



**ARUNACHAL PRADESH INFORMATION COMMISSION**  
**ITANAGAR.**

**An Appeal Case U/S 19(3) of RTI Act, 2005**

**Case No. APIC-233/2025.**

**(Summon to appear in person)**

**(Or.5, R.3 of CPC)**

**APPELLANT** : Shri Yamra Elia, Polo Colony, Naharlagun.

**RESPONDENTS** : (1) The PIO, o/o the E.E(HPD), Koloriang Division,  
Kurung Kumey Distt. (A.P)  
(2) The PIO, o/o E.E (HPD), Ziro Division, Lower Subansiri,  
Ziro.

**ORDER / SUMMONS**

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Yamra Elia, for non-furnishing of below mentioned information by the PIO, o/o the Chief Engineer Hydro Power Development, Western Zone Govt. of A.P, Itanagar as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 24.09.2024:

**D) Particular of information:** Fure MHP at Damin (1x50 kw)

**E) Details of information required:**

15. the official Technical Order copy;
16. The NIT paper (Local daily newspaper) if not then reason to be furnished;
17. How many bidders attended with submission of EMD;
18. Name of the contractor or firm (if NIT);
19. The winner of NIT tender with name and documents;
20. The Lowest rate L1, L2, L3 and L4;
21. Order copy;
22. Agreement copy in between contractor and executing agency;
23. Deposit of BG in which bank by winner of tender;
24. Total Nos. of Financial bids;
25. Geo tag report;
26. Check leaf for payment against the contractor;
27. Signature copy of both members attended during tender and
28. Document should be sign and CTC copy.

**F) Period for which information asked for:** 2010

**Facts emerging from the appeal:**

Records emerging from the appeal are that the Appellant, Shri Yamra Elia had requested the PIO for the aforementioned information /documents but failed to obtain the same which prompted him to file appeal before the Chief Engineer (HPD), Govt of A.P (WZ), Itanagar, the First Appellate Authority (FAA) under section 19(1) of the RTI Act vide his Memo of Appeal dt.26.11.24. However, the appellant failed yet again to obtain the information and therefore, he preferred his 2<sup>nd</sup> appeal before this Commission under section 19(3) of the RTI Act, 2005 vide his Memo of Appeal dt.28.02.2025.



This appeal was, accordingly, listed and heard in this Commission for 3(three) times on 30.04.2025, 23.05.2025 and 02.07.2025.

This Commission, after hearing Er. Shri Taba Tagu, SW (C), the PIO o/o the Chief Engineer (HPD) on 30.04.2025 who submitted that the requested information are not held by the o/o the Chief Engineer (HPD)(WZ), Itanagar, but is held by the o/o the E.E (HPD), Koloriang Division, summoned the EE, Koloriang Division in the next hearing on 23.05.25. However, the PIO, the E.E (HPD), Koloriang Division did not appear on the said date. The absence of the EE, Koloriang Division in the hearing, despite this commission's order and the advice of the PIO, o/o the Chief Engineer (WZ) vide letter dt.29.04.25 and dt.16.05.2025, was viewed seriously by this Commission.

In the subsequent hearing on 02.07.2025 despite this Commission's categorical direction to be present in the hearing with the requested documents, the PIO again failed to appear which compelled this Commission to issue show cause notice dt. 04.07.2025 to him to show cause as to why penalty of Rs. 25,000.00 (Rupees twenty-five thousand) should not be imposed, as provided under section 19 (8)(c) r/w section 20(1) of the RTI Act, 2005, on him for non-compliance of the direction of this Commission and was also directed him to appear before the Commission on 06.08.2025 at 10.30 am. But the PIO, Er. Sri Darmar Ete again failed to appear in person despite categorical warning nor submitted any reply to the show cause notice but deputed Er. Shri Nangram Dawa with a letter dt.04.08.2025 from the PIO the content of which was bereft of any justifiable ground for his non-appearance in the hearings leaving this Commission with no option but to impose penalty as provided under Section 20(1) of the RTI Act, 2005 for violation of section 7(1) of the RTI Act, 2005.

