सूचना का अधिकार
RIGHT TO INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION, APIC ITANAGAR

An Appeal Case U/S 19(3) of RTI Act, 2005.
Vide Case No. APIC-291/2024

(Summon to appear in person)
(Or. 5, R.3 of CPC)

Shri Taram Kenji -V/S- PIO-O/o Commissioner, IMC, Gohpur, Itanagar, P/Pare District

.....

SUMMON

WHEREAS, in connection with the **APIC-No. 291/2024,** your personal appearance is required before the Commission on **4th November, 2025 at 02:30 PM**. The **3rd** hearing held on **24th July, 202** related to the **APIC-No-291/2024**. The Appellants Shri Taram Kenji and Nangram Ganesh are absent without intimating to the Commission, the reason for their inability to attend the hearing.

The PIO: Office of the Commissioner, Itanagar Municipal Corporation (IMC), Chimpu, Itanagar, Papumpare District, Govt. of Arunachal Pradesh, found absent during the hearing 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 also has a mandatory duty to attend to statutory duties besides public duties, when an appeal is preferred against him/her.

The Commission observes:

The PIO absent for the 3rd consecutive time despite summons issued on 12.12.2024 be present in the next date of hearing which was on 29.04.2025. The Commission issued Bailable Warrant of Arrest to the PIO of the office of the Commissioner (IMC), Chimpu, Itanagar, to secure his presence on 24.07.2025 but, despite issue of Bailable Warrant of Arrest the PIO Itanagar Municipal Corporation (IMC) is absent today for the 3rd consecutive time.

In the absence of both the parties, **the Commission hereby observes that:**

1. The Officer-In-Charge Chimpu Police Station has not executed the Bailable Warrant of Arrest, as he has not returned the same to the court of the Commission, while hearing the appeal.
2. The copy of the Bailable Warrant of Arrest was also served upon the Superintendent of Police (SP) Papumpare District for compliance, and the same copy was also served upon the Deputy Commissioner (DC) Papumpare District for information, even after all this neither the PIO has turned up nor the execution of the Bailable Warrant of Arrest has been returned to this Commission.

And, therefore, observing the above circumstances the Commission hereby orders as follows;

1. By the provisions under Section 25(5) the Commission finds that the practice of the Officer-Incharge, Chimpu, Police Station and the PIO IMC does not confirm with the provisions of the spirit of the RTI, Act, 2005, and therefore, the Commission recommends to the Director General of Police (DGP) to initiate disciplinary action against the Officer-In-Charge, Chimpu Police Station, Itanagar, Papumpare District, as per the Service Rules of the particular police personnel.

2. Under the same provision of Section 25(5) the Chief Secretary, Govt. of Arunachal Pradesh is hereby ordered to initiate disciplinary action as per the Service Rules against the PIO of the office of the Commissioner, Itanagar Municipal Corporation (IMC) for disobeying the orders of the court of Arunachal Pradesh Information Commission (APIC).
3. The Director General of Police (DGP) is hereby ordered to return a copy of the action taken report against the Officer-In-Charge, Chimpu Police Station, Itanagar, to the APIC, as early as before the next date of hearing.
4. The Chief Secretary (CS) Govt. of Arunachal Pradesh is hereby ordered to return the copy of action taken report against the PIO office of the Commissioner, Itanagar Municipal Corporation (IMC), Chimpu, Itanagar, Arunachal Pradesh, before the next date of hearing.
5. Send summons to the Appellants Shri Taram Kenji and Nangram Ganesh to be present in the next date of hearing without fail, failing which this instant appeal will be heard and determined ex-parte.

The Commission ordered;

The next date of hearing be fixed on 4th November' 2025 at 2:30 PM (A/Noon)

N.B:- To avail online hearing please at least notify or get in touch one day prior to the hearing, download **"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 24th day of July 2025 at 01:30 PM.

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

Memo. No. APIC-291/2024/ 854 **Dated Itanagar, the.....31.....July 2025**

Copy to:

1. The PIO-Cum-O/O Commissioner, Itanagar, Municipal Corporation, Gohpur, Itanagar, P/Pare District, Arunachal Pradesh for information and necessary action . **Pincode-791111.**
2. Shri Taram Kenji and Shri Nangram Ganesh, Donyi Polo Road, PO/PS-Itanagar, P/Pare District, Arunachal Pradesh for information and necessary action. Contact No.**9774920743/ 8414088290**
3. The computer Operator, for uploading on the website of APIC, please.
4. Office Copy.

