



ARUNACHAL PRADESH INFORMATION COMMISSION, APIC

ITANAGAR

An Appeal Case U/S 19(3) of RTI Act, 2005.

Vide Case No. APIC-209/2024

(Summon to appear in person)

(Or. 5, R.3 of CPC)

Shri Yomjum Nguba -V/S- PIO-Cum-Project Director, DRDA, Likabali, Lower Siang District
.....

To,

The Secretary, Department of Rural Development,
Itanagar, Papum Pare District,
Govt. of Arunachal Praesh.

NOTICE

The 5th hearing held on 30th January' 2025 related to the APIC No-209/2024. The Appellant and the PIO both are absent during the hearing before the Commission. The PIO is absent consecutively for 04(four) times without intimating to the Commission the reason for his inability to attend the hearing, which is unbecoming on the part of the PIO, who has to be reminded that, the PIO besides public duties, also has to attend Court hearings when an appeal is preferred against him as per the provisions of the **RTI, Act, 2005**, which is a statutory duty binding upon the PIO.

During the last hearing, on 27.08.2024, the Appellant stated before the Commission that the PIO has not furnished any of the information(s) as sought by him in his Form-A application till date.

After hearing the Appellant and going through the Form-A application of the Appellant, the Commission viewed seriously on the absence of the PIO.

Commission observed:

Despite orders from the Commission to attend the hearing of this Appeal, on 25.07.2024, 27.08.2024, 21.11.2024 & 30.01.2025, the PIO is absent for four consecutive times which is contempt of the order of this Court.

- (i) That during last hearing the Commission **issued warning summon** to the PIO to appear in person or through online mode before the Commission in the next date of hearing, which is today, the **30th January 2025**.
- (ii) That PIO was ordered to furnish all the information(s) to the Appellant as applied in his form 'A' application on or before next date of hearing. ***Failing which necessary action shall be initiated against the PIO as per the provisions of the RTI Act, 2005. But, it is presumed that the PIO has not complied with the order.***

And therefore, the Commission ordered;

The Secretary, Department of Rural Development (RD, Govt. of Arunachal Pradesh to initiate disciplinary action against the PIO-cum-Project Director (PD), Likabal, Lower Siang District, Govt. of Arunachal Pradesh, as per the Service Rules applicable to the PIO. The copy/report of the disciplinary action initiated against the PIO-cum-PD, Likabali, Lower Siang District, Govt. of A.P, be intimated/sent a copy to this Commission, failing which necessary action shall be initiated against the Secretary, Department of Rural Development (RD), Govt. of Arunachal Pradesh, as per the provision of Section 25 (5) of RTI, Act, 2005.

- (i) To issue bailable arrest warrant to the PIO directing the officer in-charge of Likabali Police Station, Lower Siang District, to arrest and produce the PIO at the Court of the State Information Commission on the next date of hearing i.e on **3rd day of April, 2025' at 10:30 AM, without fail.**
- (ii) To issue notice to the Secretary, Department of Rural Development (RD), Govt. of Arunachal Pradesh, to be present in person or through a representative capable of answering on this issue in the court of this Commission, along with the copy of the action taken for the order dated 30th January' 2025, on the next of date of **hearing i.e 3rd day of April' 2025 at 10:30 AM, without fail.**
- (iii) Send notice to Appellant to attend the hearing on next date fixed for hearing, failing **which this instant appeal shall be decided ex-parte.**

The Commission ordered;

The next date of hearing be fixed on 3rd day of April' 2025 at 10.30 AM.

N.B:- To avail online hearing please, notify or get in touch one day prior to the hearing, by downloading "WEBEX MEETING APP" from Google Play store. For further technical assistance may contact **Shri Himanshu Verma, IT Consultant (Mobile no. 831.9014957).**

It is so ordered this 30th day of January,2025 at 4:30 PM.

Sd/-
(Vijay Taram)
State Information Commissioner
APIC, Itanagar.

Memo. No. APIC-209/2024/484 Dated Itanagar, the **07th** February, 2025

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Registrar/Dy. Registrar
APIC Itanagar
Registrar
Arunachal Pradesh Information Commission
Itanagar.