



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**BEFORE THE HON'BLE COURT OF SHRI RINCHEN DORJEE, STATE CHIEF INFORMATION
COMMISSIONER**

No.APIC-362/2023

Dated, Itanagar the 30th January, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Tabit Nyigang, Village Jomlo bari, PO/PS Pessing, Rumgong, Siang District, Arunachal Pradesh, PIN-791102,(M) 9402250555

Vs

Respondent: The SPIO-cum-EE(PHED & WS), Govt. of A.P. Panging Division, Siang District, Arunachal Pradesh, PIN-791102

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tabit Nyigang, Village Jomlo bari, PO/PS Pessing, Rumgong, Siang District, Arunachal Pradesh for non-furnishing of information by the SPIO-cum-EE(PHED & WS), Govt. of A.P. Panging Division, Siang District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 21/02/2023 regarding detail Project report (DPR) of JJM Scheme of Jomlo bari and Jomlo Mobuk, Siang District (A.P.).

The 4th hearing was held on 30th January, 2024 as scheduled. The SPIO-cum-EE(PHED & WS), Govt. of A.P. Panging Division, Siang District, Arunachal Pradesh the Appellant shri Tabit Nyigang are absent. During the last hearing the PIO had submitted that all the information sought for are kept ready and the same has been intimated to the appellant. Also a copy of letter was handed over to the appellant and appellant had agreed to pay the requisite fee and collect information from the office of the PIO. The Appellant is directed to collect the information from the office of the PIO within ten days from the issue of this order failing which the case shall be disposed of.

Though, both the parties has failed to comply with direction of the commission, the commission gives a final opportunity to present their cases in the next date of hearing. The absence of the PIO is viewed as violation and disrespect to the provision of the RTI Act. Having observed the gross violation of the RTI Act in the matter and failure to comply with the directions of the Commission, the respondent the PIO-cum-EE(PHED & WS), Govt. of A.P. Panging Division, Siang District, Arunachal Pradesh, to appear before the Commission on the next date of hearing to **Show cause** as to why penalty should not be imposed on him under section 20(1) RTI Act 2005 and respondent is also directed to send his written submission along with the supporting documents upon which he chooses to reply during the hearing to the Commission at least seven days prior to the actual date of hearing.

Both the parties are directed to appear before the commission's court on the next date of hearing. In case the SPIO remains absent the penal provision under section 20(1) of the RTI Act 2005 shall be imposed on him and in case the Appellant remains absent the case shall be disposed of without any further notice presuming that the Appellant has received information and is satisfied with the information furnished by the SPIO. The court is adjourned for the next date of hearing.

The next date of hearing is fixed on 16th April, 2024 (Tuesday) at 1030 hrs.

Therefore, the SPIO-cum-EE(PHED & WS), Govt. of A.P. Panging Division, Siang 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 2 ^{Feb} ~~January~~, 2024

Memo No.APIC-362/2023 /600

Copy to:

1. The Chief Engineer-cum-FAA, Govt. of A.P., Department of PHE & WS, Western Zone, Itanagar, PIN- 791111, to ensure attendance of the SPIO-cum-EE(PHED & WS), Govt. of A.P. Panging Division, Siang District, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Govt. of A.P. Siang District, Arunachal Pradesh to ensure attendance of the SPIO-cum-EE(PHED & WS), Govt. of A.P. Panging Division, Siang District, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
3. Computer Programmer, APIC, Itanagar, to upload in APIC Website.
4. Case file.

Registrar /Dy. Registrar

Arunachal Pradesh Information Commission

Itanagar

Deputy Registrar

Arunachal Pradesh Information Commission