



**ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)
ITANAGAR, ARUNACHAL PRADESH**

**An apple case U/S 19(3) of RTI Act, 2005
Vide Case No.APIC- 218/2023**

**BEFORE THE HON'BLE COURT OF MISS SONAM YUDRON, THE STATE
INFORMATION COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.**

Shri Nikam Dabu, C/O M/s B.B.B. Enterprises,
H-Sector, Itanagar, Papum Pare District **Appellant.**

-VERSUS-

PIO-cum-DPDO, Daporijo
Upper Subansiri District, Arunachal Pradesh, **Respondent.**

Judgment/Order: 29.01.2024.

JUDGMENT/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 appellant Shri Nikam Dabu on **31.12.2023** filed an RTI application under Form-'A' before the PIO-cum- DPDO, Daporijo, U/Subansiri District, Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in Form-A application. The Appellant, being not satisfied with the information received from the PIO, filed the First Appeal before the First Appellate Authority on **07.02.2023** Appellant, again having not received the required information from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on **09.03.2023** and the Registry of the Commission (APIC), having receipt of the appeal, registered it as APIC No. 218/2023 and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission for 9 (Nine) times i.e. on 03.04.2023, 27.04.2023, 15.05.2023, 19.06.2023, 31.07.2023, 14.09.2023, 30.10.2023, 11.12.2023 & 29.01.2024. In this hearing of the appeal on 29th day of January, 2024, both the parties found again absent during the hearing.

After going through all the available records /documents the Commission found that the PIO has furnished all the information to the appellant in pen drive during last hearing dated on 30.10.2023. Though, he was clearly directed by the Commission that if he is not satisfied with the information he shall intimate to the PIO by mentioning specifically the reason why he is not satisfied the information but till date the appellant failed to comply the direction of the Commission.

So, the Commission viewed seriously on the reluctant attitude of the appellant moreover, he failed to comply the directions of the Commission.

During the hearing, the Commission tried to contact the appellant and the PIO through audio hearing but both the parties did not responded the call.

In this, context it is pertinent to point out herein that the appellant remained absent during the hearing, and, he also failed to intimate the reason of his absence.

Moreover, he remained absent at his own will for two consecutive times i.e. dated on **11.12.2023 & 29.01.2024**, inspite of the direction of the Commission to him to intimate his satisfaction or dissatisfaction to the Commission, after going through the information and he was also directed to appear in person before the Commission in the next date of hearing i.e. on **29/01/2024 but he failed to comply the direction. The appellant also failed to intimate his satisfaction or dissatisfaction to the Commission. But, he remained silent though he was intimated well in advance during the hearing, if he remained absent consecutively twice during the hearing his appeal shall be decided ex-parte and disposed of, In spite of the direction he remained absent from the hearing consecutively twice as mentioned above.**

So, I find that the appellant is no more interest on the APIC No-218/2023 appeal for further hearing.

In such viewing the fact and circumstances, I have a reason for believing of the fact that the Appellant has fully received all the information sought from the PIO and Satisfied. Thus, I find this appeal fit to be disposed of as infructuous to continue the hearing.

So, the appeal is disposed of as infructuous and closed once for all.

Judgment/Order pronounced in the open Court of this Commission today on this 29th day of January, 2024.

Given under my hand and seal of this Commission/Court on this 29th day of January, 2024.

Sd/-

(Sonam Yudron)

State Information Commissioner

APIC, Itanagar.

Memo.No.APIC-218/2023/1362
Copy to:

Dated Itanagar, the 1.2.2024 February 2024.

1. The PIO-cum- DPDO, Daporijo, Upper Subansiri, District, Arunachal Pradesh for information and necessary action please.
1. Shri Nikam Dabu, C/o M/s B.B.B. Enterprises, H-Sector, Itanagar, Papum Pare District, Arunachal Pradesh for information and necessary action please.
3. The Computer Programmer for upload on the Website of APIC, please.
4. Office Copy.

Registrar/Dy. Registrar

APIC, Itanagar
Deputy Registrar

Arunachal Pradesh Information Commission
Itanagar