



ARUNACHAL PRADESH INFORMATION COMMISSION

BEFORE THE COURT OF Ms. SONAM YUDRON, STATE INFORMATION COMMISSIONER

No. APIC-235/2021

Dated, Itanagar theSeptember, 2022

Under Section 20 (1) RTI Act, 2005

Appellant

Shri K.L Nayam & Mr. Libi Marde
OBT, House, Niti Vihar, Itanagar,
Ward No.-08, IMC/D-99
P.O/P.S-Itanagar, District- P/pare,
Arunachal Pradesh,.

-V/S-

Respondent

Shri Nilam Teji,
DPDO, Ziro,
Distt.:- Lower Subansiri,
Arunachal Pradesh.

ORDER

Whereas, the 9th hearing of **APIC-235/2021** was held on 5th September, 2022. The Appellant Shri K.L Nayam and representative of PIO, PTA-cum-DNO, Shri Toko Anu, were present during the hearing.

Whereas, the Commission asked Appellant whether he has received all the informations from the PIO as per the direction given by the Commission in the last hearing dated on **2/05/2022** and **20/06/2022**. The Appellant informed the Commission that the PIO has furnished incomplete informations and he is not satisfied with the informations which were received till 9th hearing.

Whereas, on this the representative of PIO informed that the informations which are sought by the appellant is not under their jurisdiction of the PIO. So the PIO has sent a letter to the following Member secretaries for furnishing the informations which sought by the appellant.

1. The Member Secretary, Zilla Parisad.
2. The Member Secretary, Yazali.
3. The Member Secretary, Yachuli
4. The Member Secretary, Pistana.
5. The Member Secretary, Diibo
6. The Member Secretary, Hija
7. The Member Secretary, Tajang
8. The Member Secretary, Reru Kalung
9. The Member Secretary, Hari
10. The Member Secretary, Niichi
11. The Member Secretary, Niiti

Whereas, above matters has been intimated by the representative of the PIO only during the 9th hearing. The PIO failed to intimate the matter to the Commission he could have intimated the matter in the first hearing but he failed.

So, the Commission viewed seriously on the reluctance shown by the PIO in furnishing the informations to the Appellant inspite of repeated directions given by the Commission to the PIO in every hearing for taking follow up action to furnish the informations to the appellant, but the PIO failed to furnish the complete, correct and authentic informations as sought by the appellant till the 9th hearing which establishes prima-facie evidence of violation of Sub Section-1 of Section 7 of the RTI Act, 2005.

Now, therefore, the Commission invoked **Section 20 (1) of the RTI Act, 2005** and imposed penalty of **Rs. 25,000/- (rupees twenty-five thousand) only** against the PIO for violation of **Sub Section-1 of Section 7 of the RTI Act, 2005** and not complying with the orders of the Commissions /Court against the **Appeal No. 235/2021**. Further the PIO is directed to **compensate Rs 5000/- (rupees five thousand) only** to the Appellant for the monetary losses incurred on to and fro journey expenses due to delay in furnishing of informations and caused harassment to the Appellant

And also the PIO is directed for personal appearance before the Commission on the next date of hearing i.e. **26th September, 2022 at 1000 hrs, failing which Section 20 (2) shall be invoked against the PIO.** Further, the PIO is also directed to furnish copy of the treasury challan deposit of the penalty to the Commission office .

No formal notice be served to both the Parties as the next date of hearing is already intimated to both the parties.

Next date of hearing fixed on 26th September, 2022 at 1000 hrs.

Sd/-
(**SonamYudron**)
State Information Commissioner
APIC, Itanagar

Memo.No.APIC-235/2021/78
Copy to:-

Dated Itanagar, the 8th Sept., 2022.

1. DPDO-Cum-PIO, Mr. Nilam Teji, Ziro, Lower Subansiri District Arunachal Pradesh, for information and necessary action please.
2. FAA-Cum-the Deputy Commissioner, Lower Subansiri District, Ziro, Arunachal Pradesh, for information and necessary action please.
3. Shri K.L Nayam & Mr. Libi Marde, OBT House, Niti Vihar, Itanagar, Ward No-08/IMC/D-99, Itanagar, PapumPare District, for information please.
4. The Computer Programmer, for uploading on the Website of APIC, please.
5. Office Copy.


Registrar/Dy. Registrar
APIC
Arunachal Pradesh Information Commission
Itanagar