



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

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

No.APIC-803/2023

Dated, Itanagar the 14th March, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Buli Bhai, G-Sector, Po/Ps-Naharlagun, District Papum Pare, Arunachal Pradesh, PIN-791110, (M) 7085775809.

Vs

Respondent: Dr. Ade Haji (APCS), the SPIO-cum-BDO, Govt. of A.P., CD Block Puchi-Geko, Kamle District, Arunachal Pradesh, PIN-791122,

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Buli Bhai, G-Sector, Po/Ps-Naharlagun, District Papum Pare, Arunachal Pradesh, for non-furnishing of information by the SPIO-cum-BDO, Govt. of A.P., CD Block Puchi-Geko, Kamle District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 03/02/2022 regarding Expenditure and implementation under MGNREGA / supply work / pending work / new work/ sanction order / complete work.

The 3rd hearing is held today on 14th March, 2024 as scheduled. Dr. Ade Haji (APCS), the SPIO-cum-BDO, Govt. of A.P., CD Block Puchi-Geko, Kamle District, Arunachal Pradesh is absent. The Appellant Shri Buli Bhai is present. The Appellant has submitted that he has not been provided with any information till date. The PIO was absent in the 2nd hearing without any prior intimation to the commission, so the commission giving reasonable opportunity had issued Show Cause notice. Today again the PIO is absent without any prior information to the commission. Repeated absence shows that the PIO is willfully neglecting the direction of the commission and also shows disrespect to the law made by the Parliament of India. The PIO has not furnished reply to the Show Cause and also has not provided any information to the appellant nor is present in the hearing as directed in the last hearing. Having observe the gross violation of the Act and repeated negligence in performing the statutory duties knowingly and willfully, **the Commission impose penalty of Rs. 25,000.00 (Rupees twenty five thousand) only on Dr. Ade Haji (APCS), the SPIO-cum-BDO, Govt. of A.P., CD Block Puchi-Geko, Kamle District, Arunachal Pradesh. The SPIO is directed to deposit the said penalty amount in favour of the Registrar, Arunachal Pradesh Information Commission, Itanagar through Treasury Challan in the Head of Account "0070-Other Administrative Charge". The penalty amount has to be deposited before 30th March, 2024 and is required to produce the proof of depositing the amount through treasury challan along with all the information as sought for by the Appellant on the next date of hearing failing which additional action shall be initiated under Section 20(2) of the Act i.e. recommendation for disciplinary action and arrest warrant under 18(3)(a) of the RTI Act to compel the attendance in the court 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 be compelled to invoke recommendation of disciplinary action against the PIO under section 20(2) of the RTI Act, 2005 and *arrest warrant under 18(3)(a) of the RTI Act to compel the attendance in the court hearing*. In case appellant remains absent the Commission shall dispose of the case without any further notice, presuming that the Appellant is no more interested in the information.

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

Therefore, Dr. Ade Haji (APCS), the SPIO-cum-BDO, Govt. of A.P., CD Block Puchi-Geko, 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-803/2023/853 Dated, Itanagar the 14 March,2024

Copy to:

1. The FAA-cum-Director (RD), Govt. of A.P. Directorate of Rural Development, Itanagar, PIN-791111, to ensure attendance of Dr. Ade Haji (APCS), the SPIO-cum-BDO, Govt. of A.P., CD Block Puchi-Geko, Kamle District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Govt. of A.P., Kamle District, Arunachal Pradesh, PIN-791122, to ensure attendance of Dr. Ade Haji (APCS), the SPIO-cum-BDO, Govt. of A.P., CD Block Puchi-Geko, 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