

GAHC040016902025



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/487/2025

Pasighat Smart City Development Corporation Limited
represented by its Administrator Shri Jeetender Thakur, Son of Shri Nagendar Thakur,
resident of Pasighat Smart City Campus, Opposite DFO Office, Mirmir Tinali, Agam
Colony, Pasighat, East Siang District, Arunachal Pradesh.

VERSUS

The State of AP and 2 Ors
represented by its Chief Secretary, Govt of Arunachal Pradesh. 2:The Arunachal
Pradesh Information Commission

Age: 0

Occupation :

Itanagar

Arunachal Pradesh.

3:Tamchi Gungte

GS

Age: 0

Occupation :

Arunachal Pradesh People Rights Forum

Near KV-II School

Chimpu

PO and PS Chimpu

Papum Pare District

Arunachal Pradesh

Advocate for the Petitioner : N Khera, A Syiem, S Deb

Advocate for the Respondent : GA (AP),

Linked Case : IA(C)/248/2025

Pasighat Smart City Development Corporation Limited

Age: 0

Occupation :

Address:represented by its Administrator Shri Jeetender Thakur

Son of Shri Nagendar Thakur

resident of Pasighat Smart City Campus

Opposite DFO Office

Mirmir Tinali

Agam Colony

Pasighat

East Siang District

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Papum Pare District

Arunachal Pradesh.

Advocate for : N Khera

Advocate for : GA (AP) appearing for The State of AP and 2 Ors: Advocate ,

, appearing for 2,

3, respectively.

**BEFORE
HONOURABLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 26.09.2025

Heard Mr. T. Marngar, learned counsel for the petitioner.

Challenge made in this writ petition is to the Order dated 22.08.2025, passed by the State Information Commissioner, Arunachal Pradesh Information Commission (APIC), Itanagar, whereby, while interpreting Rule 3 of the Arunachal Pradesh District Based Entrepreneurs and Professionals (Incentives, Development and Promotional) Act, 2015 and the rules framed thereunder, directed the petitioner to furnish the information/documents within two weeks.

It is the contention of the petitioner that the Commissioner has no authority to interpret the provisions of the Act and Rules while hearing an appeal under the Right to Information Act, 2005 (for short, "RTI Act, 2005"). The duty cast upon the Commissioner is only with regard to issue of furnishing or non-furnishing of the information sought as per the RTI Act, 2005.

Issue notice, returnable by 4(four) weeks.

As Mr. N. Ratan, learned Addl. Advocate General has entered appearance and accepted notice on behalf respondent No.1, no formal notice need be issued. However, requisite extra copies of the writ petition be furnished to him within two working days.

The learned counsel for the petitioner to take steps for service of notice upon the respondents No.2 and 3 by registered post with A/d as well as by usual process within a period of 2(two) days from today.

Having considered the submission of learned counsel for the petitioner, it is provided that the impugned order dated 22.08.2025, passed by the State Information Commissioner, Arunachal Pradesh Information Commission (APIC), Itanagar, shall remain stayed, till the returnable date.

List the matter after four weeks.

JUDGE

Comparing Assistant