



ITANAGAR, ARUNACHAL PRADESH

An appeal case U/S 19(3) of RTI Act, 2005
Vide Case No.APIC-133/2024

BEFORE THE HON'BLE COURT OF SHRI VIJAY TARAM, THE STATE INFORMATION
COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.

Shri Jumnya Dini

..... Appellant.

-VERSUS-

PIO-Cum-Executive Engineer, PWD,
Gensi, L/Siang District,
Arunachal Pradesh

..... Respondent.

Judgment/Order: 01.10.2024.

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 Jumya Dini on **16.11.2023** filed an RTI application under Form-'A' before the PIO-Cum- EE PWD, Gensi Division, Lower Siang District Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in their Form-A application. The Appellant, being not satisfied with the information received from the PIO, filed the First Appeal before the First Appellate Authority (FAA) on **29.12.2023** the Appellant, again having not received the required information despite the order of the FAA, to provide the information to the Appellant, filed the Second Appeal before the Arunachal Pradesh Information Commission on **19.02.2024** and the Registry of the Commission (APIC), having receipt of the appeal, registered it as **APIC No. 133/2024** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission thrice i.e on **16.05.2024, 22.08.2024 & 01.10.2024**. Both the parties, the Appellant and the PIO were found absent consecutively for three hearings without intimating to the Commission the reason for their inability to attend the hearing: in written or even verbal, which is unbecoming on the part of the PIO, who has to be reminded that, the PIO besides public duties, also has to attend Court hearings 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.

And on the other part, the Appellant is also absenting from the hearing consecutively; without intimating to the Commission inability to attend the hearing of the appeal.

The Commission after going through the previous orders passed by this Court in last two previous hearings observed;

(i) That, the Appellant is not interested in his appeal or not willing for continuing his appeal further, because despite this Court's repeated orders issued to the Appellant to appear before the Commission in person or through online mode, failing which his appeal shall be decided ex-parte, the Appellant has repeatedly absented in the hearings, consecutively for three times.

(ii) Moreover, the Appellant failed to comply the orders of this Commission.

Therefore, in view of the above facts and circumstances, the Commission is firm on the findings that the Appellant is no more interested in his appeal as he has always failed to comply the orders of this Court and absented for the hearings for three consecutive times. Therefore, this Court, find this appeal fit to be disposed and closed, with a liberty given to the Appellant to file a fresh RTI application, if he need to, for the same information.(s).

Hence, this appeal stands disposed and closed once for all.

Judgment/Order pronounced in the open Court of this Commission today on this 1st day of October, 2024. copy of Judgment/Order be furnished to the parties.

Given under my hand and seal of this Commission/Court on this 1st day of October, 2024.

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

Memo.No.APIC-133/2024 /388
Copy to:

Dated Itanagar, the ..7-6. October, 2024.

1. PIO-Cum-Executive Engineer, Lower Siang District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code-791125.**
2. Shri Jumnya Dini, Liru Village, PO-Likabali, L/Siang District Arunachal Pradesh for information please. **Contact No. 7642036639/ 6009058553**
3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy.

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