



**ARUNACHAL PRADESH INFORMATION COMMISSION  
ITANAGAR**

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

No.APIC-559/2023

Dated, Itanagar the 19<sup>th</sup> March, 2024

**Appeal Under Section 19(3) RTI Act, 2005**

**Appellant:** Shri Ratan Chetia, Sitpani Moran Village, PO/PS-Mahadevpur, Namsai, Arunachal Pradesh, PIN-792103, (M) 7063965456 / 6909427925.

Vs

**Respondent:** Shri C.J. Manmaw, EE(WRD), the PIO-cum-EE(WRD), Govt. of A.P. Department of WRD, Namsai Division, Namsai District, Arunachal Pradesh. PIN-792103.

**ORDER**

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ratan Chetia, Sitpani Moran Village, PO/PS-Mahadevpur, Namsai, Arunachal Pradesh for non-furnishing of information by the SPIO-cum-EE(WRD), Govt. of A.P. Department of WRD, Namsai Division, Namsai District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 14/02/2023 regarding Work executed under Water Resource Department in 48-Lekang (ST) Assembly constituency for the year 2019-2022.

**The 3<sup>rd</sup> hearing is held on 19<sup>th</sup> March, 2024 as scheduled.** Shri C.J. Manmaw, EE(WRD), the PIO-cum-EE(WRD), Govt. of A.P. Department of WRD, Namsai Division, Namsai District, Arunachal Pradesh is absent. The Appellant Shri Ratan Chetia alone is present and submitted that he has not been provided with the information as sought for. He further submitted a letter received from the SPIO-cum-EE(WRD), Govt. of A.P. Department of WRD, Namsai Division, Namsai District, Arunachal Pradesh dated 10<sup>th</sup> August, 2023 addressed to the State Information Commission stating that the PIO has furnished all the information as sought for.

During the last hearing held on 5<sup>th</sup> December, 2023 the PIO was SHOW CAUSED for not appearing before the court and not complying with the directions of the commission. But it is seen that neither the PIO has appeared before the court to make his submission, nor taken responsibility to reply to the SHOW CASUE NOTICE. It shows that the PIO does not respect the law of the land.

Now, having observed the gross violation of the provisions of the RTI Act, 2005, the Commission hereby impose penalty of **Rs. 25, 000/- (Rupees twenty five thousand) only against Shri C.J. Manmaw, EE(WRD), the PIO-cum-EE(WRD), Govt. of A.P. Department of WRD, Namsai Division, Namsai District, Arunachal Pradesh.** 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 10<sup>th</sup> April, 2024 and has to produce the proof of depositing the amount through treasury challan along with all the information of the financial year 2021-22 related to Sl.no. 3-a, b, and c as sought by the appellant in the Form-A dated 14/02/2023 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.

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. The appellant is also directed to visit the office of the PIO and collect information as sought for free of cost.

Both the parties are directed to appear before the Commission's court in person on the next date of hearing. In case the PIO 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 7<sup>th</sup> May, 2024 (Tuesday) at 1030hrs.**

**Therefore, Shri C.J. Manmaw, EE(WRD), the PIO-cum-EE(WRD), Govt. of A.P. Department of WRD, 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-559/2023/ 892**  
Copy to:

**Dated, Itanagar the 20 March, 2024**

1. The Chief Engineer-cum-FAA, Govt. of A.P., Department of Water Resources, Eastern Zone, Head Quarter-Miao, Changlang District, Arunachal Pradesh to ensure attendance of Shri C.J. Manmaw, EE(WRD), the PIO-cum-EE(WRD), Govt. of A.P. Department of WRD, 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 C.J. Manmaw, EE(WRD), the PIO-cum-EE(WRD), Govt. of A.P. Department of WRD, 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

Arunachal Pradesh Information Commission  
Itanagar