



**ARUNACHAL PRADESH INFORMATION COMMISSION  
ITANAGAR**

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

No.APIC-726/2023

Dated, Itanagar the 27<sup>th</sup> February, 2024

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

**Appellant:** Shri Tamchi Gungte, Near KV-II School Chimpu, PO/PS Chimpu, Itanagar, Papum Pare District, Arunachal Pradesh, PIN-791113, (M) 8257994249 / 9233567279.

Vs

**Respondent:** Shri M.Mize, the SPIO-cum-EE(PWD), Govt. of A.P., Public Works Department, Jairampur Division, Changlang District, Arunachal Pradesh, PIN- 792121.

**ORDER**

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Tamchi Gungte, Near KV-II School Chimpu, PO/PS Chimpu, Itanagar, Papum Pare District, Arunachal Pradesh, for non-furnishing of information by the SPIO-cum-EE(PWD), Govt. of A.P., Public Works Department, Jairampur Division, Changlang District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 10/05/2023 regarding "Construction of Science Lab building for Hr. Sec. School, Miao in Khagam block (MCA) of Changlang Dist. A.P."

**The 2<sup>nd</sup> hearing is held today on 27<sup>th</sup> February, 2024 as scheduled.** Shri M.Mize, the SPIO-cum-EE(PWD), Govt. of A.P., Public Works Department, Jairampur Division, Changlang District, Arunachal Pradesh and the Appellant Shri Tamchi Gungte are absent. During the last hearing the appellant had submitted that he was not provided with information under SL.No. 14, 15, and 16. The PIO had submitted that it falls under third party and falls under section 8(1)(j) of the RTI Act. Further, the appellant claimed that information so furnished are not authenticated. The commission had directed the PIO to authenticate information so furnish and follow the procedure under section 11 of the RTI Act in case of third party information. The PIO had agreed to do so, but today he is absent. As both the parties are absent the commission could not ascertain whether all the action has been taken by the PIO or not.

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 M.Mize, the SPIO-cum-EE(PWD), Govt. of A.P., Public Works Department, Jairampur Division, Changlang District, Arunachal Pradesh, to appear before the Commission on the next date of hearing to **Show cause** as to why 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 under section 20(1) as per the provision of the RTI Act-2205 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 28<sup>th</sup> April, 2024 (Tuesday) at 1030 hrs.**

**Therefore, Shri M.Mize, the PIO-cum-EE(PWD), Govt. of A.P., Public Works Department, Jairampur Division, Changlang 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-726/2023/749**  
Copy to:

**Dated, Itanagar the 28 February 2024**

1. The FAA-cum-Chief Engineer (PWD-Eastern Zone), Govt. of A.P. O/o the Chief Engineer(PWD-Eastern Zone), Itanagar, PIN-791111, to ensure attendance of Shri M.Mize, the PIO-cum-EE(PWD), Govt. of A.P., Public Works Department, Jairampur Division, Changlang District, Arunachal Pradesh, before the Hon'ble Court of State Chief Information Commissioner, APIC, Itanagar.
2. The Deputy Commissioner, Govt. of A.P. Changlang District, Arunachal Pradesh, PIN-792121, to ensure attendance of Shri M.Mize, the PIO-cum-EE(PWD), Govt. of A.P., Public Works Department, Jairampur Division, Changlang 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  
Registrar  
Arunachal Pradesh Information Commission