

ITANAGAR, ARUNACHAL PRADESH

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

Vide Case No. APIC-186/2024

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

Shri Lokam Namdu

..... Appellant

-VERSUS-

PIO-Director of Research, Dept. of Cultural Affairs,
Itanagar, Papum Pare District,
Govt. of Arunachal Pradesh

..... Respondent.

Order: 26.11.2024.

JUDGEMENT

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 Lokam Namdu on **23/01/2024** filed an RTI application under Form-'A' before the PIO-Cum- Directorate of Research & Department of Cultural Affairs, 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 9/3/2024 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 26/09/2024 and the Registry of the Commission (APIC), having receipt of the appeal, registered it as **APIC No. 186/2024 (Appeal)** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission thrice i.e on **1/06/2024, 06/08/2024 & 26/11/2024..** The Appellant present during the hearing but, the PIO 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 also has been absenting from the hearing consecutively; two times without intimating to the Commission about his inability to attend the hearing of the appeal.

The Commission after going through the previous orders passed by this Court in the 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.
- (iii) The Appellant agreed with the Commissions finding that the Appeal be disposed with liberty given to file a fresh application if the he needs the information.

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 **26th day of November, 2024**. Copy of Judgment/Order be furnished to the parties.

Given under my hand and seal of this Court on this **26th day of November, 2024**.

Sd/-


(Vijay Taram)

State Information Commissioner
APIC-Itanagar

Memo.No.APIC-186/2024/479 Dated Itanagar, the 16th December, 2024.

Copy to:

1. PIO-Cum-Director of Research, Dept. of Cultural Affairs, Itanagar, P/Pare District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code-791111**.
2. Shri Lokam Namdu, Kankar Nallah, PO/PS-Naharlagun, P/Pare District Arunachal Pradesh for information please. **Contact No. 9362166831**
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