



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**BEFORE THE FULL BENCH COURT OF STATE INFORMATION
COMMISSIONERS**

No.APIC-710/2023

Dated, Itanagar the 27th February, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Sri Riya Taram & Sri Lokam Tadam, C/o Hotel River view, Naharlagun, Papum Pare District, Arunachal Pradesh, PIN-791110, (M) 9383103387 / 9402443699.

Vs

Respondent: The SPIO-cum-EE(RWD), Govt. of A.P., Rural Works Department, Roing Division, Lower Dibang Valley District, Arunachal Pradesh, PIN- 792110.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Riya Taram & Sri Lokam Tadam, C/o Hotel River view, Naharlagun, Papum Pare District, Arunachal Pradesh, for non-furnishing of information by the SPIO-cum-EE(RWD), Govt. of A.P., Rural Works Department, Roing Division, Lower Dibang Valley District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 17/05/2023 regarding Fund under State infrastructure Development Fund (SIDF)/MLA LAD / UNTIED FUND Phase-1 during 2019-2020 / 2020-21/2022-2023.

The 2nd hearing is held on 27th February, 2024 as scheduled. Shri Mukling Tayeng, the SPIO-cum-EE(RWD), Govt. of A.P., Rural Works Department, Roing Division, Lower Dibang Valley District, Arunachal Pradesh and the appellant Shri Riya Taram are absent. During the first hearing the appellant was absent, the PIO was present and had submitted that all the relevant information are kept ready to be furnished to the appellant and further submitted that he has informed over telephone and also intimated in writing to the appellant to collect information from the office. The commission had directed the appellant to collect the information after depositing the requisite fee for the information within fifteen days, but the same was not complied by the appellant. As per the last direction, the case should have been disposed of today as the appellant is absent, but on the other hand the same mistake has been committed by the PIO. On the part of the PIO being responsible public authority should have appeared before the court and performed his statutory duty. This is not been done by the PIO. So one more opportunity is given to both the parties.

Having being observed the gross violation of the act in the matter the PIO is directed to be present on the next date of hearing and explain as to why section 20(1) should not be imposed on him.

Both the parties are directed to appear before the Commission's court on the next date of hearing without fail. If the SPIO is found absent the Commission may initiate penal provision under section 20(1) of the RTI Act 2005 and in case Appellant is found absent the case shall be disposed of without any further notice, presuming that the Appellant no more interested in the information.

The next date of hearing is fixed on 9th April, 2023 (Tuesday) at 1030 hrs.

Therefore, the SPIO-cum-EE(RWD), Govt. of A.P., Rural Works Department, Roing Division, Lower Dibang Valley 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

Memo No. APIC-710/2023/747
Copy to:

Dated, Itanagar the 28 February, 2024

1. The FAA-cum-Chief Engineer (RWD-Eastern Zone), Govt. of A.P. O/o the Chief Engineer(WRD-Eastern Zone), Itanagar, PIN-791111, to ensure attendance of the SPIO-cum-EE(RWD), Govt. of A.P., Rural Works Department, Roing Division, Lower Dibang Valley District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Govt. of A.P. Lower Dibang Valley District, Arunachal Pradesh, PIN-792110, to ensure attendance of the SPIO-cum-EE(RWD), Govt. of A.P., Rural Works Department, Roing Division, Lower Dibang Valley 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

Deputy Registrar

Arunachal Pradesh Information Commission
Itanagar