



सूचना का
अधिकार
RIGHT TO
INFORMATION

**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**BEFORE THE HON'BLE COURT OF SHRI SANGYAL TSERING BAPPU,
STATE INFORMATION COMMISSIONER**

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

Case No. APIC-89/2025.

APPELLANT : Shri Tamchi Gungte, Near KV-II School Chimpu, Itanagar.
RESPONDENT : The PIO, o/o the Executive Engineer (PWD), Roing Division,
Lower Dibang Valley District.

ORDER

(Section 19 (8)(b) (c) r/w Section 20 (1) of the RTI Act, 2005)

1. WHEREAS that the Appellant, vide his application dated 14.10.2024, had requested for 25(twenty five) point information on c/o "Improvement of Bomjir-Paglam road (Bizari to Anpum, L-13.400 km)" during the financial year 2021-22 from the PIO, o/o the Executive Engineer (PWD), Roing Division, Lower Dibang Valley District under section 6(1) of RTI Act, 2005 but he, apparently, did not receive the documents in view of which he approached the Chief Engineer (PWD) (E.Z), Namsai, the First Appellate Authority (F.A.A) under Section 19 (1) of the RTI Act vide his Appeal Memo dated 11-11-2024.

2. AND WHEREAS the appellant still failed to obtain the information from the PIO and as such he filed his 2nd appeal under Section 19(3) of RTI Act, 2005 which was heard for 5(five) times on 23.04.2025, 21.05.2025, 06.06.2025, 04.07.2025 and 27.08.2025.

3. AND WHEREAS on 06.06.2025, wherein the PIO was represented by his APIO, Er. Shri Vikash Bagang, JE, the appellant reiterated his earlier complaint about the receipt of incomplete documents from the PIO and this Commission, noticing that the left-out documents were not covered by the exemption provisions of the section 8 or 9 of the RTI Act, directed the PIO, vide order dt. 09.06.2025, to furnish the same within 2(two) weeks from the date of receipt of the order so as not to constrain this Commission to invoke section 20 of the RTI Act.

4. AND WHEREAS the appellant, however, again complained vide his letter dt. 24.06.2025 that despite this Commission's order dt.09.06.2025, the PIO failed to furnish the left out information to him upon which show cause notice dt. 26.06.2025 was issued to him as to why penalty of Rs. 25,000.00 (Rupees twenty five thousand) should not be imposed on him in terms of the provisions of section 19(8)(c) r/w section 20(1) of the RTI Act, 2005 for non-compliance of the Commission's order dt.09.06.2025 and directed him to appear in person on 04.07.2025.

5. AND WHEREAS in the hearing on 04.07.2025, wherein the PIO was again represented by Er. Shri Vikash Bagang, JE, this Commission, upon consideration of the replies to the Show Cause Notice submitted by the PIO and also on perusal of the left out documents brought in by the PIO's representative, had closed the show cause notice dt. 26.06.2025 and disposed of and closed the appeal vide order dt.07.07.2025.

However, the appellant, Shri Tamchi Gungte, vide letter dt. 11th July, 2025, complained that the PIO has furnished incomplete documents and were not as per his application in Form – A.

6. AND WHEREAS in view of complaint of the appellant, the appeal was heard again on 27.08.2025 wherein the PIO was again represented by Shri Vikas Bagang, JE with the left out documents. The appellant, however, complained that the replies to the query at Sl.No.24, namely, the documents furnished by the PIO pertain to the memorandum of payment as against his request for the payment of Bills to the contractor and the mode of payment thereof, whether by cheque or through PFMS portal.

7. AND WHEREAS this Commission, after hearing the parties and perusing the documents brought in by the representative of the PIO, directed the PIO, vide order dt.28.08.2025, to furnish the details of actual payment made to the contractor and the mode of payment thereof within 2(two) weeks from the date of receipt of the order. But the appellant, vide his letter dt.11.09.2025, again complained that the PIO did not comply with this Commission's order 28.08.2025 and therefore, requested for action under section 20 of the RTI Act in terms of the show cause notice dt. 26.06.2025.

8. AND WHEREAS following the appellant's complaint, the PIO was yet again directed to furnish the left out information namely, the details of actual payment made to the contractor and the mode of payment thereof within 2(two) weeks from the date of receipt of the order dt.23.09.2025 making it clear that if he fails to comply with the order the show cause notice dt. 26.06.2025 which was closed vide order dt.07.07.2025 shall be revived and penalty of Rs.25,000.00 prescribed under section 20(1) of the RTI Act 2005 shall be imposed on him.

9. AND WHEREAS this Commission now notices that even after expiry of 23 (twenty-three) days from the date of order dt. 23.09.2025, the PIO failed to comply with the order making himself liable to the penalty of Rs.25,000.00 (Rupees twenty five thousand) as prescribed under section 20(1) of the RTI Act 2005.

10. NOW THEREFORE, Er. Shri Keni Zirido, the PIO, o/o the Executive Engineer (PWD), Roing Division, Lower Dibang Valley District is 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. The PIO shall furnish to this Commission the receipt of the deposit of penalty within 15 (fifteen) days from the receipt of this order. The PIO is also directed that in case his office does not hold the requested information /documents i.e the details of actual payment made to the contractor and the mode of payment he shall furnish an affidavit declaring that he does not hold the said information in terms of section 18(3) (c) and rule 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, failing which he shall be liable to further action under section 20(2) of the RTI Act.

Given under my hand and seal of this Commission on this 16.10. 2025.

Sd/-

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

Memo No. APIC- 89/2025

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Dated Itanagar, the

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Oct., 2025

Copy to:

1. The Chief Engineer (PWD), Govt. of A.P, Eastern Zone Thana Road Namsai, (A.P), the First Appellate Authority (FAA) for information and ensuring compliance by the PIO
2. The PIO, o/o the Executive Engineer (PWD), Roing Division, Lower Dibang Valley District, PIN – 792110 for information and compliance.
3. Shri Tamchi Gungte, Near KV-II School Chimpu, Po/PS Chimpu, Distt. Papum Pare (A.P) PIN: 791113, Mobile No. 9233567279 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

**Registrar/ Deputy Registrar
APIC, Itanagar.**

Registrar
Arunachal Pradesh Information Commission
Itanagar.