



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

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

Case No. APIC- 765/2025.

APPELLANT : Shri Bengia Papo, Chimpu.

RESPONDENT : ThePIO, o/o the DFO, Koloriang, KurugKumey Distt. (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Bengia Papo for non-furnishing of following 15(fifteen) point information regarding CAMPA fund from 2019-25 in Koloriang District by the PIO, o/o the DFO, Koloriang, KurungKumey District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 25.06.202.

A. Particular of information: To furnish all the relevant information against Koloriang under CAMPA fund from 2019-25.

B. Details of information required:

1. Furnish the work order/ technical sanction (TS) order copy with payments details like Xerox copy of Cheque leaf/demand draft/banker cheque/pay in slip for NEFT/RTGS slip against above mentioned work.
2. Furnish the fund under CAMPA fund for the Circle Sarli & Polosang.
3. Furnish the Xerox copy of Enterprise trading license/letter pad of Enterprise/GST payment update copy /pan card/bill challan copy/Bank account number of Enterprise and full name & address and contact number /Aadhar card/PRC/ST of proprietor/Contractor.
4. Furnish the Deed of Agreement with the Department.
5. Furnish the details of the Firm and trading license along with the contact number of the owner.
6. Furnish the MB records/cashbook statement from the year 2019-2025.
7. Furnish the various name of deduction amount from contractor bill payment as percentage as per the Govt guidelines.
8. Furnish the certified coloring photocopy of all the work sites by concern RFO.
9. Furnish the coloring photocopy/video graph of work site which might be before starting of work/ ending of work with the mention exact location of work site.
10. Furnish the name of officers & officials with their signature/seal/stamp who have executed the work.
11. Furnish the full name & address/present address & mobile number and Xerox copy of Aadhar card/Pan card/ST/PRC.
12. Furnish the summary of LOC issued/granted from the office of the DFO.
13. Furnish the cross-section diagram.
14. Furnish the copy of award of work or agreement copy.
15. Furnish the total allocated fund under CAMPA for the Sarli and Polosang Circle.

Brief facts emerging from the appeal:

Records emerging from the appeal disclose that the appellant, Shri Bengia Papo had requested the PIO for the aforementioned information/documents but failed to obtain the same which prompted him to appeal before the Chief Conservator of Forest (CCF) Govt. of A.P, Western Circle, Banderdewa, the First Appellate Authority (FAA) under Section 19 (1) of the RTI Act, 2005 vide his Memo of Appeal dtd. 08.09.2025.

However, the appellant failed yet again to obtain the information and therefore, he preferred 2nd appeal before this Commission under section 19 (3) of the RTI Act, 2005 vide his Memo of appeal dt. 13.10.2025.

This appeal was, accordingly, registered and listed for 3 (three) times on 11.02.2026, 11.03.2026 and 10.04.26 but the PIO did not appear on any of the hearings nor deputed any representative nor did the PIO furnish the requested information and/or the affidavit which amounted to blatant disregard to this Commission's direction contained in orders dt. 11.02.26 & 11.03.26 and the RTI regime constraining this Commission to issue show cause notice dt. 13.04.26 to him to appear in person on **29.04.26 (Wednesday) at 11.30 am** and explain as to why penalty of Rs.25,000.00 (Rupees twenty five thousand) as prescribed under section 20(1) of the RTI Act, 2005 should not be imposed on him.

This Commission, however, considering the PIO's explanation, submitted vide his letter dt. 15.04.26, postponed the hearing fixed on 29.04.2026 to 27th May, 2026.

On 27.05.2026, the PIO deputed Shri Kali Paja, RFO, Sangram while the appellant deputed Shri Bengia Tahar, Advocate.

The representative of the PIO submitted that due to holding of dual charge of DFO, Koloriang and DFO Kra Daadi, the o/o the PIO is not getting sufficient time to collate the requested information and as such the PIO pleaded for some time to furnish the requested information to the appellant.

In view of the request made by the PIO, further 4(four) weeks time was granted to the PIO to collate and furnish the requested information/documents to the appellant and report the compliance thereof to this Commission on 8th July, 2026, the next date of hearing. However, the appellant, vide his letter dt. 03.07.26 addressed to this Commission (as reproduced below), intimated that the PIO did not comply with the order of this Commission and hence demanded for imposing penalty on the PIO and also for payment of adequate compensation to him.

"Sir,

Please refers to your order dated 29th of May 2026, it is to inform you that, I have not received the documents nor any of the PIO has furnished the information been sought, the State information commission has directed the concerned PIO to furnished the information/ documents within 4 (four) weeks time, despite this the PIO with malicious intent in delaying the information, which not only harassing the informant authority but is also causing a grievous physical and mental agony to the appellant, due to this illegal denial/ delay, the appellant is detriment to suffered as a result of misleading, or denied information.

