



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

BEFORE THE COURT OF SHRI RINCHEN DORJEE, STATE CHIEF INFORMATION COMMISSIONER

No.APIC-339/2022

Dated, Itanagar the 15th November, 2022

CASE DETAILS

Adjunct, Dt. 15th November, 2022
Decision No. APIC-339/2022 decided on 15th November, 2022
Appeal No. APIC-339/2022
Bench: Shri Rinchen Dorjee, Hon'ble State Chief Information Commissioner.
Appellant: Shri Tech Lali & Shri Tech Rakap, Nyikum Colony, Nirjuli/Sopo vill. Doimukh, Arunachal Pradesh
Respondent: The PIO-cum-EE(PHE & WS), Govt. of A.P., Deptt. of PHE & WS Itanagar Division, Arunachal Pradesh

GIST OF ORDER

Whereas, an appeal under Section 19(3) of RTI Act, 2005 has been received from Shri Tech Lali & Shri Tech Rakap, Nyikum Colony, Nirjuli/Sopo vill. Doimukh, Arunachal Pradesh for non-furnishing of information by The PIO-cum-EE(PHE & WS), Govt. of A.P., Deptt. of PHE & WS Itanagar Division, Arunachal Pradesh as sought for by the Appellant under section 6(1) of RTI Act, 2005 on 31/01/2022 regarding construction / implementation of supply works TMT, cement, GI pipes, Pipe fitting items under JJM scheme from 2019 to till date under Itanagar PHE Division.

Whereas, the 1st hearing was held on 20th September'2022 at 1030hrs as scheduled. PIO-cum-EE(PHE & WS), Govt. of A.P., Deptt. of PHE & WS Itanagar Division, Arunachal Pradesh, the Appellant Shri Techy Lali and Shri Tech Rakap were found absent during the hearing.

Whereas, the Commission giving reasonable opportunity to the Appellant fix one more date of hearing. If the Appellant fails to appear in the next date of hearing the case shall be disposed of with presumption that the Appellant is satisfied with the information furnished by the PIO.

Whereas, the Re-scheduled 2nd hearing was held on 15th November, 2022 at 1030hrs. The PIO-cum-EE(PHE & WS), Govt. of A.P., Deptt. of PHE & WS, Itanagar Division, Arunachal Pradesh and the Appellants Shri Techy Lali & Shri Techi Rakap were found absent during the hearing.

Whereas, the Commission observed that the PIO have remain absent continuously without any prior reasonable intimation. Hereby, the PIO is directed to explain in writing to the Commission why Penalty under Section 20(1) of the RTI Act should not be imposed on him in the next date of hearing. Failing which **ARREST WARRANT U/s 18(3) of the RTI Act** shall be issued to compel the attendance of the PIO in the Court. The Commission also giving reasonable last opportunity to the Appellant decided to fix one more day of hearing. If, the Appellant fails to appear in the next hearing the case shall be disposed of presuming that the Appellant is no more interested in the information.

The next date of hearing is fixed on 20th December, 2022 (Tuesday) 1030hrs.

Therefore, The PIO-cum-EE(PHE & WS), Govt. of A.P., Deptt. of PHE & WS Itanagar Division, Arunachal Pradesh is hereby summoned to appear before this Court in person on the scheduled date and time without fail.

Sd/-

(Rinchen Dorjee)

State Chief Information Commissioner
Arunachal Pradesh Information Commission

Itanagar

Memo No.APIC-339/2022 1814

Dated, Itanagar the 16 November,2022

Copy to:

1. The Deputy Commissioner, Govt. of A.P., Capital Complex, Itanagar for information and necessary action please.
2. The Chief Engineer (PHE & WS), Govt. of A.P., Itanagar, for information and necessary action please.
3. The PIO-cum-EE(PHE & WS), Govt. of A.P., Deptt. of PHE & WS Itanagar Division, Arunachal Pradesh for information and compliance.
4. Shri Techi Lali & Shri Techi Rakap, Nyikum Colony, Nirjuli/Sopo vill.Doimukh, Arunachal Pradesh, for information and compliance.
5. Computer Programmer, APIC, Itanagar, to upload in APIC Website.
6. Case file.

Deputy Registrar
Arunachal Pradesh Information Commission
Registrar / Dy. Registrar,
Arunachal Pradesh Information Commission
Itanagar