



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

BEFORE THE FULL BENCH COURT OF STATE INFORMATION COMMISSIONERS

No.APIC-657/2023

Dated, Itanagar the 26th March, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Tamchi Gungte, Near, KV2 School, Chimpu, Itanagar, Arunachal Pradesh, PIN-791113, (M) 9233567279/8257994249.

Vs

Respondent: Shri Nangram Pingkap, the SPIO-cum-Project Director, Govt. of A.P. o/o Project Director, DRDA, Khonsa, Tirap District, Arunachal Pradesh, PIN-792130.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Tamchi Gungte, Near, KV2 School, Chimpu, Itanagar, Arunachal Pradesh for non-furnishing of information by the SPIO-cum-Project Director, Govt. of A.P. o/o Project Director, DRDA, Khonsa, Tirap District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 02/05/2023 regarding total list of Project sanctioned under Pradhan Mantri Jan Vikas Karyakaram (PMJVK), erstwhile-MSDP Scheme.

The 3rd hearing is held today on 26th March, 2024 as scheduled. Shri Nangram Pingkap, the SPIO-cum-Project Director, Govt. of A.P. o/o Project Director, DRDA, Khonsa, Tirap District, Arunachal Pradesh and the Appellant Shri Tamchi Gungte are absent. The PIO has submitted a letter No. TRDA/MSDP/BLDG/2014-15/238-40 Dated 29th Feb, 2024 addressed to the appellant with a copy to the Information Commission stating that he has already furnished all the available information to the Appellant on 11th July, 2023. He has further submitted that there is nothing left in the office to be furnished and some information is not traceable.

The Commission is not satisfied with the reasons for non availability of the information given by the PIO. He should appear before the Commission's court and make his submission with all the relevant correspondence documents with the appellant. The PIO is required to furnish justifiable reasons for non availability of the information in his office. The PIO should have appeared before the Commission but he chose to remain absent from the court hearing. The act of non performing statutory duties by a public authority is uncalled for and disrespect to the law made by the parliament.

The Commission viewed seriously the absence of the PIO without any prior intimation to the Commission and willful absence from performing the statutory duty. In view of the facts and circumstances, the PIO is hereby given last and final reasonable opportunity to furnish all the available correct and authenticated information to the Appellant and also **directs** Shri Nangram Pingkap, the SPIO-cum-Project Director, Govt. of A.P. o/o Project Director, DRDA, Khonsa, Tirap District, Arunachal Pradesh to **SHOW CASUE as to why maximum penalty should not be imposed on him.** The respondent is also directed to send his written submission along with all the supporting document upon which he chooses to reply during the hearing at least seven days prior to the actual date of hearing.

Both the parties are directed to appear before the Commission's court in persons on the next date of hearing. In case the SPIO fails to appear the Commission shall impose penal provision under section 20(1) of the RTI Act and if Appellant remains absent the Commission shall dispose of the case without any further notice, presuming that the Appellant has received the information and satisfied with the same.

The next date of hearing is fixed on 21st May, 2024 (Tuesday) at 1030 hrs.

Therefore, Shri Nangram Pingkap, the SPIO-cum-Project Director, Govt. of A.P. o/o Project Director, DRDA, Khonsa, Tirap District, Arunachal Pradesh is hereby summoned to appear before this Court in person on the scheduled date and time without fail.

Order copies be issued to all the parties.

Sd/-

(Rinchen Dorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission

Itanagar

Dated, Itanagar the 28th March, 2024

Memo No.APIC-657/2023/947
Copy to:

1. The Director-cum-FAA, Govt. of A.P. o/o Directorate of Rural Development, Itanagar, PIN-791111, to ensure attendance of Shri Nangram Pingkap, the SPIO-cum-Project Director, Govt. of A.P. o/o Project Director, DRDA, Khonsa, Tirap District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Govt. of A.P. Khonsa, Tirap District, Arunachal Pradesh, PIN-792130, to ensure attendance of Shri Nangram Pingkap, the SPIO-cum-Project Director, Govt. of A.P. o/o Project Director, DRDA, Khonsa, Tirap District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
3. Computer Programmer, APIC, Itanagar, to upload in APIC Website & send mail to all the parties.
4. Case file.

Registrar /Dy. Registrar

Arunachal Pradesh Information Commission

Itanagar

Arunachal Pradesh Information Commission
Itanagar