



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

BEFORE THE HON'BLE COURT OF SHRI GUMJUM HAIDER, STATE INFORMATION COMMISSIONER

No.APIC- 317/2023

Dated, Itanagar the 2nd Feb,2024.

Under Section 19(3) of RTI Act, 2005

Appellant

Shri Mamu Sono
Vill-Sood,
PO, PS-Naharlagun,
Arunachal Pradesh

Respondent

Shri Kame Bengia, PIO-cum-
EE,IMC Part-I, Itanagar,
Arunachal Pradesh

Vs

JUDGEMENT ORDER

This is an appeal under section 19(3) of RTI Act, 2005 was received from **Shri Mamu Sono, Vill-Sood, PO & PS Naharlagun, Arunachal Pradesh**, for non-furnishing of information, by **Shri Kame Bengia, PIO –cum- EE,IMC Part-I, Itanagar, Arunachal Pradesh**, as sought for by the appellant under section 6(1) of RTI Act, 2005.

Brief fact of the case being that the appellant on 09.02.2023 filed an RTI application under 'Form-A' before the PIO, whereby, seeking various information regarding:

“Regarding Construction of Seepage Treatment Plant (STP) at Chimpu Itanagar ”.

The above subject has been mentioned in detail under 'Form – A'.

The 1st hearing of this case was held on 28.06.2023. The representative of the PIO Er Yumlam Tach,AE was present and the appellant was also present. Heard both the parties. Most of the documents which are available under the custody of the PIO office has been brought by the representative of the PIO and the rest would be provided in due course of time after locating the documents as informed by the representative of the PIO. The next date of hearing of this case is fixed on 26.07.2023.

The 2nd hearing of this case was held on 26.07.2023. The appellant was present, but the PIO was absent. The Commission seriously viewed the absence of the PIO without any intimation, nor he has deputed anyone to be present on his behalf and to Show Cause the PIO as to why he should not be imposed with a reasonable penalty as provided in the Section 20(1) of the RTI Act,2005. Therefore, the PIO was once again directed to appear in person on the next date of hearing of this case fixed on 17.08.2023 along with the information sought by the appellant.

The 3rd hearing of this case was held on 17.08.2023. Both the parties were present. Heard both the parties. PIO has provided an affidavit of the information not available with him and the rest information which is available with him has also been provided. The appellant has been directed to go through the same and should inform his satisfaction/dissatisfaction on or before the next date of hearing of this case fixed on 30.08.2023.

The 4th hearing of this case was held on 30.08.2023. The appellant was present, but the PIO was absent. The case was heard ex-parte. The next date of hearing of this case is fixed on 14.09.2023.

The 5th hearing of this case was held on 14.09.2023. APIO Shri Bida Kawa was present, and the appellant was also present. Heard both the parties. The Court directed the APIO to furnish the left-out information as requested by the appellant on or before next date of hearing of this case fixed on 18.10.2023.

The 6th hearing of this case was held on 18.10.2023. APIO Shri Bida Kawa was present, and the appellant was also present. Head both the parties. The APIO has furnished the left-out information as sought by the appellant during the hearing of this case. The affidavit cannot be done due to leave of regular PIO as informed by the APIO. The appellant has been directed to go through the information furnished by the APIO and should inform his satisfaction/dissatisfaction on or before the next date of hearing of this case fixed on 16.11.2023.

The 7th hearing of this case was held on 16.11.2023. Appellant was present, but the PIO was absent. The case was heard ex-parte. A summon notice to be issued to the PIO giving him a last chance to prepare and furnish the left-out information as sought by the appellant and if any information is not found under the custody of the PIO then an Affidavit to be sworn in this regard on or before the next date of hearing of this case fixed on 20.12.2023.

The 8th hearing of this case was held on 20.12.2023. The representative of the PIO Shri Yumlam Tach was present, and the appellant was also present. Heard both the parties. The representative of the PIO has been directed to furnish the left-out information as sought by the appellant without fail on or before the next date of hearing of this case fixed on 17.01.2024.

The 9th hearing of this case was held on 17.01.2024. The appellant was absent, but he has furnished an application through whatsapp intimating about his inability to attend today's hearing. The representative of the PIO Shri Taksing T, PA to AE was present and furnished the information during the hearing of this case which would be provided to the appellant from the Commission Office. The next date of hearing of this case is fixed on 31.01.2024.

The 10th hearing of this case was held on 31.01.2024. Both the parties were absent. The sought information by the appellant has already been provided by the PIO and the appellant was found absent for 02(two) consecutive times. The Court presume that he is fully satisfied with the information furnished by the PIO, and he does not want to pursue this case further. Hence, the case is disposed of with a liberty to the appellant to file a fresh case if he finds any information are to be provided by the PIO.

Considering all the above aspects into account, I find this appeal fit to be disposed of as infructuous. And, accordingly, this appeal stands disposed of and closed for once and for all. Each copy of this order disposing the appeal is furnished to the parties.

Given under my hand and seal of this Commission's Court on this 2nd day of Feb,2024.

Sd/-
(GUMJUM HAIDER)
State Information Commissioner,
APIC, Itanagar.

Memo.No.APIC- 317/2023/1331

Dated, Itanagar, the 6th Feb, 2024

Copy to: -

1. Shri Kame Bengia, PIO-cum-EE, IMC Part-I Itanagar, Govt. of Arunachal Pradesh, for information & necessary action please. Pin-791111.
2. Shri Mamu Sono, Vill-Sood, PO/PS-Naharlagun, Arunachal Pradesh, contact no.- 9436215521 for information & necessary action please.
3. The Computer Programmer/ Computer Operator for uploading on the Website of APIC, please.
4. Office copy.


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