



**ARUNACHAL PRADESH INFORMATION COMMISSION  
ITANAGAR.**

**An Appeal Case U/S 19(3) of RTI Act, 2005  
Case No. APIC- 960/2023.**

Shri Pisa Tapam,  
Village:Sate, P.O-Sarli, P.S-Koloriang,  
Kurung Kumey District (A.P)

..... APPELLANT.

**Vs**  
BDO-cum-PIO o/o BDO,  
Sarli &Polosang CD Block,  
P.O/P.S-Koloriang, KurungKumey District (A.P).

..... RESPONDENT.

**ORDER**

**{ Section19(8)(b) & (c) r/w section 20 of the RTI Act, 2005}**

To

Shri John Diru, BDO-cum-PIO,  
o/o BDO, Sarli & Polosang CD Block,  
Kurung Kumey District, Koloriang,  
Arunachal Pradesh.

- 1. WHEREAS** Shri Pisa Tapam, the appellant in the APIC case No.960/2023, vide his application dt.04.04.2023 filed before you, the PIO, o/o BDO, Sarli & Polosang CD Block, Kurung Kumey District, had requested for 19(nineteen) point information on (a) MGNREGA MY VILLAGE MY DEVELOPMENT (b) NON-WAGES SUPPLY MATERIALS UNDER MGNREGA and (c) PMAY(G) for period, 2020-21, 2021-22 and 2022-23.
- 2. AND WHEREAS,** having failed to obtain the sought for information from you, the applicant filed his 1<sup>st</sup> appeal under section 19(1) of the RTI Act, 2005 before the First Appellate Authority, the Director (RD), Govt. of A.P, Itanagar vide his Memo of Appeal dt.28.08.23. But the appellant could not obtain the complete information from the you inspite of direction/instruction from the PIO, Directorate of the R.D, Itanagar vide letter No.CD(PLG)589/2023(RTI) dt. 29.08.2023, to furnish the information as requested by the appellant and as such he preferred his Second Appeal under section 19(3) of the RTI Act vide his Appeal Memo dt.03.10.2023.
- 3. AND WHEREAS,** the appeal was listed for hearing 11(eleven) times in this Commission on 21.12.23, 24.01.24, 22.03.24, 07.06.24, 26.06.24, 31.07.24, 30.08.24, 13.09.2024, 27.09, 8.11.2024 and 04.12.2024 and during the course hearing on 26.06.2024, this Commission observed that some part of the sought for information were furnished to the applicant/appellant but on six (six) points the information were yet to be furnished and therefore, interim orders were passed from time to time by this Commission directing you to furnish those remaining information.
- 4. AND WHEREAS,** despite summon notices, you appeared in one hearing only on 26.06.24 (5<sup>th</sup> hearing) and deputed your representative, Shri Chera Nachung, E.O (RE) in the 1<sup>st</sup> and 2<sup>nd</sup> hearing on 21.12.23 and 24.01.24 respectively but did not appear in the remaining 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 regime, issued show cause notice dt.16.09.24 to you as to why action should not be initiated against you as provided under section 19(8)(b) and (c) r/w 20 of the RTI Act, 2005 for violation of the provisions of section 7 (1) of the Act and accordingly, directed you to appear in person before this Commission on 27<sup>th</sup> September, 2024 at 2.30 pm along with the remaining information(s) sought by the appellant, Shri Pisa Tapam and also to furnish the reasons for your absence from the hearings.

6. **AND WHEREAS**, the show cause was heard on 27.09.2024 and as directed you attended the hearing along with the remaining information and in course of hearing you submitted that you could not attend the last hearing due to his pre-occupation in an important administrative work relating to the department of Art & Culture of which he is also in charge. A written explanation was also submitted by you in this regard.