The PIO, Er. Shri Darmar Ete, E.E-cum-PIO, o/o the Executive Engineer (HPD), Koloriang Division was, hence, imposed a penalty of Rs. 25,000.00 (Twenty five thousand) to be deposited through Treasury Challan in the name of the Registrar, APIC, Itanagar under the Head of Account : 0070-other administrative charges within 2(two) weeks from the date of receipt of order dt.08.08.2025. The PIO was also directed to furnish the requested documents/information to the appellant failing which, it was made clear that he shall be liable to further action (disciplinary) under section 20(2) of the RTI Act.

In compliance with the order of this Commission dt.08.08.2025, the PIO has furnished the copy of Treasury Challan No.GRN AR010236461202526P DT.19.08.2025 for Rs.25,000.00 deposited by him. The PIO, however, failed to furnish the information and instead he had furnished a copy of his letter dt.19.08.2025 addressed to the E.E., Ziro Hydro Power Division, DHPD, Ziro requesting to submit all the related documents for further submission to the applicant.

The appellant has now complained vide his letter dt. 25.08.2025 that the PIO did not comply with the order of this Commission and therefore, requested this Commission to take disciplinary action against him under section 20(2) of the RTI Act.

This Commission, upon perusal of his letter dt.19.08.2025 to the E.E, Ziro Division holds that the PIO, E.E, Koloriang Division ought to have made such a request long back and collected the documents.



Be that as it may, this Commission, in the light of submission of the PIO, deems it appropriate to summon the E.E, Ziro Hydro Power Division, DHPD, Ziro in terms of the provisions of sub-section (4) and (5) of section 5 which is reproduced hereunder:

“5(1)....

(2).....

(3).....

(4) *The Central Public Information or State Public Information Officer, as the case may be, may seek the assistance of any officer as he or she considers it necessary for the proper discharge of his or her duties.*

(5) *Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be.”*

The implication of the provisions of the above sub-sections is that on being requested by the PIO for the assistance of an officer for providing the documents requested by an RTI applicant, the said officer is bound to provide the requested documents/information and in the event of failure to provide the documents/information, such officer can be proceeded against as a PIO.

In the light of the provisions of law as above, the EE(HPD), Ziro Division is hereby summoned along with the PIO, EE, Koloring Division in the next hearing failing which the consequential action under the relevant section of the RTI Act, 2005 in terms of the provisions of section 5(5) as extracted above shall be followed.

This appeal is, thus, listed again on 24<sup>th</sup> September, 2025, wherein the PIO, the E.E (HPD) Koloriang Division and the E.E, Ziro Division shall be present with the sought for information without fail so as not to compel this Commission take penal action under section 20 of the RTI Act, 2005.

**NOW THEREFORE**, you are hereby summoned to appear in person in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC on the 24<sup>th</sup> September, 2025 (Wednesday) at 10.30 am** to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defense.

Take notice that, in default of your appearance, on the day above- mentioned, the matter will be heard and determined in your absence.

**Given under my hand and seal of this Commission on this 25<sup>th</sup> Agust, 2025.**

Sd/-  
**(S. TSERING BAPPU)**  
State Information Commissioner,  
APIC, Itanagar.

Memo No. APIC- 233/2025 1599 Dated Itanagar, the 26 August, 2025.

Copy to:

1. The Chief Engineer (Hydropower Development) (W/Z), Govt. of A.P Itanagar for information and ensuring compliance of this order by the PIO concerned.
2. The PIO, o/o the E.E (HPD), Koloriang Division, Kurung Kumey for information and compliance.
3. The E.E (HPD), Ziro Division, Ziro for information and compliance.
4. The PIO, o/o the Chief Engineer Hydropower Development (W/Z), Govt. of A.P Itanagar for information.
5. Shri Yamra Elia, Polo Colony, Naharlagun PO/PS Nlg., Papum Pare District (A.P) (PIN: 791110) (Mobile No. 6909899941) for information.
6. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
7. Office copy.
8. S/Copy.

*P. Ragsi*  
Registrar/ Deputy Registrar  
APIC, Itanagar.  
Deputy Registrar  
Arunachal Pradesh Information Commission  
Manager