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

To,

Date: 24.07.2025

The Chief Secretary
Govt. of Arunachal Pradesh
Itanagar.

Sub: Initiation of disciplinary action against the PIO-office of the Commissioner, Itanagar Municipal Corporation (IMC), Govt. of A.P.

Ref: Section 18(3) and Section 25(5) of RTI, Act, 2005.

Sir,

Whereas, it has come to the attention of this court, that the Public Information Officer (PIO) of the office of the Commissioner, Itanagar Municipal Corporation (IMC) has failed to comply with the notice, order and summons issued by the court of the Arunachal Pradesh Information Commission (APIC) concerning an appeal filed under Section 19(3) of the RTI, Act, 2005 against their office.

And whereas, the PIO's disobedience to the duly issued directives of the Information Commission undermines the authority of the Commission and hinders the transparent flow of information(s) as mandated by the RTI, Act, 2005.

Therefore, it is hereby directed that the Chief Secretary of the Govt. of Arunachal Pradesh initiate appropriate disciplinary action against the PIO of the office of the Commissioner, Itanagar Municipal Corporation (IMC), for their failure to comply with the Commission's notice issued on 11.11.2024, summons issued on 12.12.2024 and bailable warrant of arrest issued on 24.04.2025.

It is further ordered that a report on the action taken in this regard be submitted to this court within 30 days from the date of this order.

Issued under the seal of this court.

24/7/25

Vijay Taram
State Information Commissioner
APIC, Itanagar.

To,

Date: 24.07.2025

The Director General of Police
Arunachal Pradesh.

Subject: Order for Disciplinary Action against the Officer-In-Charge, Chimpu Police Station, District Papumpare, Govt. of Arunachal Pradesh.

Ref: Section 18(3) and Section 25(5) of the RTI, Act, 2005.

Sir,

I am writing to formally order the initiation of disciplinary action against the Officer-In-Charge Chimpu Police Station, Papumpare District for failing to execute and return a bailable warrant of arrest as mandated on 24.04.2025 by the court of the Arunachal Pradesh Information Commission (APIC).

It has come to my attention that despite orders from the court of this Commission and even after passage of a considerable amount of time, some of the Officer-In-Charge (OC) of different Police Station in the State of Arunachal Pradesh do not act upon the warrant issued by this court which has been empowered as Civil Court under Section 18(3) in respect of the following matters namely:-

(a) Summoning and enforcing the attendance of persons and compel them to give oral or written evidence on oath and produce the documents or things;
(b) Requiring the discovery and impaction of documents.
(c) Receiving evidence on affidavit.
(d) Requisitioning any public record or copies thereof from any court or office.
(e) Issuing summons for examination of witnesses or documents and;
(f) Any other matter which may be prescribed.

The negligence not only reflects poorly on the efficiencies of our Law enforcement agencies but also undermines the legal processes that our society is built upon and the very act Right to Information Act 2005 was enacted by the law makers of our country.

The relevant details regarding the instant matter are as follows;

(1) Warrant order issued date:24.04.2025.
(2) Details of the Accused; the PIO of the office of the Commissioner, Itanagar Municipal Corporation (IMC), Govt. of Arunachal Pradesh.
(3) Officer to execute and return the warrant: Officer-In-Charge, Chimpu Police Station, Papumpare District, Govt. of Arunachal Pradesh.

In the instant matter against the Officer-In-Charge, Chimpu Police Station: the failure to execute the warrant and return the same to the court of this Commission is a serious matter and could potentially have wider implications to the integrity of the Police force in Arunachal Pradesh. I believe it is crucial to maintain accountability within our ranks and ensure that all officers uplold their duties with diligence.

Therefore, I request you to initiate an inquiry into this matter and take appropriate action against the officer in question to uphold the standards of our Police force.

It is further ordered that a report on the action taken in this regard be submitted to this court within 30 days from the date of this order.

Issued under the seal of this court.

24/7/25

Vijay Taram
State Information Commissioner
APIC, Itanagar.