



ITANAGAR, ARUNACHAL PRADESH

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

Vide Case No.APIC-139/2024

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

Shri Pem Dondup Thongkar and Shri Khandu Thongkar **Appellant**

-VERSUS-

PIO-Executive Engineer, PWD,
Dirang, West Kameng District,
Govt. of Arunachal Pradesh

..... **Respondent.**

Order:21.01.2025.

JUDGEMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI Act, 2005. Brief fact of the case is that the Appellants Shri **Pem Dondup** on **9/10/2023** filed an RTI application under Form-'A' before the PIO-Cum-EE, Department of PWD Dirang Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in their Form-A application. The Appellants, being not satisfied with the information received from the PIO, filed the First Appeal before the First Appellate Authority (FAA) on **23/11/2023** Appellants, again having not received the required information despite the order from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on 12/10/2023 and the Registry of the Commission (APIC), having receipt of the Appeal, registered it as **APIC No. 139/2024** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Court of the Arunachal Pradesh Information Commission for seven times i.e on 09/05/2024, 20/06/2024, 13/08/2024 21/01/2025, 14/11/2024, 21/01/2025 & 20/03/2025. In this hearing of the appeal on 20th day of March, 2025

In this seven hearing, the Appellant Shri Pem Dondup present during the hearing through online mode but the PIO found absent and without intimating to the Commission the reason for his inability to attend the hearing, which is unbecoming on the part of the PIO, who has to attend Court hearing when an appeal is preferred against him as per the provisions of the RTI ACT,2005, Which is a statutory duty binding upon the PIO.

Heard the Appellant.

The Appellant stated before the Commission that despite the order of the Commission on **21/01/2025** the PIO has failed to provide the information(s) as applied by the Appellant even after that the amendment of the form 'A' of the Appellant in front of APIO who had assured to provide the information as applied on or before the next date of hearing which is today **20th March 2025.**

The Commission observes that the PIO has not provided the information to the Appellant which is violation of RTI Act 2005 as well as disrespect to the procedural laws laid down under the said Act ,and therefore, under the above facts and circumstances;

The Commission hereby orders;

- (i) The PIO to provide all the information completely to the Appellant within one month from today that is **20th March 2025**.
- (ii) The Appellant to collect information from the PIOs office free of cost.
- (iii) The PIO to intimate this Commission regarding the action taken.
- (iv) Failure to comply with this order will result in appreciate actions as set forth under the RTI Act and further penalties as applicable.

Now therefore, the Commission hereby orders;

The PIO to provide complete information(s) to the Appellant within one month and hereby dispose this instant appeal **ex-parte**.

Judgment order pronounced in the open Court of this Commission today on this **20th day of March' 2025**, copy of judgment order be furnished to the both parties.

Given under my hand and seal of this Commission/Court on this **20th day of March' 2025**.

Sd/-

(Vijay Taram)

State Information Commissioner
APIC-Itanagar

Memo.No.APIC-139/2024/678 Dated Itanagar, the **24th** March, 2025.

Copy to:

1. PIO-Cum-EE, PWD, Dirang Sub-Div. W/Kameng District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code-790101**.
2. Shri Pem Dondup Thongkar and Shri Khandu Thongkar, Lish Village, PO/PS-Dirang, W/Kameng District Arunachal Pradesh for information please. **Contact No. 8119985567**
3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy.



Registrar/Dy. Registrar
APIC, Itanagar.

Registrar

Arunachal Pradesh Information Commissioner
Itanagar.