



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

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

No.APIC-564/2023

Dated, Itanagar the 19th March, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Riya Taram, C/o Hotel River View, Naharlagun, Arunachal Pradesh, PIN-791110, (M) 9383103387 / 940244369.

Vs

Respondent: Shri S.S. Singh, the PIO-cum-EE(PWD), Govt. of A.P. Department of Public Works, Namsai Division, Namsai District, Arunachal Pradesh. PIN-792103.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Riya Taram, C/o Hotel River View, Naharlagun, Arunachal Pradesh for non-furnishing of information by the SPIO-cum-EE(PWD), Govt. of A.P. Department of Public Works, Namsai Division, Namsai District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 17/04/2023 regarding SIDF / SPA / SJETA/CCI/CMCSR (Chief Minister comprehensive state Road Plan) with guidelines / BADP/Maintenance / Supply works.

The 3rd hearing is held on 19th March, 2024 as scheduled. Shri S.S. Singh, the PIO-cum-EE(PWD), Govt. of A.P. Department of Public Works, Namsai Division, Namsai District, Arunachal Pradesh is absent. The Appellant Shri Riya Taram alone is present. The appellant informed that he has not been provided with information as sought by him. The appellant appealed the commission for the compensation for the loss caused to him by the PIO due to delay in furnishing information.

The Commission directed the appellant to submit the valid bills and cash memos with an application for the compensation under section 19(8)(b) of the RTI Act, 2005.

Despite warning order passed during the 2nd hearing held on 5th December, 2023 and to SHOW CAUSE on his willful absence and non-compliance of the directions of Commission, the SPIO remained absent during the 3rd hearing. Continuous willful absence, and, negligence of the public authority in performing statutory duty is unbecoming and gross violation of the provisions of the RTI Act 2005, it is viewed very seriously.

The Commission hereby impose penalty of Rs. 25, 000/- (Rupees twenty five thousand) only against Shri S.S. Singh, the PIO-cum-EE(PWD), Govt. of A.P. Department of Public Works, Namsai Division, Namsai District, Arunachal Pradesh for the gross violation of the provisions of the RTI Act 2005. The PIO 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 10th April, 2024 and has 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.

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In case the 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 18th April, 2024 (Tuesday) at 1030 hrs.

Therefore, the SPIO-cum-EE(PWD), Govt. of A.P. Department of Public Works, Namsai Division, Namsai 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-564/2023/ 891
Copy to:

Dated, Itanagar the 20 March, 2024

1. The Chief Engineer-cum-FAA, Govt. of A.P., Department of Public Works, Eastern Zone, Arunachal Pradesh to ensure attendance of *Shri S.S. Singh, the* PIO-cum-EE(PWD), Govt. of A.P. Department of Public Works, Namsai Division, Namsai District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar
2. The Deputy Commissioner, Govt. of A.P. O/o the Deputy Commissioner, Namsai District, Arunachal Pradesh, PIN-791103, to ensure attendance of *Shri S.S. Singh, the* PIO-cum-EE(PWD), Govt. of A.P. Department of Public Works, Namsai Division, Namsai 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.
4. Case file.

Registrar /Dy. Registrar
Arunachal Pradesh Information Commission
Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar