



ITANAGAR, ARUNACHAL PRADESH

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

Vide Case No.APIC-691/2023

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

Shri Riya Taram & Shri Takam Sakap

..... Appellant

-VERSUS-

PIO-Executive Engineer, RWD,
Basar, Leparada District,
Govt. of Arunachal Pradesh

..... Respondent.

Order: 05.08.2025.

JUDGEMENT

The 4th hearing held on 5th August 2025, related to the **APIC No. 691/2023**. The Appellants Shri Riya Taram and Shri Takam Sakap were absent during the hearing without intimating to the Commission the reason for their inability to attend the hearing. The PIO's representative Shri Taba Riba, Assistant Engineer (RWD) Basar Division, who is also the Assistant Public Information Officer (APIO) is present during the hearing.

Heard the APIO

The APIO stated that: the PIO had written letter on dated 8/6/2023 to the Appellants to come to the office of the PIO and receive the information(s), but the Appellants have not bothered to reply to the PIO nor did come to the office of the PIO to collect the information till date.

That the Appellants instead of coming to the office of the PIO to receive the information, filed the First appeal before the First Appellate Authority (FAA) cum the Chief Engineer (CE) PWD Western Zone.

That the FAA pronounced the judgment directing the Appellants to receive the information from the office of the PIO, whereby the PIO even submitted the copies of the information before the court of the FAA on 18/8/2023. Despite the order of the FAA the Appellants did not turn up before the office of the PIO to collect from the FAA.

That the Appellants instead of receiving the copies of the information from the PIO, filed the second appeal before the State Information Commission for which the first hearing was held on 7/11/2024, wherein the Appellants were absent. The 2nd hearing was held on 19/12/2024, wherein the Appellants were present and the PIO also present.

That the PIO stated on the same day of the second hearing that the copies of the information are ready with the PIO and the Appellants have to come to the office of the PIO

to collect the information. But till today the Appellants have not come to the office of the PO to collect the copies of the information.

That on the day of the third hearing held on 6/3/2025, the Appellants were present but PIO was absent due to some unavoidable official works but with the modest thought that the Appellants will come to collect the copies of information from the office of the PIO.

That today on the day of the fourth hearing fixed by the commission, the Appellants are absent again while the APIO has come with the copies of the information to be furnished and hand over to the Appellants.

After hearing the representative of the PIO the Commission hereby observes;

- i) That the PIO was ordered on 19/12/24 to provide all the information(s) to the Appellants pertaining to only the names of projects taken up under SIDF/MLALAD/UNTIEDFUND/SIDF 2019-2023.
- ii) Today on the 4th hearing the Appellants are absent without reasons assigned and made known to the Commission. Going through the form 'A' of the Appellants and going by the records as submitted by the APIO today, It is adequately seen that the PIO has discharged his duty time and again and has intimated to the Appellants to receive the information from the office of the PIO. Furthermore the Appellants have even after filing the first appeal before the FAA, not bothered to attend the hearing despite notice being served to them to be present for the hearing. More so, the PIO was present in the hearing at the court of the FAA with the copies of the information compiled properly, to be handed over to the Appellants. But the intentional absence of the Appellants has made the PIO unable to provide the information to them till now.
- iii) Today also in the fourth hearing the PIO is present represented by his representative, the APIO along with the set of information brought before the Court to be handed over to the Appellants. But the absence of the Appellants has made it impossible to hand over the copies of the information to the Appellants. Going by the records, it is seen that the PIO has exhausted his duty to hand over the information to the Appellants. But the non-seriousness and the lackadaisical attitude of the Appellants have made it hard for the PIO to furnish the information to the Appellants, from the start of filling of the Form A of the Appellants, to the filing of the first appeal at the FAA, and till the 4th hearing of the 2nd Appeal at the court of the Arunachal Pradesh Information Commission (APIC). The non-serious attitude of the Appellants encourage wastage of govt resources by engaging the PIO unnecessarily to absent from the office in attending hearings after hearing in different courts in order to provide the information by attending to the Court. Such non-serious information seekers file RTI application for their vested interests and not in the interest of the public and therefore such individuals/groups should be discouraged from harassing the PIOs and wasting public resources.

- iv) Head of the Departments (HoDs) or PIO are being engaged unnecessarily to provide information by travelling long distant places to attend the Court hearing by absenting from their regular office in the process of, which the public are sufferer and Govt. resources are wasted unnecessarily.

Under the above circumstances and going through the facts the Commission observes that the instant application of the Appellants for which they have filed the second appeal are not in the larger interest of the public but, they have fled it for their vested interest with an ulterior motive to harass the PIO and therefore, the instant appeal is dismissed with no liberty given to the Appellants for filling fresh RTI application for the same information on the same subject/scheme/works before the same PIO in this appeal.

In view of the above facts and circumstances, the Commission, find this appeal fit to be dismissed and closed. And accordingly this appeal stands dismissed and closed once for all.

Judgment pronounced in the open Court of this Commission today on **this 5th day of August 2025**. Copy of the Judgment be furnished to the parties

Given under my hand and seal of this Court on this 5th day of August 2025 (Afternoon).

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

Memo.No.APIC-691/A/2023

Dated Itanagar, the 12th August, 2025.

Copy to:

1. PIO-Cum-EE, RWD, Basar, Leparada District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code-791101.**
2. Shri Riya Taram & Shri Takam Sakap, C/o Hotel River view, Naharlagun, P/Pare District Arunachal Pradesh for information please. **Contact No. 9383103387/9402443699**
3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy.

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