

In the matter of Shri Tamchi Gungte

-V/S-

PIO-cum-EE, RWD, Sagalee Sub-Division, P/Pare District, Govt. of A.P.

Brief of the case:

The 2nd hearing held on **13th February, 2025** related to the **APIC No-700/2024**. The Appellant Shri Tamchi Gungte absent with a letter of absence submitted to the Commission citing reason for his absence. The PIO-cum-EE, RWD, Sagalee Division, Papumpare District found absent without intimating the reason for his inability to attend the hearing.

The Commission ordered:

- (i) To issue bailable warrant of arrest to the PIO-cum-EE, RWD, Sagalee Sub-Division, Kamle District, Govt. of A.P.
- (ii) Next date of hearing is fixed of 13th May' 2025, at 2:30 PM.

On 13th day of March' 2025, Advocate Taku Pumbo appeared for the PIO-cum-EE, RWD, Sagalee Division, for recalling of the bailable warrant of arrest dated: 13.02.2025.

The Commission hereby orders:

ORDER DECLINING PETITION FOR CANCELLATION OF BAILABLE WARRANT

This matter came before the Court on 12.03.2025, for consideration of the Petitioner's request to cancel the bailable warrant of arrest issued against, the Public Information Officer (PIO), pursuant to the directives of the Information Commission. Learned counsel Shri Taku Pumbo represented the PIO.

The Court has thoroughly reviewed the petition filed by the Respondent, along with all supporting documents and evidence presented, and has also heard the arguments made on behalf of the PIO during the hearing. The Court finds as follows:

- i) Background: The Information Commission empowered under Section 18(3) and Section(3)(a) issued the bailable warrant of arrest after the Respondent repeatedly failed to attend scheduled hearings, on 03.12.2024 and 13.02.2025 which was in violation of the notice issued by the Commission.
- ii) Failure to Comply: The Respondent did not attend the hearings despite three notifications and reminders. This repeated non-compliance shows a disregard for the authority of the Information Commission and its proceedings.
- iii) Nature of the Violation: The Respondent's conduct disrupts the judicial process and undermines the functioning of the Information Commission. The Court considers it imperative to uphold the authority of both the Commission and the judicial system to ensure compliance and accountability.
- iv) Legality of the Warrant: The issuance of the bailable warrant was legally justified given the circumstances surrounding the Respondent's repeated absences without sufficient cause.

- v) Petitioner's Argument: The arguments presented by the Respondent to cancel the warrant were evaluated. However, due to the lack of compelling reason and the continued non-cooperation demonstrated by the Respondent, the Court finds that the concerns raised do not warrant the cancellation of the warrant.

Conclusion:

In light of the foregoing, the Court hereby denies the Petition to cancel the bailable warrant of arrest issued against the Respondent. The warrant shall remain in effect. The Respondent is hereby ordered to appear before the Information Commission on 13th May 2025, the next date of appearance, and is further warned that continued non-compliance may result in further legal action.

It is so ordered this 13th March' 2025, at 11:30 AM

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

Memo No. APIC-700/2023/607

Dated Itanagar 25 March, 2025

Copy to:

- i. PIO-Cum-Executive Engineer, RWD, Sagalee, Div. P/Pare District Govt. of A.P. for information and necessary action please.
- ii. Shri Taku Pumbo, Advocate of PIO, for information. Contact No. **8415823353**.
- iii. The Officer-In-Charge, Sagalee Police Station, P/Pare District Govt of A.P. for information.
- iv. The Deputy Commissioner, Papum Pare District A.P. for information.
- v. The Superintendent of Police, Papum Pare District, Govt. of A.P. for information.
- vi. The Computer Programmer, APIC for uploading on the website of APIC please.
- vii. Office Copy.


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