7. **AND WHEREAS**, this Commission, considering the reasons cited by you for your absence in the hearings and the fact that Applicant/Appellant, who was handed over the remaining information by you, was also convinced of the reasons of the your absence in the last hearings, closed the show cause notice dt.16.09.2024 with the direction to the Applicant/Appellant to go through the left out information he received from you and report his satisfaction or otherwise to this Commission within 2(two) weeks from 27.09.2024 so that the next hearing date, if required, could be fixed. And as directed, the applicant/appellant, vide his letter dt.14.10.2024, informed the Commission that he had gone through the documents furnished by you but you did not furnish the main document i.e the Social Audit Report of the work under MGNREGA and pleaded this Commission to hear the appeal again.

8. **AND WHEREAS** this Commission considered the request of the applicant/appellant and decided to hear the appeal again and accordingly, fixed the date of hearing on 08.11.2024. However, neither you nor the applicant /appellant attended the hearing on 08.11.2024 and as such the hearing had to be adjourned to 04.12.2024 but you again failed to attend the hearing yet again on 04.12.2024 despite summon notice which has been taken very seriously by this Commission.

9. **AND WHEREAS** during the course of hearing on 04.12.2024, the appellant, who attended the hearing in person, produced a copy of technical sanction order dt.29.05.2024 issued by the Directorate of R.D, Govt. of A.P, Itanagar allocating fund for the Kurung Kumey District which also include Sarli and Polosang CD Blocks which he had collected from the said Directorate. The Appellant, who appeared quite upset and dissatisfied by your absence from the hearings besides your failure to furnish the said left out information despite direction by this Commission, submitted that if the Directorate of R.D could supply the copy of Govt. sanction order, why not the PIO in the District. He, therefore, pleaded for necessary action prescribed under section 20(1) of the RTI Act, 2005 and also compensation to him for harassment he had suffered.

10. **AND WHEREAS**, this Commission has taken serious note of the fact that despite its clear and unequivocal order, you neither furnished the left out information 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 RTI Act and 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) of the RTI Act, 2005 for violation of section 7(1) of the RTI Act, 2005 and also liable to payment of a reasonable compensation to the appellant.



11. **NOW THEREFORE**, this Commission is constrained to revive the Show Cause notice dt.16.09.2024 which was closed by order dt. 27.09.2024 and you are hereby imposed a penalty of Rs. 25,000.00 (Twenty five thousand) which shall be deposited through Treasury Challan in the name of the Registrar, APIC, Itanagar under the Head of Account : 0070-other administrative charges and also compensation amount of Rs.15,000.00 (Rupees fifteen thousand) to be paid to the appellant, Shri Pisa Tapam and furnish to this Commission the receipt of the deposit of penalty and payment of compensation within 2(two) weeks from the date of receipt of this order. You are also directed to furnish the left out information i.e the Social Audit Report of the work under MGNREGA to the appellant failing which you will be liable to further action under section 20(2) of the RTI Act.

Given under my hand seal of this Commission on this 5<sup>th</sup> December, 2024.



(S. TSERING BAPPU)  
State Information Commissioner,  
APIC, Itanagar.

**Memo No. APIC- 960/2023/ 356** Dated Itanagar, the **5** December , 2024

Copy to:

1. The Under Secretary to the Ld. Chief Secretary, Govt of Arunachal Pradesh for information of the Ld. C.S.
2. The Secretary / Commissioner (Personnel), Govt. of A.P, Itanagar for information.
3. The Dy. Commissioner, Kurung Kumey District, Govt. of A.P, Koloriang for information.
4. The Director (R.D.) Govt. of A.P, Itanagar for information.
5. Shri John Diru, CO-cum-BDO and the PIO o/o BDO, Sarli & Polosang CD Block, Kurung Kumey District, Arunachal Pradesh, for compliance.
6. Shri Pisa Tapam, Village: Sate, P.O-Sarli, P.S-Koloriang, Kurung Kumey District, (A.P) for information.
7. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
8. Office copy.



Registrar/ Deputy Registrar  
APIC, Itanagar.  
Registrar

Arunachal Pradesh Information Commission  
Itanagar.