



सत्यमेव जयते

**ARUNACHAL PRADESH INFORMATION COMMISSION  
ITANAGAR.**



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

**Case No. APIC-217/2025**

**APPELLANT** : Smt. Bengia Rina & Shri Bengia Tani G-Sector Nlg.  
**RESPONDENT** : The PIO, o/o the Executive Engineer (PWD), Sangram Division, Kurung Kumey District (A.P)

**ORDER**

This is an appeal under Section 19(3) of RTI Act, 2005 received from Smt. Bengia Rina & Shri Bengia Tani for non-furnishing of 16(sixteen) point information regarding the c/o Community Hall at new Bazar, Koloriang by the PIO, o/o the Executive Engineer (PWD), Sangram Division, Kurung Kumey District (A.P) as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 18.10.2024.

This appeal was heard 3 (three) times on 11.06. 2025, 16.07.2025 and 01.08.2025 and vide last order dt. 05.09.2025, the following direction was passed”

*“This Commission, on receipt of complaint letter dt. 07.08.2025 from the Appellants that the PIO did not furnish the requested information/documents on 5(five) points, had directed the PIO, vide order dt.11<sup>th</sup> August, 2025to furnish the left out information as listed in the said order within 2(two) weeks from the date of receipt ( 12.08.2025) of the order and the appellants were also directed to intimate the receipt of the documents and their satisfaction or otherwise therewith within one week thereafter.*

*The appellants, vide their letter dt.27.08.2025, have now complained that the PIO did not furnish the left out documents as yet and hence, pleaded for penal action against the PIO.*

*The non-compliance of the direction of the Commission by the PIO despite repeated orders amounts to blatant disrespect to this Commission and the RTI regime making out a case for penal action under section 20 of the RTI Act 2005.*

*This Commission is, therefore, constrained to issue the warning to the PIO that if he fails this time to furnish the left out information to the appellants within 2(two) weeks from the date of receipt of this order a penalty of 25,000.00 as prescribed under section 20(1) of the RTI shall be imposed upon him. It is further directed that if the left out documents are not available, the PIO shall declare so with reasons therefor by way of an affidavit.”*

As could be seen in the operative portion of the above direction, the PIO was directed to furnish the left out information against 5(five) points to the appellants within 2(two) weeks from the date of receipt of the order making it clear that penalty of 25,000.00 as prescribed under section 20(1) of the RTI shall be imposed upon him in the event of his failure.

He was also directed that if the left out documents are not available, he shall declare so with reasons therefor by way of an affidavit.

In compliance with the said direction, the PIO had furnished the left out replies by his letter dt.15.09.2025, despite categorical direction to furnish the same by way of an affidavit.

It is the requirement of law {section -7(8)(i) of the RTI Act}, 2005 that when an information is denied to the applicant, the reason thereof has to be communicated to the applicant to his satisfaction. And as mandated by section-18(3)(c) of the RTI Act and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, the submission/reply of the PIO has to be declared/supported by way of an affidavit.

The PIO is, therefore, directed to furnish his replies by way of an affidavit within 2(two) weeks from the date of receipt of this order in order not to constrain this Commission to invoke the penal provisions of the RTI Act, 2005.

**Given under my hand and seal of this Commission on this 6<sup>th</sup> November, 2025.**

Sd/-  
(S. TSERING BAPPU)  
State Information Commissioner,  
APIC, Itanagar.

**Memo No. APIC- 217/2025 / 209 Dated Itanagar, the 6 November., 2025**

Copy to:

1. The Chief Engineer (PWD), Govt. of A.P, Central Zone -A Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o Executive Engineer (PWD), Sangram Division, Kurung Kumey District (A.P) for information and compliance.
3. Smt. Bengia Rina & Shri Bengia Tani, PO/PS- Nlg. G-Sector Ward No. 26 Papum Pare District (A.P) PIN: 791110 Mobile No. 8974589636 for information and compliance.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

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**Registrar/ Deputy Registrar  
APIC, Itanagar.**

Registrar  
Arunachal Pradesh Information Commission  
Itanagar