The PIO, Divisional Forest Officer is liable under default of RTI Act, 2005 as such can be liable under Section 20(1) of RTI Act for imposing of penalty against the PIO, and therefore the PIO has committed the following violations :

- a. Failed to furnish information within 30 days without any reasonable cause U/s 7(1).*
- b. No reply at all- complete silence amounts to deemed refusal U/s 7(2).*
- c. Malafide intention to obstruct access to information on Public interest issue of CAMPA funds.*

As per CIC/ APIC precedents and section 20(1), PIO is liable to penalty of Rs. 250/day subject to max Rs.25, 000/- for delay/ denial without reasonable cause.

During the course of hearing the PIO also intimated that the appellant has been provided with the requested information with which he (appellant) is satisfied.

In the premises as above, this appeal does not require any further consideration in this Commission and accordingly, it stands disposed of and closed.

Given under my hand and seal of this Commission on this 8th July, 2026.

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

Memo No. APIC-765/2025/1345 Dated Itanagar, the 14th July, 2026

Copy to:

1. The Chief Conservator of Forest, Western Arunachal Circle Banderdewa, the First Appellate Authority for information.
2. The PIO, o/o the DFO, Koloriang, KurungKumey District: PIN:791118 for information.
3. Shri Bengia Papo, Akum Hapa Birup Colony, Chimpu III- Itanagar PIN: 791113 Contact No. 82588218631/9402798349 for information.
4. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
5. Office Copy.
6. S/Copy.

Pragjyoti
Registrar/ Deputy Registrar
APIC, Itanagar.
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar

Grounds for compensation U/s 19 (8) (b) RTI Act, 2005.

Due to PIO's illegal act, I suffered:

- a. *Monetary loss: expenses on RTI fee Rs. 10, postal Charges Rs.100, and travel to Koloriang / Itanagar for 1st Appeal & Chief conservator of Forest, Banderdewa hearing Rs. 20,000/-(Rupees Twenty Thousand only).*
- b. *Mental agony & harassment: Delay for one year, prevented me from monitoring public funds, causing loss of faith in transparency.*
- c. *Detriment suffered: information was required to file representation to PCCF against CAMPA fund misuse. Due to delay, misuse continued and public money was wasted.*
- d. *Vehicle Mechanical breakdown: cost of Rs. 70,000/-(Rupees Seventy Thousand) was spend in restoring the mechanical breakdown parts, vehicle model number Scorpio Classic S11 BS IV.*

Prayer.

In view of above, I humbly pray that this Hon'ble Commission may be please to:

1. *Impose maximum penalty of Rs. 25,000/- (Rupees Twenty Five Thousand) on the respondent PIO U/s 20(1) RTI Act for willful denial/ delay without reasonable cause, and recover it from his salary.*
2. *Recommend disciplinary action against PIO U/s 20(2) of RTI Act for persistent violation.*
3. *Award compensation of Rs. 500,000/- (Rupees Five Lakhs) to the appellant U/s 19 (8) (b) of RTI Act for detriment suffered, harassment, and financial loss.*
4. *Direct PIO to provide information free of cost U/s 7(6) since it was delayed beyond 30 days.*
5. *Press release against the PIO in print media as well as in digital media for penal imposed, a stringent action for disciplinary action against the PIO should be infringed and published it in News paper (One national & 2 local News Paper).*
6. *Pass any other order deemed fit in interest of Justice.*

Sd/-

Yours faithfully
Mr. Bengia Papo."

Today on 08.07.2026, the PIO, Shri Doge Basar, ADCF (DFO) is present through VC while the appellant, Shri Bengia Papo was absent who, however, vide letter dt.08.07.2026 (reproduced hereunder), intimated that the PIO has since furnished the requested information / documents today and that the appeal may be disposed of closed as such.

"R/Sir,

I have the honour to request you that I am the complainant in the above mentioned case. The 5th hearing of the above mentioned case has been fixed on 08.07.2026 at 10.30 Am, in view of the earlier penal imposed delay, the DFO wrote a letter to the commission for seeking some more days to furnished the documents/ information, and today, the Divisional Forest Officer has furnished the information in complete.

Therefore, I cordially request under your esteemed Office to dispose of the pending Complainant against the Divisional Forest Officer Koloriang Division, District Kurung Kumey (A.P) that I have received the documents in same. For this act of kindness the appellant in duty bound shall ever pray.

Yours Faithfully,

Sd/-

Mr. Bengia Papo."

During the course of hearing the PIO also intimated that the appellant has been provided with the requested information with which he (appellant) is satisfied.

In the premises as above, this appeal does not require any further consideration in this Commission and accordingly, it stands disposed of and closed.

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