



BEFORE THE HON'BLE COURT OF VIJAY TARAM STATE INFORMATION COMMISSIONER

Appeal U/S 19(3) RTI Act, 2005
Vide Case No. APIC-203/2024

Appellant: Shri Bengia Tani G- Sector Ward No.16. House No 1559PO/PS, Naharlagun, Arunachal Pradesh. (M) 8732065069.

-Versus-

Respondent: The PIO-cum- Executive Engineer (PWD) Sangram Division District Kurung Kumey, Arunachal Pradesh. PIN- 791118.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Benagia Tani G- Sector Naharlagun, Arunachal Pradesh, for non-furnishing of information by the PIO-cum-Executive Engineer (PWRD) Sangram Division District Kurung Kumey, Arunachal Pradesh, as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 21/11/2023 regarding **the below listed information(s).**

(i) CTC photo copy of DPR (ii) CTC Photo Copy of T/S (iii) CTC Photo Copy Tender Agreement copy (iv) CTC Photo Copy of justified copy (v) CTXC Photo Copy of Comparative statement Lt 12, 13 A/C (vi) CTC Photo Copy of Tender Approval (vii) CTC photo copy of Tender Acceptance copy (viii) CTC Photo copy of EMO copy (ix) CTC Photo copy of Bank Guarantee copy (x) CTC Photo Copy of details of Bill Payment (xi) CTC Photocopy of Xerox of Cheque (xii) CTC Photocopy of Details of Bill Payment (Counter foil) A/C (xiii) CTC Photocopy of work order copy (xiv) CTC Photocopy of Geo-Tag Report (xv) CTC Photocopy of MIS report (xvi) CTC Photocopy of Details of LOC (xvii) CTC photocopy of Completion Certificate (xviii) CTC Photocopy of NIT (xix) CTC Photocopy of Measurement book status. A/C (xx) CTC Photocopy of Bind copy (xxi) CTC Photocopy of Sanction Order Copy (xxii) CTC Photocopy of UC (Fully signed by PWD Commissioner, CE, SE & EE) (xxiii) CTC Photocopy of Security Deposit of Amount and Account Details. (xxiv) CTC Photocopy of Bill Voucher number of each bill prepared/paid A/C. (xxv) CTC Photocopy of Firm Name/ Agency Name with details A/C. (xxvi) CTC Photocopy of newspapers publications.

1. The 5th and final hearing is held on 5th June 2025 The PIO-cum Executive (PWD) Sangram Division District Kurung Kumey, Arunachal Pradesh, is absent without intimating the reason for his inability to attend the hearing. The Appellant Bengia Tani appeared before the court through Video Conferencing.
2. The Appellant stated before the Commission that he has not received any of the information from the PIO till date.
3. The Commission observed that on the last hearing held on 20th March 2025 The Executive Engineer (PWD) Sangram Division District Kurung Kumey, Arunachal Pradesh was directed to furnish the information(s) sought in the form A' application of the Appellant listed under 1,2,3 and 5 only to which the PIO also agreed..
4. The PIO did not appear before the Court in person in the fifth and final hearing and also the PIO has not provided the complete information to the Appellant. The willful absence is violation of provisions of the RTI Act and non-compliance of directions of the Commission has been viewed as breach of fundamental right of a citizen and contempt of court.

Observation and orders;

Considering the matter judiciously, the Commission hereby impose a **penalty of Rs. 25, 000/- (Rupees twenty five thousand) only against The PIO-cum- Executive Engineer (PWD) Sangarm 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 under the Head of Account "0070- Other Administrative Charges"

The penalty amount be deposited before 30th June 2025 and the proof of depositing the amount through treasury challan along with all the information as sought by the Appellant has to be produced on the next date of hearing, failing which additional action shall be initiated under Section 20(2) of the Act i.e. recommendation for disciplinary action under the provisions of the RTI Act 2005. The Appellant is also directed to be present in the next date of hearing, failing which the case would be decided ex-parte.

The next date of hearing is fixed on 16th Sept 2025 (Tuesday) at 2.30 PM.
Order copies be issued to all the parties.


Sd
Vijay Taram
State Information Commissioner
APIC –Itanagar.

Memo No.APIC-203/2024

Dated, Itanagar the 11 June 2025

Copy to:

1. The Chief Engineer (PWD) Itanagar District Papum-pare Arunachal Pradesh, PIN-791111, to ensure attendance of, the PIO-cum- Executive Engineer (PWD) Sangram Division District Kurung Kumey, Arunachal Pradesh, before the Hon'ble Court of State Information Commissioner, APIC, Itanagar in person.
2. The Deputy Commissioner, Govt. of Arunachal Pradesh, Kurung Kumey District Arunachal Pradesh, to ensure attendance of the PIO-cum- Executive Engineer (PWD) Sangram Division District Kurung Kumey, Arunachal Pradesh, before the Hon'ble Court of State Information Commissioner, APIC, Itanagar in person.
3. PIO-cum- Executive Engineer (PWD) Sangram Division, Arunachal Pradesh. for compliance.
4. Shri Bengia Tani G- sector Naharlagun Ward No 26 P/Pare District A.P for necessary action and information please.
5. Computer Programmer, APIC, Itanagar, to upload in APIC Website & send mail to all the parties.
6. Case file.


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