



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR

Dated Itanagar the 11<sup>th</sup> Dec, 2024

An appeal Case U/S 19 (3) of RTI Act, 2005  
Case No.APIC-594/2023.

**Shri Bengia Apo**  
Village Tayang  
PO/PS: KoloriangKurungKumey  
District Arunachal Pradesh.  
Pin: 791118.  
(M) 9362559211

**Appellant**

Versus

**Shri Pama Bagang**  
PIO cum PD DRDA Koloriang  
KurungKumey District  
Arunachal Pradesh.  
Pin: 791118.

**Respondent**

**ORDER**

**(Section 19 (8) (b) r/w section 20 of the RTI Act, 2005)**

To

**Shri Shri Pama Bagang PIO cum PD DRDA  
Koloriang Kurung Kumey District AP.**

1. **WHEREAS**, Shri Bengia Apo, the appellant in the case APIC 594/2023 vide his RTI application dated 10.01.2023 filed before you PIO cum PD DRDA Koloriang Kurung Kumey District, has requested for NIT, work engagement, order, DPR, fund utilization certificate, lowest bidding firm's details, details of payment, cheque / demand draft and photograph of the work if any:

- C/o playground at Webia, Lee, Lechila & Tai*
- C/o porter track form Tai to Raktepu village*
- C/o porter track form WRSB over polo river from Walu via village Sharma, Kapu, Valin, Webla and Lulam Koloriang K/K*
- C/o WRTSB over Panju River at Chello and Fumer under K/Kumey*
- C/o footpath from PMGSY road to Govt. Middle School Padung village &*
- C/o approach road from Damin town to BRTF road Koloriang.*

*ave!*  
*11/12/24*

*Period for which information asked for: As project concerned.*

2. **AND WHEREAS**, having failed to obtain the sought information from you, the applicant filed his first appeal under section 19 (1) of the RTI Act, 2005 before the First Appellate Authority (FAA), the Directorate of Rural Development (RD) Department Govt. of A.P Itanagar vide his memo of appeal dated 23.02.2023. But the applicant could not obtain the information from you in spite of direction / instruction from the office of the Directorate of Rural Development (RD) Department Govt. of A.P Itanagar vide letter dated 02.03.2023 to furnish the information as requested by the applicant and as such he preferred his second appeal under section 19 (3) of the RTI Act vide his Memo dated 27.06.2023.

3. **AND WHEREAS**, the appeal was listed 7 (seven) times in this commission on 13.10.2023, 15.12.2024, 12.04.2024, 17.05.2024, 28.06.2024, 29.08.2024 & 09.12.2024 and during the hearing 28.06.2024 Shri Chera Ngoya TA (RE) represented the PIO without any authorization letter & appellant present. Therefore, interim orders were passed from time-to-time by this commission directing you to furnish the information / documents to the appellant.

4. **AND WHEREAS**, despite summon notices issued well in advance, you did not appear in all 7 (seven) schedule hearings.

5. **AND WHEREAS**, this commission taking a serious view of your absence in the hearings which amounted to your blatant disrespect to this commission and the RTI Act, 2005, issued show cause notice dated 29.08.2024 to you as to why action should not be initiated against you as provided under section 19 (8) (b) and (c) r/w Section 20 (1) of RTI Act, 2005 for violation of the provisions of section 7 (1) of the Act accordingly, directed you to appear in person before this commission on 09.12.2024 at 2.00pm along with information(s) sought by the appellant, Shri Bengia Apo and also furnish the reasons for your absence from the hearings.

6. **AND WHEREAS**, the Show Cause Notice hearing was heard on 09.12.2024 and as directed you to submit a written explanation of your conduct and provide the commission a valid cause, why penalty should not be imposed against you as provided in section 20 (1) of the RTI Act, 2005 for violation of sub-section (1) 7 of the RTI Act, 2005 and it should reach to this commission on or before 20<sup>th</sup> September 2024, but you remained absent without any intimation of reason to this commission court.

7. **AND WHEREAS**, during the course of hearing on 09.12.2024 the appellant who attended the hearing in person was quite upset & dissatisfied by your absence from the hearings besides your failure to furnish information(s) despite direction by this commission. He therefore, pleaded for necessary action prescribed under Section 20 (1) and 19 (8) (b) of the RTI Act, 2005.

8. **AND WHEREAS**, this commission has taken serious note of the fact that despite its clear and unequivocal order, you neither furnished the information / document to the appellant nor submitted any explanation / reasons for repeated absence from the hearings which amounted to sheer disrespect to this commission and blatant violation of the provisions of the RTI Act, 2005. In view thereof this Commission finds this case to be a fit case where you are liable to be imposed penalty as provided under Section 20 (1) and 19 (8) (b) of the RTI Act, 2005 for violation of section 7 (1) of the RTI Act, 2005.


*Dec 11/12/24*



9. **NOW THEREFORE**, this 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. 25,000/- (Rupees twenty-five thousand) only can be imposed upon guilty official for 100 (hundred) days. In this case delay of more than 100 days has occurred and keeping in view of the facts, a penalty of **Rs. 25,000/-** (twenty-five thousand) only is imposed to Shri Pama Bagang, PD cum PIO DRDA Koloriang Kurung Kumey District A.P. The PIO is directed to deposit the amount through Treasury Challan in the name of the Registrar, APIC, Itanagar under the Head Account- **“0070-Other Administrative Charges”** and also compensation amount of Rs5000/- (Rupees five thousand) only shall paid to the appellant Shri Bengia Apo. PIO is directed to furnish to this commission the receipt of the penalty paid within 2 weeks from the date of issue of this order. You are also directed to furnish the Information / documents to the appellant failing which you will be liable to further action under section 20 (2) of the RTI Act, 2005.

Order pronounced in the Open Court of this Commission today this 9th day of Dec' 2024. Each copy of the Judgement / Order be furnished to the parties.

Given under my hand and seal of this Commission / Court on this 9th day of Dec' 2024.

  
(Dani Gamboo) 11.12.24

State Information Commissioner

Authenticated true copy

State Information Commissioner  
Arunachal Pradesh Information Commission  
Itanagar.

Registrar / Dy. Registrar, APIC

Date:

Memo No. APIC-594/2023/ 322

Dated Itanagar the .... Dec.' 2024.

Copy to:

1. The Deputy Commissioner, Koloriang, KurungKumey District.
2. Computer Programmer Itanagar APIC to upload in APIC website and mailed to concerned department email.
3. Office copy.

  
Registrar / Dy. Registrar  
APIC, Itanagar  
Arunachal Pradesh Information Commission  
Itanagar.