



ITANAGAR, ARUNACHAL PRADESH

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

Vide Case No.APIC-72/2025

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

Shri Tamchi Gungte

..... Appellant

-VERSUS-

PIO-Cum-Executive Engineer, PWD,
Changlang Div. Changlang District,
Govt. of Arunachal Pradesh

..... Respondent.

Order:06.05.2025.

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 Shri Tamchi Gungte on **19/10/2023** filed an RTI application in Form- 'A' before the PIO-cum-Executive Engineer, PWD, Changlang Division, Changlang District, Govt. of Arunachal Pradesh. Whereby seeking various information as quoted in 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 **25/11/2024**. The Appellant again not in receipt of the required information after the order of the FAA, filed the Appeal before the Arunachal Pradesh Information Commission on **05/02/2025** and the Registry of the Commission (APIC) having receipt of the complaint registered it as **APIC- No- 72/2025 (Appeal)** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission on **06.05.2025**, both the parties are present during the hearing before the Commission.

Heard the PIO;

The PIO stated before the Commission that he has received the application on 22.10.2024 and written a letter to the Appellant for submission of requisite fees amounting to Rs. 142/- as information(s) fees within the stipulated time under the provisions of RTI, Act, 2005. But the Appellant never responded to the letter till date.

The respondent (PIO) also informed the Commission that the Appellant after preferring the First Appeal before the First Appellate Authority (FAA) was absent for 3 (three) consecutive hearings before the court of First Appellate Authority (FAA)-cum-Chief Engineer, PWD, Eastern Zone, Namsai, on 19.12.2024, 16.01.2025 and 21.01.2025 respectively. Therefore, in the non appearance of the Appellant during the hearings for three consecutive times this instant appeal was dismissed ex-parte in the court of First Appellate Authority (FAA).

After hearing the PIO the Commission Observes:

Going by the statements of the Executive Engineer, PWD, Changlang Division and the records produced before the Commission, it is evident that the Appellant is not serious in his appeal and is in disrespect to the procedural law of RTI, Act, 2005, by not attending the court hearing of the First Appellate Authority (FAA) despite repeated notice/summon served upon him.

If the Appellant had been serious on his application for getting the information(s) he would have submitted the requisite fees to obtain his information(s) but he never responded till date. It appears clearly that the Appellant has filed his Form-A to harass the office of the PIO with malice by misusing the provision of the RTI, Act, 2005, and moreso, that is being understood by the consecutive absence of the Appellant in the hearings in the court of First Appellate Authority.

The Commission hereby orders:

That in the instant appeal, the decision of First Appellate Authority (FAA) is found genuine for the dismissal of the Appeal ex-parte, so the Commission uphold the judgment of the First Appellate Authority (FAA) and the court of this Commission dismiss the Appeal with liberty given to the Appellant to file fresh application before the same office of the PIO, if he really needs the information(s).

Order;

In view of the above facts and circumstance by upholding the judgment of the First Appellate Authority (FAA) to dismiss the appeal, the Commission hereby dismiss this Appeal with liberty given to the Appellant to file fresh application if he needs so. And, accordingly, this Appeal stands dismissed and closed once for all.

Judgment/Order pronounced in the open Court of this Commission today on this 6th day of May' 2025. Copy of this Judgment/Order be furnished to the parties.

Given under my hand and seal of this Commission/Court on this 6th day of May' 2025.

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

Memo.No.APIC-72/A/2025 *1732* Dated Itanagar, the *15*..May, 2025.

Copy to:

1. PIO-Cum-Executive Engineer, PWD, Changlang Div. Changlang District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code-792120.**
2. Shri Tamchi Gungte, Near KV-II School, Chimpu, Itanagar, P/Pare District Arunachal Pradesh for information please. **Contact No. 9233567279**
3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy

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