



सूचना का
अधिकार
RIGHT TO
INFORMATION

ARUNACHAL PRADESH STATE INFORMATION COMMISSION
ITANAGAR

Appeal U/S 19(3) of RTI Act, 2005
Vide No. APIC- 319/2023

Shri Mamo Sonu
Sood Village Naharlagun
PO/PS: Koloriang
Papumpare District
Arunachal Pradesh. Pin: 791110.
(M) 9436215521

Appellant

Versus

PIO-cum-EE, IMC part-I, Itanagar,
Papumpare District,
Arunachal Pradesh - 791111.

Respondent

SHOW CAUSE NOTICE

(Form-4 CPC R/W Sec – 20 (1) & (2) of the RTI Act, 2005)

To,
Shri Kame Bengia,
PIO-cum-EE, IMC part-I, Itanagar,
Papumpare District,
Arunachal Pradesh - 791111.

Whereas, Shri Mamo Sono filed second appeal against you before the Arunachal Pradesh Information Commission, Itanagar, on 17.02.2023 U/S 19 (3) of RTI Act, 2005 registered vide appeal no. APIC-319/2023, wherein, alleging against you that you have not furnished information sought by him in RTI application dated 17.02.2023 relating to the matter as quoted in Form-A application.

Whereas, you being the PIO – O/o the EE, IMC part-I Chimpu, Itanagar, Papum pare District, Arunachal Pradesh, have failed to furnish the information sought under RTI Act, 2005 to the Appellant within prescribed period of 30 days from the receipt

of his application as provided under section 7 (1) of the RTI Act, 2005 without any reason, whereby, amounting to violation of the sub section (1) of section 7, which liable for imposing reasonable penalty against you under sub section (1) of section-20 of the RTI Act 2005.

Whereas, date of hearing of the appeal was intimated to you well in advance for the last five hearings dated 29.9.2023, 08.12.2023, 05.04.2024, 19.08.2024 and 17.02.2025 but you were always found absent during the hearings without any information to this Commission / Court, which is unbecoming on the part of PIO, who has to be reminded that, the PIO besides performing public duties, also has to attend court hearing 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, thereby amounting to contempt of this court. And this commission being empowered with powers of Civil Court U/S 18, sub-section (3), clause (a) of RTI Act, 2005. Hence the commission has seriously viewed your absence and found it fit for imposing reasonable penalty for your neglect in furnishing the information(s) to the appellant, as well as not complying to the hearing notice of this commission / court.

Whereas, the appellant stated before commission that till today's 5th hearing dated 17.02.2025 he has not received any of the information from the PIO as sought in his form-A application despite the orders passed by this court / commission on 29.9.2023, 08.12.2023, 05.04.2024 & 19.08.2024.

After hearing the appellant, the commission observes that in the following hearings the PIO that is you were ordered to provide information sought by the appellant in his RTI application. Your failure to comply the order / direction of this commission / court shows the defiant attitude of you in honouring the order of this commission.

Your act of defying the order of this commission seems you to be a contemnor, for which this commission has been compelled to issue this show cause notice to you as to why you failed to appear before the court / commission without any intimation, failed to provide information to the appellant and failed to comply with orders of this court / commission.

You are once again directed to provide the information as ordered earlier to the appellant on or before the next date of hearing. And it is to be mentioned in this order that if same attitude is repeated by you / PIO in next date of hearing, **the PIO shall be issued arrest warrant as per order 21, rule 37 of Civil Procedure Code empowered upon the commission by section 18(3) and section 20(1) & (2) under RTI act, 2005.**

Therefore, you are hereby ordered to submit a **written explanation** of your conduct and provide the commission a valid cause, why penalty should not be imposed against you as provided in section 20 (1) of the RTI Act, 2005 for violation

of sub section (1) of the section 7 of RTI Act, 2005 and it should reach to this commission on or before 03.03.2025.

Next date of hearing shall be issued in due course of time. And you are hereby ordered to appear in person before the commission (APIC) in the next date of hearing along with information sought by the appellant. Failing which, the matter will be heard and determined in your absence.

Given under my hand and seal of this Commission / Court on this 17th day of February' 2025.

Sd/-
(Dani Gamboo)
State Information Commissioner

Memo No. APIC-319/2023/417

Dated Itanagar¹⁸ Feb.' 2025.

Copy to:

1. Shri Mamo Sono, Sood Village Naharlagun, Papumpare District, Arunachal Pradesh. Pin: 791110 (M) 9436215521.
2. Computer Programmer APIC, ITANAGAR to upload in APIC website and mail to concerned departmental email of PIO.
3. Office copy.

Registrar
APIC Itanagar

Registrar
Arunachal Pradesh Information Commission
Itanagar.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions.