



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)
ITANAGAR, ARUNACHAL PRADESH

An apple case U/S 19(3) of RTI Act, 2005

Vide Case No.APIC-241/2023

BEFORE THE HON'BLE COURT OF MISS SONAM YUDRON, THE STATE INFORMATION
COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.

Shri Nikam Dabu

..... Appellant.

-VERSUS-

PIO-Cum-DFO, Upper Subansiri District,
Arunachal Pradesh,

..... Respondent.

Judgment/Order: 08.01.2024.

JUDGMENT/ORDER

This is an appeal filed under sub-section (3) of Section 19 of the RTI Act, 2005. Brief fact of the case is that the appellant Shri Nikam Dabu on 14.12.2022 filed an RTI application under Form-'A' before the PIO-cum-BDO Daporijo, U/Subansiri District, Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in Form-A application. The Appellant, being not satisfied with the information received from the PIO, filed the First Appeal before the First Appellate Authority on 19.01.2023 Appellant, again having not received the required information from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on 22.03.2023 and the Registry of the Commission (APIC), having receipt of the appeal, registered it as APIC No. 241/2023 and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the **Commission for 7 (Seven) times i.e. on 08.05.2023, 29.05.2023, 03.07.2023, 07.08.2023, 25.09.2023, 20.11.2023 & 08.01.2024. In this hearing of the appeal on 8th day of January,2024, the appellant shri Nikam Dabu and PIO found absent during the hearing. However, the PIO has detailed his representative namely Shri Doli Ngomdir, Progress Assitant-cum Officer-in-charge (MG-nrega).**

The representative of the PIO intimated to the Commission that as per the direction of the Commission all the information are kept in readiness in their office as sought by the appellant in his Form 'A' application. But the appellant failed to collect the information from the PIO till date.

During the hearing, the Commission tried to contact the appellant through the audio hearing but the appellant did not responded the call and to the effect that the Appellant has failed to intimate on the matter of **APIC-No.-241/2023, inspite of repeated direction given by the Commission/Court in every hearing but he failed to comply the direction of the Commission. Moreover, he remained silent though he was intimated well in advance, if he remained twice absent during the hearing his appeal shall be decided as Ex-parte and disposed of.**

In this, context it is pertinent to point out herein that the appellant remained absent during the hearing. Moreover, he failed to intimate the reason of his absence during the hearing and remained absent **at his own will for two consecutive times i.e. dated on 20.11.2023 & 08.01.2024**, inspite of the direction of the Commission to him to be present in person before the Commission during the hearing but he failed to comply the direction of the Commission

So, I find that the appellant is no more interest on the APIC No-241/2023 appeal for further hearing. However, the Commission has given liberty to the appellant to collect the information from the PIO's office if he required.

In such viewing the fact and circumstances, I have a reason for believing of the fact that the Appellant has fully received all the information sought from the PIO and

Satisfied. Thus, I find this appeal fit to be disposed of as infructuous to continue the hearing.

So, the appeal is disposed of as infructuous and closed once for all.

Judgment/Order pronounced in the open Court of this Commission today on this 8th day of January, 2024.

Each copy of Judgment/Order be furnished to the parties.

Given under my hand and seal of this Commission/Court on this 8th day of January, 2024.

Sd/-
(Sonam Yudron)
State Information Commissioner
APIC, Itanagar.

Memo.No.APIC-241/2023/1376
Copy to:

Dated Itanagar, the 15th Feb 2024.

1. PIO-Cum-DFO, Upper Subansiri District, Arunachal Pradesh for information and necessary action please.
2. Shri Nikam Dabu, C/o the M/S YC Enterprises, Naharlagun, P/pare District, A.P for information and necessary action please.
3. The Computer Operator/Programmer for upload on the Website of APIC, please.
4. Office Copy.


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