



**ARUNACHAL PRADESH INFORMATION COMMISSION  
ITANAGAR**

**BEFORE THE HON'BLE COURT OF MAJOR GENERAL JARKEN GAMLIN, AVSM, SM,  
VSM (RETD), STATE CHIEF INFORMATION COMMISSIONER**

No.APIC-104/2025

Dated, Itanagar the 6<sup>th</sup> May' 2025

**Appeal Under Section 19(3) RTI Act, 2005**

**Appellant:** Shri Nabam Johan, Adv Tarh Taram, Shri Gollo Laninag, Doimukh, PO/PS Doimukh, District Papum Pare, Arunachal Pradesh, PIN-791112, (M) 9436847717/ 825848823 / 8132807496.

**Vs**

**Respondent:** Shri Kipa Gagung, The PIO-cum-EE(IMC) , Govt. of A.P., O/o Itanagar Municipal Corporation (IMC), Itanagar, Papum Pare District, Arunachal Pradesh, PIN-791111.

**ORDER**

- 1). This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Nabam Johan, Adv Tarh Taram, Shri Gollo Laninag, Doimukh, PO/PS Doimukh, District Papum Pare, Arunachal Pradesh, for non-furnishing of information by the Public Information Officer, Govt. of A.P., O/o Itanagar Municipal Corporation (IMC), Itanagar, Papum Pare District, Arunachal Pradesh, as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 16/10/2024 regarding c/o road and steel girder bridge for solid waste management treatment plant at Dapor Yarlo (Hollongi) Itanagar.
- 2). The re-scheduled 2<sup>nd</sup> hearing was held on 6<sup>th</sup> May' 2025 as scheduled. Shri Kipa Gagung, The PIO-cum-EE(IMC) , Govt. of A.P., O/o Itanagar Municipal Corporation (IMC), Itanagar, Papum Pare District, Arunachal Pradesh was absent. The Appellant Adv. Tarh Taram was present during the hearing.
- 3). The Appellant submitted that the PIO has not furnished any information as sought for in Form-A dated 16/10/2024 till date.
- 4). The Commission viewed the absence of the PIO without any justifiable reason seriously.
- 4). The Commission hereby directs Shri Kipa Gagung, The PIO-cum-EE(IMC) , Govt. of A.P., O/o Itanagar Municipal Corporation (IMC), Itanagar, Papum Pare District, Arunachal Pradesh to **SHOW CAUSE as to why Penalty should not be imposed on him under section 20 (1) of the RTI Act, 2005**, failing which disciplinary action shall be recommended under Section 20 (2) of the RTI Act, 2005.
- 5). The Commission observed that on the last hearing held on 1<sup>st</sup> April 2025 Shri Kipa Gagung, The PIO-cum-EE(IMC) , Govt. of A.P., O/o Itanagar Municipal Corporation (IMC), Itanagar, Papum Pare District, Arunachal Pradesh was directed to **SHOW CAUSE as to why penalty under section 20(1) of the RTI Act, 2005, should not be imposed on him for non-compliance of the Commission's directions.**



6). The PIO neither appeared before the Court nor furnished reply to the Show Cause and also did not furnish information to the Appellant. The willful absence, violation of provisions of the RTI Act and non-compliance of directions of the Commission has been viewed as breach of fundamental right of a citizen and contempt of court. The Commission hereby impose a **penalty of Rs. 25, 000/- (Rupees twenty five thousand) only against Shri Kipa Gagung, The PIO-cum-EE(IMC)** , Govt. of A.P., O/o Itanagar Municipal Corporation (IMC), Itanagar, Papum Pare District, Arunachal Pradesh for gross violation of the provisions of RTI Act 2005. The PIO is directed to deposit the said penalty amount in favour of the Registrar, Arunachal Pradesh Information Commission, Itanagar through Treasury Challan in the Head of Account **"0070-Other Administrative Charge"**. The penalty amount has to be deposited before 30<sup>th</sup> May, 2025 and the proof of depositing the amount through treasury challan along with all the information as sought for by the Appellant has to be produced on the next date of hearing, failing which additional action shall be initiated under Section 20(2) of the Act i.e. recommendation for disciplinary action and arrest warrant under 18(3)(a) of the RTI Act to compel the attendance in person before the court. The Appellant is also directed to be present on the next date of hearing, failing which the case would be disposed of without any further notice.

7). The next date of hearing is fixed on 3<sup>rd</sup> June, 2025 (Tuesday) at 1100hrs.

Order copies be issued to all the parties.

Sd/-

[Major General Jarken Gamlin, AVSM, SM, VSM (Retd)],  
State Chief Information Commissioner  
Arunachal Pradesh Information Commission

Itanagar

Memo No.APIC-104/2025

Dated, Itanagar the 9 May'2025

Copy to:

1. Shri Tame Phassang, Mayor, Govt. of A.P., O/o Itanagar Municipal Corporation (IMC), Itanagar, Papum Pare District, Arunachal Pradesh, PIN-791111, to ensure attendance of Shri Kipa Gagung, The PIO-cum-EE(IMC) , Govt. of A.P., O/o Itanagar Municipal Corporation (IMC), Itanagar, Papum Pare District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Govt. of A.P., Capital Complex Itanagar, Itanagar, Papum Pare District, Arunachal Pradesh, PIN- PIN-791111 to ensure attendance of Shri Kipa Gagung, The PIO-cum-EE(IMC) , Govt. of A.P., O/o Itanagar Municipal Corporation (IMC), Itanagar, Papum Pare District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
3. Shri Kipa Gagung, The PIO-cum-EE(IMC) , Govt. of A.P., O/o Itanagar Municipal Corporation (IMC), Itanagar, Papum Pare District, Arunachal Pradesh, PIN-791111, for compliance.
4. Shri Nabam Johan, Adv Tarh Taran, Shri Gollo Laninag, Doimukh, PO/PS Doimukh, District Papum Pare, Arunachal Pradesh, PIN-791112, for compliance.
- ✓ 5. Computer Programmer, APIC, Itanagar, to upload in APIC Website & send mail to all the parties.
6. Case file.

Registrar Dy. Registrar

Arunachal Pradesh Information Commission  
Itanagar