arunachal Pradesh. (M) 7640082060,  
**Pin: 791111.**

Appellant

**-Versus-**

The PIO-O/o the Deputy Commissioner Daporijo, Upper Subansiri District Arunachal Pradesh.  
**Pin: 791122.**

Respondent

**Date of hearing: 24.11.2023**

**FACTS OF THE CASE:**

The appellant filed an RTI application dated 31.12.2022 seeking information on various schemes under **MLA LAD Fund under 24<sup>th</sup> Daporijo (ST) Assembly Constituency**. The respondent PIO-cum-DPDO, Daporijo did not reply. Aggrieved appellant filed the First Appeal on 06.03.2023. The First Appellate Authority did not pass any order on the First Appeal. Feeling aggrieved and dissatisfied the appellant filed the Second Appeal dated 06.03.2023 before the commission.

After the receipt of the Second Appeal notices were issued to the parties to appear on 30.06.2023.

The appellant appeared on 30.06.2023 and submitted that the respondent PIO did not furnish any reply in response to the RTI application. He had also requested the commission to direct the respondent PIO to furnish the information without any further delay. The commission adjourned the case to 15.09.2023 with direction to the PIO to provide the information.

The PIO did not appear on 15.09.2023. However, Shri Tapak Rakmi (DPO) attended the hearing on behalf of the PIO and submitted that the PIO vide letter dated 08.09.2023 requested the appellant to collect the information from the PIO's office, Daporijo but the appellant did not respond the request. The appellant contested the submission of the PIO's representative. The appellant had stated that he visited the PIO office on 13.08.2023, but he was not provided the sought information. The commission after hearing the submission of the appellant and perusal of record, directed the PIO to provide correct and complete information and appear on 24.11.2024.

Appellant alone appeared on **24-11-2023** and submitted that in inspite of the orders of the commission information had not been provided by the PIO. The PIO had neither provided the information nor appeared before the commission during the hearing. The commission decided to issue Show Cause Notice to the PIO for non-compliance of the order of the commission under section 20(1) of the RTI act. The order to this effect was issued on 24-11-2023 and reply to the Show Cause Notice was to be furnished on before **25.01.2023**. The PIO was also directed to pay **Rs. 5000/-** (Five Thousand) only to the appellant by way of compensation to the appellant.

The case is listed today for **Show Cause Notice** hearing. The appellant alone appears before the commission and submits that in spite of repeated orders of the commission the PIO has not furnished the information sought in his RTI application. The PIO has not availed of the opportunity to plead his case in person or through his representative despite being given opportunity to do so. No written reply has also been received from the PIO.

The commission based on the perusal of record on the case files observes that the RTI application was filed on **31.12.2023** and as per provisions of the RTI Act, the same should have been supplied by **01-01-2024**. But complete information was not provided even after the lapses of several months. For non-compliance a **Show Cause Notice** was issued by the commission and information was not furnished to the appellant. Various interim orders were passed by the commission from time to time but the PIO did not pay any attention to supply complete information to the appellant. The commission has taken serious note of it. No written reply has also been received from the PIO which clearly shows the negligent attitude of the PIO towards the RTI application.

In view of the above the commission decides to impose a penalty as per provisions of the RTI Act which says that a penalty of Rs. 250/- per day to the maximum of **Rs. 25000/- (Twenty Five Thousand)** only can be imposed upon the guilty official for **100 days**. In this case, a delay of more then 100 days has

occurred and keeping in view this facts, a penalty of **Rs. 25000/- (Twenty Five Thousand)** only is imposed upon **Shri TANAM KYALI**, EAC-cum-PIO, O/o the DC, Daporijo, Upper SUBansiri District. The PIO is directed to deposit Penalty amount in the head of **account "0070" -other administrative charges** and furnish the related record of such payment to the commission. The PIO is also directed to pay **Rs. 5000/-** (five thousand) only to the appellant and furnish complete information sought by him in his RTI application.

Above directions of the commission shall be complied within 30 days from the issue of this order, failing which action shall be initiated under section 20(2) of the RTI Act 2005. The hearing of the case is adjourned to **19.04.2024**.

Copy of this order be supplied to the parties.

Sd/-

(Genom Tekseng)

Information Commissioner

Dated Itanagar the ..8..Feb' 2024.

Memo No.APIC-163/2023/728

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APIC, Itanagar

Deputy Registrar

Arunachal Pradesh Information Commission  
Itanagar