

ITANAGAR, ARUNACHAL PRADESH

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

Vide Case No.APIC-904/2023

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

Shri Nikam Dabu

..... **Appellant.**

-VERSUS-

PIO-Cum-EE, PWD,
Daporijo Division, Upper Subansiri District,
Govt. of Arunachal Pradesh

..... **Respondent.**

Order:05.12.2024.

JUDGEMENT

The **1st** hearing held on 3rd December 2024, related the **APIC-904/2023** (**Complaint**). The appellant Shri Nikam Dabu absent during the hearing without intimating the reason for his inability to attend the hearing, and the PIO EE (PWD) Division Daporijo, District Upper Subansiri District, present during the hearing.

Heard the PIO.

The PIO stated that the Appellant while submitting his application form 'A' has not submitted the prescribed fee which has to be submitted along with the form 'A'.

Accordingly the PIO wrote to the Appellant that the form 'A' of the Appellant is in complete/ insufficient to be treated as form 'A' and asked the Appellant to submit the prescribed fee along with his form 'A' ,and for which the information have not been complied till date. On scrutiny of the form 'A' of the appellant it was found that he has appended a Below Poverty Line (BPL) Card, issued to his wife by the competent authority.

Therefore, due to insufficiency of the form 'A' of the appellant, the information(s) have not been provided to Appellant.

After hearing the PIO, the Commission observed;

That for a citizen to avail the right under RTI Act 2005, an applicant has to submit the prescribed fee along with his/her form 'A'.

Whereas, in the instant Appeal the Appellant has not submitted the prescribed fee despite the reminder of the PIO.

That, the plea that the Appellant is dependent on his wife who is a Below Poverty Line (BPL) Card holder by virtue of which he may be exempted of the prescribed fee is not justified for the fact that to prove the dependency if real, a dependent certificate from the competent authority is needed to prove his claim.

Going through the form 'A' of the Appellant and hearing the PIO, the Commission is convinced that the Appellant has not paid the prescribed fee to submit his form 'A' And therefore;

The Commission is at wisdom to reject and dismiss this instant appeal.

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

Judgment/Order pronounced in the open Court of this Commission today on this **3rd day of December, 2024**. Copy of Judgment/Order be furnished to the parties.

Given under my hand and seal of this Commission/Court on this **3rd day of December, 2024**.

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

Memo.No.APIC-904/2023 /493 Dated Itanagar, the 16 December, 2024.

Copy to:

1. PIO-Cum-EE, PWD, Daporijo Div. U/Subansiri Distrit, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code-791122**.
2. Shri Nikam Dabu, C/o BBB Enterprises H-Sector, Itanagar Papum Pare District Arunachal Pradesh for information please. **Contact No. 7640082060**
3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy.

Registrar/Dy. Registrar
APIC, Itanagar.

Registrar
Arunachal Pradesh Information Commission
Itanagar