



सत्यमेव जयते



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

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

No.APIC-726/2023

Dated, Itanagar the 30th April, 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 3rd hearing is held today on 30th April, 2024 as scheduled. Shri M.Mize, the PIO-cum-EE(PWD), Govt. of A.P., Public Works Department, Jairampur Division, Changlang District, Arunachal Pradesh is absent. The Appellant Shri Tamchi Gungte is present. During the 1st hearing held on 21st November, 2023 the PIO was directed to furnish remaining information at Sl.no. 14, 15 & 16 but it is observed that PIO neither present on the 2nd hearing held on 27th February, 2024 nor furnished information in compliance with the direction of the Commission. Observing the negligence in performing statutory duty and non compliance of the direction of the commission the PIO was SHOW CASUED on the second hearing.

The PIO has completely failed to furnish information and reply to SHOW CAUSED Notice served to him. Observing gross violation of RTI Act and non compliance of the directions inspite of fair opportunity of being heard under the principle of Nature justice, he has failed to avail those opportunities. The commission is compelled to impose penalty of Rs. 25, 000/= (Rupees twenty five thousand only) under section 20(1) of the RTI Act, 2005 *against* Shri M.Mize, the PIO-cum-EE(PWD), Govt. of A.P., Public Works Department, Jairampur Division, Changlang 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 20th June, 2024 and has to produce the proof of depositing the amount through treasury challan along with all the remaining information as sought for by the Appellant, 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 and arrest warrant under 18(3)(a) of the RTI Act to compel the attendance in the court hearing.*

Both the parties are directed to appear before the Commission's court on the next date of hearing without fail. If the PIO is found absent the Commission may initiate penal action under section 20(2) as per the provision of the RTI Act-2005 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 2nd July, 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 / 1186

Dated, Itanagar the

2 ^{May} April, 2024

Copy to:

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
Arunachal Pradesh Information Commission
Itanagar.