



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

(Before the Hon'ble Information Commissioner Mr Dani Gamboo)

An Appeal Under Section 19 (3) of RTI Act, 2005.

APIC-No.06/2023(Appeal)

Shri Riya Taram
C/oHotel Chandni Naharlagun
Arunachal Pradesh- 791110.
(M) 9383103387

Appellant

Versus

The PIO cum EE PWD
Sangram Division
Kurung Kumey District
Arunachal Pradesh.

Respondent

Date of hearing: 05.04.2024

Respondent PIO Shri Nangbia Tada EE PWD Sangram Division did not appear.
The appellant Shri Riya Taram appeared.

Heard the party present.

The appellant states that no information documents have been provided to him by the PIO in spite of repeated order by the commission.

The commission has ordered on 15.12.2023 with following points for compliance of the PIO.

- 1) The PIO shall deposit the penalty of Rs 25,000/- and compensation amount of Rs 5000/- within 14 days.
- 2) The PIO shall furnish as much information as possible to the appellant within 45 days.

- 3) The PIO shall appear in person along with action taken report on 05.04.2024 failing which the commission shall proceed to take further proceeding against PIO Ex-parte.

During the hearing on above points and perusal of the records it is seen that the PIO has deposited the penalty amount of Rs 25,000/- on 19.12.2023. The appellant states that compensation amount of Rs 5000/- not paid to him.

Pertaining to second point above the appellant states that no information / not even partial information or any kind of communication from PIO is made to him. It is noted that order for furnishing as much information as possible is not limited and specific. The written submission in reply to this commission's show cause notice by the PIO on 12.10.2023 was reviewed. The pleading for recall of show cause was not accepted and the rejection of the RTI application under section 7(9) of the RTI Act 2005 is not valid. The following content therein was pointed out to the appellant.

Quote-

" 1. Undersigned was in receipt of RTI application submitted in Form A vide no. nil dated 18.10.2022 submitted by Shri Riya Taram.

2. The undersigned had gone through the RTI application submitted Form A by the applicant Shri Riya Taram. After going through minutely, it has found that the applicant had not mentioned specific name of project whom he seek information furthermore, the document he requested was found to be voluminous in nature and tantamount to wastage of time supported to be utilize in the general public interest. Accordingly, his RTI application was rejected on the ground as enshrined in section 7 (9) of RTI Act which read as "An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would detrimental to the safety of preservation of the record in question" (copy of rejection order are furnished herewith for ready reference).

3. Further, he was requested to submit a fresh application clearly mentioning the schemes name to unable supply of information.

4. It is pertinent to mention here that the applicant Shri Riya Taram after filing of form A had never visited this office nor showed interest in collection the rejection order. On many occasions the in charge of RTI cell, Sangram division PWD tried to contact him but his phone found to be switch off.

5. It is also to inform Hon'ble court of APIC that this office has received no hearing notice no any communication from the Hon'ble court except this Show

Cause Notice pertaining to the APIC-No-06/2023 (appeal). The reason might be poor postal communication problem of interior and remote Sangram SDO Hq, Kurumey district.

In view of above fact and circumstances, it is hence requested the recall the show cause notice on ground that 1. The application in form A was already been rejected on the ground mentioned above 2. Nor the office of PIO, Sangram division PWD has received any hearing notice nor communication regarding proceeding of RTI case before your Hon'ble court of APIC filed by Shri Riya Taram except this show cause notice."

On these points the appellant states that project wise schematic list is available and would like to produce themas and when the respondent PIO attend the hearing in the commission.

It is seen that the PIO Shri NangbiaTada, EE PWD has not attended the last five hearings and in today's hearing too in the commission in spite of the show cause notice and penalty slapped on him. The negligence of the PIO is viewed seriously and attracts for further course of action against him under relevant section in the RTI Act 2005.

The appellant Shri Riya Taram shall submit written submission to the PIO the project wise schematic list for which he is seeking information within the content there in the original RTI application in form 'A' within 15 days from the date of this order. In no case the list of projects shall deviate from the scheme programme content in the RTI application. The appellant to submit list of projects and the copy of this order to the PIO and obtain acknowledgement.

The PIO Shri Nangbia Tada is given opportunity to furnish the information within 45 days from the date of this order and attend next hearing in person. Failure to do so shall entail for bringing the matter to the notice of the higher authority who can take action against him and to proceed against him under section 20 (2) of the RTI Act 2005.

Case is adjourned to 10th June'2024 at 02:00 PM.

Furnish copies to the parties, DC Kurung Kumey Distirct Koloriang and CE PWD CZ – A, Itanagar.

Sd/-
(Dani Gamboo)
Information Commissioner

Memo No.APIC-06/2023/1054

Dated Itanagar the ..1.2..April' 2024.

Copy to:

1. The Deputy Commissioner Kurung Kumey district for information & necessary action.
2. The Chief Engineer, PWD CZ-A for information & necessary action.
3. The PIO cum EE PWD Sangram Division KurungKumey District Arunachal Pradesh. Pin: 791118.
4. Shri RiyaTaram C/o Hotel Chandni Super Market Naharlagun, P/Pare Dist. Arunachal Pradesh. (M) 9383103387. Pin: 791110.
5. Computer Programmer, Itanagar, APIC, to upload in APIC, website please.
6. Office copy.

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