



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

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

No.APIC-341/2023/592

Dated, Itanagar the 30th January, 2024

Appeal Under Section 19(3) RTI Act, 2005

Appellant: Shri Miram Doso & 20 others, Damre Village, PO/PS Mariyang, Upper Siang District, A.P. (M) 9362786571

Vs

Respondent: The SPIO-cum-EE (PHE & WS) Govt. of A.P., Yingkiong Division, Upper Siang District, Arunachal Pradesh, PIN-791002

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Miram Doso & 20 others, Damre Village, PO/PS Mariyang, Upper Siang District for non-furnishing of information by the SPIO-cum-EE (PHE & WS) Govt. of A.P., Yingkiong Division, Upper Siang District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 13/01/2023 regarding all the documents of scheme / project names under PHE & WS Division Yingkiong in 40th Mariyang-Geku-Assembly constituency.

The 4th hearing is held on 30th January, 2024 as scheduled. Shri Rajen Tayeng, the SPIO-cum-EE (PHE & WS) Govt. of A.P., Yingkiong Division, Upper Siang District, Arunachal Pradesh is absent. The Appellant is represented by Shri Tokdo Pertin. The representative of the appellant has submitted that he made a visit to the office of the PIO, but no proper response was received from the PIO. On going through the application in Form-A, it is observed that the information sought for is very voluminous and vague which is not specific. The appellant is directed to submit specific list of the information to the PIO of one work / one project, one financial year so that the PIO can furnish the specific information to the Appellant at earliest within ten days from the issue of this order. The PIO is directed to furnish the information as per the list within twenty days from the date of issue of this order with intimation to the commission.

The absence of the PIO without prior intimation to the commission is disrespect to the RTI Act and unbecoming on the part of the public authority in performing the statutory duties which must be taken up on priority. 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 Shri Rajen Tayeng, the SPIO-cum-EE (PHE & WS) Govt. of A.P., Yingkiong Division, Upper Siang 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 her under section 20(1) RTI Act 2005 and respondent is also directed to send her written submission along with the supporting documents upon which she 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. 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 16th April, 2024 (Tuesday) at 1030 hrs.

Therefore, Shri Rajen Tayeng, the SPIO-cum-EE (PHE & WS) Govt. of A.P., Yingkiong Division, Upper Siang 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 *Feb*
January, 2024

Memo No.APIC-340/2023 Dated, Itanagar the

Copy to:

1. The Chief Engineer-cum-FAA, Govt. of A.P., Department of PHE & WS, Western Zone, Itanagar, PIN-791111, to ensure attendance of Shri Rajen Tayeng, the SPIO-cum-EE (PHE & WS) Govt. of A.P., Yingkiong Division, Upper Siang District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Govt. of A.P., Yingkiong, Upper Siang District, Arunachal Pradesh, PIN- 791002, to ensure attendance of Shri Rajen Tayeng, the SPIO-cum-EE (PHE & WS) Govt. of A.P., Yingkiong Division, Upper Siang 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