



सत्यमेव जयते



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR

BEFORE THE FULL BENCH COURT OF STATE INFORMATION
COMMISSIONERS

No.APIC-712/2023

Dated, Itanagar the 27th February, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Sri TakamSakap, C/o Hotel 3D Chandranagar, ItanagarPapum Pare District, Arunachal Pradesh, PIN-791113, (M) 9366385390 / 9436841361.

Vs

Respondent: Shri Tage Nipa, the SPIO-cum-EE(PHE & WS), Govt. of A.P., PHE & WS Longding Division, Longding District, Arunachal Pradesh, PIN- 792131.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri TakamSakap, C/o Hotel 3D Chandranagar, ItanagarPapum Pare District, Arunachal Pradesh, for non-furnishing of information by the SPIO-cum-EE(PHE & WS), Govt. of A.P., PHE & WS Longding Division, Longding District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 24/05/2023 regarding relevant document of entire PHE & WS Longding Division against allocation of fund under Jal Jeevan Mission (JJM) for support activity from Mission Director, Govt. of (AP).

The 2nd hearing is held on 27th February, 2024 as scheduled. Shri Tage Nipa, the PIO-cum-EE (PHE & WS), Govt. of A.P., PHE & WS Longding Division, Longding District, Arunachal Pradesh is absent. The Appellant Shri Takam Sakap is present. During the last hearing the commission had directed the PIO to furnish the information related to JJM for the financial year 2022-23, which is not complied by the PIO. It is observed that the PIO is willfully evading the hearing and trying to escape from providing information as sought for by the appellant. Such activity of responsible public authority is unbecoming and disrespect towards the law made by the Parliament. Though the PIO has written a letter for extension of hearing with the reasons that he has to attend an important meeting, yet the commission observed that if he had any respect towards the law, he could have deputed an officer considering the importance of the statutory duty, but the officer has failed to do so.

Having observed the gross violation of the RTI Act in the matter and failure to comply with the directions of the Commission, it decides to initiate actions under section 20(1) of the RTI Act 2005 and directs the respondent the PIO-cum-EE (PHE & WS), Govt. of A.P., PHE & WS Longding Division, Longding District, Arunachal Pradesh, to appear before the Commission on the next date of hearing to **Show cause** as to why maximum 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. 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's. The court is adjourned for the next date of hearing.

The next date of hearing is fixed on 9th April, 2024 (Tuesday) at 1030 hrs.

Therefore, Shri Tage Nipa, the SPIO-cum-EE(PHE & WS), Govt. of A.P., PHE & WS Longding Division, Longding 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/-

(RinchenDorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission

Itanagar

Memo No.APIC-712/2023/743
Copy to:

Dated, Itanagar the 28 February'2024

1. The FAA-cum-Chief Engineer (PHE & WS Eastern Zone), Govt. of A.P. O/o the Chief Engineer(PHE & WS Eastern Zone), Itanagar, PIN- 791111, to ensure attendance of Shri Tage Nipa, the PIO-cum-EE(PHE & WS), Govt. of A.P., PHE & WS Longding Division, Longding District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Govt. of A.P. Longding District, Arunachal Pradesh, PIN- 792131, to ensure attendance of Shri Tage Nipa, the SPIO-cum-EE(PHE & WS), Govt. of A.P., PHE & WS Longding Division, Longding 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