



**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-593/2023(Appeal)

Dated, Itanagar the 15th July, 2025

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Bengia Apo, Village Tayang, Po/Ps- Koloriang, Kurung Kumey District, Arunachal Pradesh, PIN-791118, (M) 9362559211.

Vs

Respondent: Shri Nangbia Tada, the PIO-cum-EE(PWD), Govt. of A.P., Sangram Division, Kurung Kumey District, Arunachal Pradesh, PIN-791118.

ORDER

1). This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Bengia Apo, Village Tayang, Po/Ps- Koloriang, Kurung Kumey District, Arunachal Pradesh, for non-furnishing of information by Shri Nangbia Tada, the PIO-cum-EE(PWD), Govt. of A.P., Sangram Division, Kurung Kumey District, Arunachal Pradesh, as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 12/01/2023 regarding Firm name, NIT, Press release, DPR, name of contractor, photographs of work etc of various works implemented under PWD Sangram Division.

2). Previous five hearings of the appeal were heard initially by Shri Genom Tekseng, former Hon'ble State Information Commissioner. After the completion of his tenure, the case was handed over to Shri Dani Gambo, the new incumbent. The new incumbent HSIC, after one hearing, decided to recuse himself from the case due to conflict of interest as he had served as Chief Engineer in the same department of the PIO.

3). The 7th hearing of the appeal case and the 1st hearing before the court of Major General Jarken Gamlin, AVSM, SM, VSM (Retd), State Chief Information Commissioner Arunachal Pradesh Information Commission was held on 15th July, 2025 as scheduled. Shri Nangbia Tada, the PIO-cum-EE(PWD), Govt. of A.P., Sangram Division, Kurung Kumey District, Arunachal Pradesh was absent without any intimation to the Commission. The Appellant Shri Bengia Apo was present.

4). The Appellant had submitted that he had been attending the court hearing regularly to obtain information. To attend the court hearings he has been travelling from Koloriang, causing huge expenses from his pocket but till date he has not been furnished with any information. The Appellant appealed the Commission for compensation along with information.

5). After going through the records of six hearings conducted by previous State Information Commissioners and document available the commission is of the view that the PIO had been given reasonable opportunity to furnish limited information (sl.no. e & g) to the Appellant and to reply to the Show Cause Notices.

6) The PIO has neither replied to the Show Cause Notices nor has he appeared before the Commission on the date of hearings held. Violation of provisions of RTI Act, 2005, repeated absences from the hearing without justifiable reasons, and noncompliance of Commission's order is utter contempt of court and violation of fundamental rights of a citizen. Therefore, the Commission hereby impose a **penalty of Rs. 25, 000/- (Rupees twenty five thousand) only against Shri Nangbia Tada, the PIO-cum-EE(PWD), Govt. of A.P., Sangram Division, Kurung Kumey 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(e-grass) in the Head of Account **"0070-Other Administrative Charge"**. Further, under **section 19(8)(b) of the RTI Act**, the PIO is directed to compensate an amount of **Rs. 10, 000/- (Rupees ten thousand) only** to the Appellant. The penalty amount and compensation has to be paid before 10th August' 2025. The proof of depositing the amount through treasury challan (e-grass) and compensation to Appellant along with the information as sought for by the Appellant have to be produced on the next date of hearing.

7). Both the parties are directed to appear before the Commission's court on the next date of hearing without fail. If the PIO is found absent the Commission would be compelled to invoke an **arrest warrant under section 18(3)(a) of the RTI Act** to ensure attendance of the PIO in person before the court. In case Appellant is found absent the case shall be disposed of.

8). **The next date of hearing is fixed on 19th August' 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

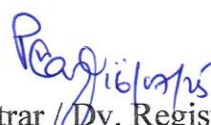
Memo No.APIC-593/A/2025

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Dated, Itanagar the 17 July, 2025

Copy to:

1. The Commissioner / Secretary (PWD), Govt. of A.P. Civil Secretariat, Itanagar for information.
2. The Deputy Commissioner, Govt. of A.P., Koloriang, Kurung Kumey District, Arunachal Pradesh to Shri Nangbia Tada, the PIO-cum-EE(PWD), Govt. of A.P., Sangram Division, Kurung Kumey District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
3. The FAA-cum-Chief Engineer (PWD), Govt. of A.P., Central Zone-A, PWD Department, Itanagar, Arunachal Pradesh, PIN-791111, to ensure attendance of Shri Nangbia Tada, the PIO-cum-EE(PWD), Govt. of A.P., Sangram Division, Kurung Kumey District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
4. The Superintendent Engineer (PWD), Govt. of A.P., O/O SE(PWD), Yachuli Civil Circle, PWD, Yachuli, Arunachal Pradesh, PIN-791120, to Shri Nangbia Tada, the PIO-cum-EE(PWD), Govt. of A.P., Sangram Division, Kurung Kumey District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
5. Shri Nangbia Tada, the PIO-cum-EE(PWD), Govt. of A.P., Sangram Division, Kurung Kumey District, Arunachal Pradesh, PIN-791118.
6. Shri Bengia Apo, Village Tayang, Po/Ps- Koloriang, Kurung Kumey District, Arunachal Pradesh, PIN-791118, (M) 9362559211.
7. Computer Programmer, APIC, Itanagar, to upload in APIC Website.
8. Case file.


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