



सूचना का अधिकार
ARUNACHAL PRADESH INFORMATION COMMISSION, APIC
ITANAGAR
An Appeal Case U/S 19(3) of RTI Act, 2005.
Vide Case No. APIC-204/2024

(Summon to appear in person)
(Or. 5, R.3 of CPC)

Shri Bengia Tani -V/S- PIO-Cum-EE, PWD, Sangram, K/Kumey District, A.P.
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To,

The Executive Engineer, PWD,
Sangram, Kurung Kumey District, Govt. Of Arunachal Pradesh

SUMMON

WHEREAS, in connection with the APIC-No. 204/2024, your personal appearance is required before the Commission on **20th March, 2025 at 10:30 AM**. The **3rd** hearing held on **21st January' 2025** related to the APIC No-204/2024. The Appellant Shri Bengia Tani and the PIO found absent. The PIO is absent consecutively for three 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, the Appellant stated before the Commission that he has gone to the office of the PIO at Sangram, but the PIO was absent, met the P.A (Personal Assistant) and P.A informed that the PIO was absent and he may be in the makeshift office at Jullang Itanagar, the Appellant has even gone to the makeshift office, but he has not got an audience with the PIO as he was absent in the makeshift office, and till date no any information(s) has been received from the PIO, even after the order of the Commission on dated 24 Sept 2024 to the PIO, to provide the information (s) to the Appellant. Due to absence of the PIO, the Commission could not proceed on with the hearing of the appeal.

In the last hearing of **14th Nov '2024**, under the provisions of Section 25(5) of RTI Act 2025, the Principal Secretary, Public Work Department (PWD), Govt. of Arunachal Pradesh, was ordered to initiate disciplinary action against the PIO-cum-Executive Engineer, PWD, Sangram Division, Kurung Kumey District and to ensure the attendance of the PIO in the instant appeal, without fail on, **21st January 2025**. Further, the Principal Secretary of Public Work Department (PWD) was ordered to send a copy of the action taken, to this Commission for record, but the Principal Secretary, Public Work Department (PWD) has not complied with the order of the Court of this Commission, which is deemed contempt of this court.

The Commission observed;

(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 **21st 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.**

(iii) That this Commission sent a letter to the Principal Secretary Public Work Department (PWD), Govt. of Arunachal Pradesh, Itanagar on **14th November' 2024**, ordering for disciplinary action to be taken against the PIO, and to secure the attendance of the PIO on the next date of hearing i.e on 21st January 2025 at 1.30 PM. And to intimate this Commission about the action taken by serving a copy of the same to this Commission.

And therefore, the Commission ordered;

(i) To issue bailable arrest warrant to the PIO directing the officer in-charge of Sangram Police Station, Kurung Kumey District, to arrest and produce the PIO at the Court of the State Information Commission on the next date of hearing i.e on **20th day of March 2025 at 10:30 AM, without fail.**

(ii) To issue a summon notice to the Principal Secretary of Public Work Department (PWD), 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 14th Nov.' 2025, on the next of date of **hearing i.e 20th day of March' 2025 at 10:30 AM**, without fail.

(iii) Send notice to Appellant to attend the hearing on next date fix for hearing, failing **which this instant appeal shall be decided ex-parte.**

The Commission ordered;

The next date of hearing be fixed on 20th March 2025 at 10.30 AM

N.B:- To avail online hearing please at least notify or get in touch one day prior to the hearing, download "**WEBEX MEETING APP**" from Google Play store. For further technical assistance may contact **Shri Himanshu Verma, IT Consultant (Mobile no. 8319014957).**

It is so ordered this 21st day of January, 2025 at 4:30 PM.

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

Memo. No. APIC-204/2024/462 Dated Itanagar, the 21st January, 2025
Copy to:

1. Shri Bengia Tani, G-Sector, Ward No.16, House No.1559, PO/PS-Naharlagun, P/Pare District, Arunachal Pradesh for information and necessary action. Contact No- **8732065069**
2. The computer Operator, for uploading on the website of APIC, please.
3. Office Copy.

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