



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

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

No.APIC-822/2023

Dated, Itanagar the 6th February, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant:

Shri Palen Laa & Smti Yukar Yaga, c/o Jullang near Sonam Nursery, Po/Ps-Itanagar, Papum Pare District, Arunachal Pradesh, PIN- 791111, (M) 7085354892.

Vs

Respondent:

Shri Ruchu Niji, the SPIO-cum-EE(Power), Govt. of A.P., Raga Division, Kamle District, Arunachal Pradesh, PIN- 791120,

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Palen Laa & Smti Yukar Yaga, c/o Jullang near Sonam Nursery, Po/Ps-Itanagar, Papum Pare District, Arunachal Pradesh, for non-furnishing of information by the SPIO-cum-EE(Power), Govt. of A.P., Raga Division, Kamle District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 20/06/2023 regarding Expenditure and implementation of SADA/SID/RE/ADA/RIDF of entire Kamle District.

The 2nd hearing is held today on 6th February, 2024 as scheduled. Shri Ruchu Niji, the SPIO-cum-EE(Power), Govt. of A.P., Raga Division, Kamle District, Arunachal Pradesh is absent. The Appellant Shri Palen Laa is present. During the last hearing, the PIO assured to furnish remaining information which are not destroyed during the incident i.e. from the 7th March, 2022 to 20th June, 2023 but the PIO has failed to keep his assurance and also to submit intimation to the Commission. The absence of the PIO without any prior intimation and non-compliance of the Commission's directions is viewed seriously.

Having observed the gross violation of provisions 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 Shri Ruchu Niji, the SPIO-cum-EE(Power), Govt. of A.P., Raga Division, Kamle 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 without fail. If the SPIO is found absent the Commission may initiate penal action as per 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 is satisfied with the information so furnished.

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

Therefore, Shri Ruchu Niji, the SPIO-cum-EE(Power), Govt. of A.P., Raga Division, Kamle 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-822/2023/725
Copy to:

Dated, Itanagar the 07 February'2024

1. The FAA-cum-Chief Engineer (Power Central Zone), Govt. of A.P. O/o Chief Engineer (Power), Central Zone, Itanagar, PIN- 791111, to ensure attendance of Shri Ruchu Niji, the SPIO-cum-EE(Power), Govt. of A.P., Raga Division, Kamle District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Govt. of A.P., Raga, Kamle District, Arunachal Pradesh, PIN- 791120, to ensure attendance of Shri Ruchu Niji, the SPIO-cum-EE(Power), Govt. of A.P., Raga Division, Kamle 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