



ITANAGAR, ARUNACHAL PRADESH

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

Vide Case No.APIC-206/2024

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

Shri Nabam Rakesh

..... Appellant

-VERSUS-

PIO-Cum-Member Secretary, APFCL,
Itanagar, Papum Pare District,
Govt. of Arunachal Pradesh

..... Respondent.

Order: 20.03.2025.

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 Rakesh Nabam on **12/02/2024** filed an RTI application under Form-'A' before the PIO-Cum- Member Secretary Arunachal Pradesh Forest Corporation Ltd. Govt of Arunachal Pradesh, whereby, seeking various information, as quoted in his Form-A application. The Appellant, being not in receipt of the information from the PIO, filed the First Appeal before the First Appellate Authority (FAA) on **12/03/2024** Appellant, again having not received the required information despite the order from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on **9/05/2024** and the Registry of the Commission (APIC), having receipt of the Appeal, registered it as **APIC No. 206/2024** 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 four times i.e on **24.09.2024, 14/11/2024, 21/01/2025 & 20/03/2025**. In this hearing of the appeal on 20th day of March, 2025.

In this fourth hearing, representative of the PIO-cum Member Secretary, Arunachal Pradesh Forest Corporation Ltd. Govt of Arunachal Pradesh, present during the hearing in person but the Appellant Shri Nabam Rakesh, found absent consecutively for two times without intimating to the Commission the reason for his inability to attend the hearing.

Heard representative of the PIO.

The representative of the PIO stated that the information (s) sought by the Appellant under Form 'A' application are ready to be furnished to the Appellant but the Appellant has not turned up to collect the information(s). After receiving the Form' A application from the Appellant on dated 21 February 2024, to the PIO made a reply on 5th June 2024 to the Appellant to collect the information(s) the PIO again sent a letter to the Appellant on dated 12/3/2025 to collect the information from the office of the PIO but till date no any response from the Appellant has been made to the office of the PIO.

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

- (i) That, the Appellant is not interested in his appeal and, just for a sneaky reason he is not willing to collect the information from the PIO's office, despite the PIO's repeated orders and reminders to the Appellant to collect the information(s) but the Appellant has failed to collect the same till the fourth 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 absent 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 the information to the Appellant. The Appellant on the other hand has not paid the money for the requested information(s) or not even concerned about it. With a clear mind such type of Appellant should be made to realize that their non seriousness in applying for information(s) makes other Appellants also to be presumed as non serious in their application.

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 information(s) 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.

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 and closed.

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

Judgment/Order pronounced in the open Court of this Commission today on this **20th day of March, 2025**. Each copy of Judgment/Order be furnished to the parties.

Given under my hand and seal of this Commission/Court on this **20th day of March, 2025**.

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

Memo.No.APIC-206A/2024/684
Copy to:

Dated Itanagar, the 25th March, 2025.

1. PIO-Cum-Member Secy. Arunachal Pradesh Bamboo Forest Corporation Ltd. Chimpu, Itanagar P/Pare District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code-791111.**
2. Shri Nabam Rakesh, Nirjuli Village, PO/PS-Nirjuli, P/Pare District Arunachal Pradesh for information please. **Contact No. 7628830398**
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 Commissioner
Itanagar.