



**ARUNACHAL PRADESH INFORMATION COMMISSION  
ITANAGAR**

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

No.APIC-681/2023

Dated, Itanagar the 6<sup>th</sup> June, 2024

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

**Appellant:** Shri Isaac Ejing, PO-Hill Top, JNC, Pasighat, East Siang District, Arunachal Pradesh, PIN-791103, (M) 09402735180.

Vs

**Respondent:** Er. Aken Jongkey, the PIO-cum-EE(PWD), Govt. of A.P. o/o Public Work Department (PWD), Yingkiong Division, Upper Siang District, Arunachal Pradesh, PIN-791002.

**ORDER**

This is an appeal under Section 19(3) of RTI Act, 2005 filed by Shri Isaac Ejing, PO-Hill Top, JNC, Pasighat, East Siang District, Arunachal Pradesh for non-furnishing of information by the SPIO-cum-EE(PWD), Govt. of A.P. o/o Public Work Department (PWD), Yingkiong Division, Upper Siang District, Arunachal Pradesh as sought by the Appellant under section 6(1) of RTI Act, 2005 vide Form-A Dated 06/05/2023 regarding construction and repair of Road and bridges at Pugging, Siskorong, Palling, Yingkong, Etee, Likor etc.

**The 5<sup>th</sup> hearing is held today on 6<sup>th</sup> June, 2024 as scheduled.** Er. Aken Jongkey, the PIO-cum-EE(PWD), Govt. of A.P. o/o Public Work Department (PWD), Yingkiong Division, Upper Siang District, Arunachal Pradesh and the Appellant Shri Isaac Ejing are absent.

Since, the Appellant is absent for the two consecutive hearings continuously without any intimation to the Commission, and failed to comply with the directions of the Commission, it is a fit case to be disposed of but it could not be disposed of as the PIO is absent.

The Commission views seriously the continuous absence of a responsible public authority from performing his statutory duties on priority. It is observed that the PIO has never appeared before the Commission's court in person. On the 1<sup>st</sup> hearing held on 31<sup>st</sup> October, 2023 the PIO remained absent without any intimation to the Commission; On the 2<sup>nd</sup> hearing held on 16<sup>th</sup> January, 2024 the PIO was represented by Shri J.P. Pandey, JE(PWD) Yingkiong Division; on the 3<sup>rd</sup> hearing the PIO was represented by Shri Rajendran K.N. Jr. Estimator; on the 4<sup>th</sup> hearing, the PIO was absent and no one represented him; and on the 5<sup>th</sup> hearing, neither the PIO appeared nor he has submitted reply to the SHOW CASUE NOTICE issued against him on the 4<sup>th</sup> hearing. It shows that the PIO is willfully avoiding the hearing and not performing the statutory duty diligently. It is disrespect to the Law made by the Parliament of the country and making mockery of the Commission as well as the law of the land.

In view of the facts and circumstance as above *the Commission hereby impose penalty of Rs. 15, 000/- (Rupees fifteen thousand) only against Er. Aken Jongkey, the PIO-cum-EE(PWD), Govt. of A.P. o/o Public Work Department (PWD), Yingkiong Division, Upper Siang 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 30<sup>th</sup> June, 2024 and has to produce the proof of depositing the amount through treasury challan along with the **SHOW CAUSE NOTICE**, and with the remaining information if any before or 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.*

The Commission to hear from the PIO directs him 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 disciplinary action under section 20(2) of the RTI Act and recommend competent authority to take disciplinary action against the PIO under the service rules as applicable.

**The next date of hearing is fixed on 30<sup>th</sup> July, 2024 (Tuesday) at 1030hrs.**

Therefore, the Er. Aken Jongkey, the PIO-cum-EE(PWD), Govt. of A.P. o/o Public Work Department (PWD), Yingkiang 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/-

(Rinchen Dorjee)

State Chief Information Commissioner  
Arunachal Pradesh Information Commission

Itanagar

Dated, Itanagar the 10 June, 2024

Memo No.APIC-681/2023/36

Copy to:

1. The Chief Engineer-cum-FAA, Govt. of A.P. O/o of the Chief Engineer (PWD-Central Zone-B), Itanagar, PIN-791111, to ensure attendance of Er. Aken Jongkey, the PIO-cum-EE(PWD), Govt. of A.P. o/o Public Work Department (PWD), Yingkiang 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. Yingkiang, Upper Siang District, Arunachal Pradesh, PIN-791002, to ensure attendance of Er. Aken Jongkey, the PIO-cum-EE(PWD), Govt. of A.P. o/o Public Work Department (PWD), Yingkiang 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 & send mail to all the parties.
4. Case file.

Registrar /Dy. Registrar

Arunachal Pradesh Information Commission

Itanagar

Deputy Registrar

Arunachal Pradesh Information Commission  
Itanagar