



ARUNACHAL PRADESH INFORMATION COMMISSION, APIC

ITANAGAR

An Appeal Case U/S 19(3) of RTI Act, 2005.
Vide Case No. APIC-169/2023

(Or. 5, R.3 of CPC)

Shri Takar Niji -V/S- PIO-cum- EE, Deptt. of Power Namsai, Govt. of AP.

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 Appellants Takar Niji on **29.01.2024** filed an RTI application under Form-'A' before the PIO-Cum-EE, Department of Power, Namsai, Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in their Form-A application. The Appellants, being not satisfied with the information received from the PIO, filed the First Appeal before the First Appellate Authority (FAA) on **19.02.2024** Appellants, again having not received the required information despite the order from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on **27.03.2024** and the Registry of the Commission (APIC), having receipt of the Appeal, registered it as **APIC No. 169/2024** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Court of the Arunachal Pradesh Information Commission for twice i.e on 28.05.2024 & 25.07.2024. In this hearing of the appeal on 25th day of July,2024: In this second hearing; The representative of PIO Shri Kesto Loriaak (Surveyor) present during the hearing but the Appellant Shri Takar Niji found absent consecutively for two times i.e. on 28.05.2024 & 25.07.2024 without intimating the reason to the Commission for his inability to attend the hearing.

Heard the Representative of PIO.

The representative of PIO stated before the Commission that, the PIO has intimated to the Appellant that the information are ready in their good office, the Appellant may collect the informations after depositing the requisite fee/ amount and over telephonic call also intimated to the Appellant but the Appellant failed to collect till the second hearing of the appeal, which is today.

Upon the statement of the representative of PIO and the previous orders passed by this Court in the last hearing the Court observed;

- (i) That, the Appellant is not interested in his appeal or not willing to pay the cost of the informations and, just for a sneaky reason he is not willing to collect the information from the PIO office, despite the PIO's repeated orders and reminders to the Appellant to collect the informations but he failed to collect the same till the second hearing which is today.
- (ii) The Commission already issued order to the Appellant to appear before the Commission in person or through online mode but he repeatedly absented from the hearing.

- (iii) Therefore, taking serious note on the attitude of the Appellant in needlessly causing inconvenience and wasting the time and resources of the office of the PIO, who is a public servant and who by incurring public money, resources has readied the information to furnish to the Appellant. The Appellant on the other hand have not paid the money for the requested informations or are not even concerned about it.
- (iv) With a clear mind such type of Appellant should be made to realize that his non seriousness in applying for informations makes other Appellants also to be presumed as non serious in their application.
- (v) As the various aspects and provisions of RTI Act,2005 does not provide any provisions for penalty upon those who are non serious applicants who apply for the information and while informations are ready in the office of the PIOs, they fail to turn up nor they turn up for the Court hearings and which seem to be a serious lack in the RTI Act,2005. Such non serious applicants causing inconvenience and wasting the time of the PIO's office, to the office of the First Appellate Authority (FAA) and to the Second Appellate Authority which is the respective State Information Commission, should also be corrected for the general interest of the Country.

By seeing the sincerity of the PIO and 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. Therefore, this Court, find this appeal fit to be disposed off and closed with no liberty given to the Appellant to apply for fresh information on the same subjects. Hence, this appeal stands disposed off and closed once for all.

Judgment/Order pronounced in the open Court of this Commission today on this 25th day of July, 2024. Each copy of Judgment/Order be furnished to the parties.

Given under my hand and seal of this Commission/Court on this 25th day of July, 2024.

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

Memo No APIC- 169/2024
Copy to :-

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Dated Itanagar the29.....July 2024.

1. The PIO-cum EE (Power)Namsai , Govt, of Arunachal Pradesh, for information and necessary action.
2. The Shri Takar Niji, C/o Nayam and Associates, Chamber Bank Tinali, Itanagar, for information.
3. The Computer Operator, for uploading on the website of APIC, please.
4. Office Copy.

Registrar /DY. Registrar
APIC-Itanagar.

Arunachal Pradesh Information Commission
Itanagar