



**ARUNACHAL PRADESH INFORMATION COMMISSION, APIC
ITANAGAR**

An Appeal Case U/S 19(3) of RTI Act, 2005.
Vide Case No. APIC-196/2024

(Summon to appear in person)

(Or. 5, R.3 of CPC)

Shri Niyaye Lingri -V/S- PIO-Cum-EE, RWD, Daporijo, U/Subansiri District, A.P.

To,

The Commissioner/ Secretary,
Department of RWD, Itanagar,
Papum Pare District A.P.
Pincode: 791111

SUMMON.

The 4th hearing held on **4th February, 2025** related to the **APIC No-196/2024**. The Appellant Shri Niaye Lingri is present during the hearing. The PIO is absent consecutively for 4(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, the Appellant stated before the Commission that till date no any information(s) has been received from the PIO, even after several orders of the Commission on dated: 30.07.2024 & 26.11.2024 to the PIO, to provide the information (s) to the Appellant.

In the last hearing of **26th Nov. 2024**, the Commission under the provisions of section 25(5) of RTI Act 2005, ordered the Commissioner/Secretary, Rural Work Department (RWD), Govt. of Arunachal Pradesh, to initiate disciplinary action as per service rules and to ensure the attendance of the PIO in the instant appeal, without fail on, **4th February, 2025**. Further, the Commissioner/Secretary, RWD, Govt of A.P, was ordered to send a copy of the action taken, to this Commission for record, but the Commissioner/Secretary, Rural Work Department (RWD) Govt of A.P, has not complied with the order of this Commission, which is deemed a 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 **4th February, 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 learned that the PIO has not complied with the order.**
- (iii) That this Commission sent a letter to the Commissioner/Secretary Govt. of Arunachal Pradesh, Itanagar on **26th 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 **4th February, 2025 at 1.30PM**. And to intimate this Commission about the action taken by serving a copy of the same to this Commission, but the Commissioner/Secretary Rural Works Department has not complied with order.

And, therefore, the Commission ordered;

- (i) To issue bailable arrest warrant to the PIO-cum-Executive Engineer (EE), RWD, Daporijo Division, (Shri Talo Rai), Upper Subansiri District, directing the officer in-charge of Daporijo Police Station, Upper Subansiri District, to arrest and produce the PIO at the Court of the State Information Commission on the next date of hearing i.e on **8th April, 2025.1:30 PM, without fail.**
- (ii) To issue a summon notice to the Commissioner/Secretary Department of RWD, 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 date of **hearing i.e 8th April, 2025 at 1:30 PM**, without fail.
- (iii) Send notice to Appellant to attend the hearing on next date fix for hearing, failing **which this instant appeal shall be heard and decided ex-parte.**

The Commission ordered;

The next date of hearing be fixed on 8th April, 2025 at 1.30 PM.

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. 8319014957).**

It is so ordered this 04th day of February, 2025 at 03:30 PM.

Sd/-

(Vijay Taram)

State Information Commissioner
APIC, Itanagar.

Memo. No. APIC-196/2024/486

Dated Itanagar, the 7th February, 2025

Copy to:

1. Shri Niyaye Lingri, Lingri Village, PO/PS-Taliha, U/Subansiri District Arunachal Pradesh for information and necessary action. **M-8729932834**
2. The computer Operator, for uploading on the website of APIC, please.
3. Office Copy.



Registrar/Dy. Registrar
APIC Itanagar
Registrar

Arunachal Pradesh Information Commission
Itanagar.