



ITANAGAR, ARUNACHAL PRADESH

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

Vide Case No.APIC-368/2024

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

Shri Yamra Elia

..... Appellant

-VERSUS-

PIO-Cum-Chief Engineer, Hydro Power Dept. (W/Zone),
Itanagar, Papum Pare District,
Govt. of Arunachal Pradesh

..... Respondent.

Order: 04.12.2025.

JUDGEMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI 2005. Brief fact of the case is that the Appellant Shri Yamra Ela on **20/08/2024** filed an RTI application in Form- 'A' before the PIO-cum-CE, Hydropower Development West Zone now renamed to Department of Hydropower Development Subansiri Basin Itanagar, Govt. of Arunachal Pradesh. Whereby seeking various information as quoted in Form 'A' application. The Appellant being not receiving the information from the PIO filed the First Appeal before the First Appellate Authority (FAA) on **04/10/2024**, and even then, the Appellant not receiving the required information from the PIO, filed the Second Appeal before the Arunachal Pradesh Information Commission on **26/11/2024** and the Registry of the Commission (APIC) having receipt of the Appeal registered it as APIC-No. 368/A/2024 (Appeal) and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission on **28/01/2025**, **06/04/2025**, **26/08/2025** & **04.12.2025** wherein the Appellant Shri Yamra Ela found absent without intimation to the Commission the reasons for his inability to attend the hearing on the first hearing and the fourth hearing.

The PIO-cum-CE, Hydropower Development West Zone Itanagar, Govt. of Arunachal Pradesh is represented by Shri Taba Tagu (ASW) Subansiri Basin, Govt. of Arunachal Pradesh is present during the hearing.

The appellant, Shri Yamra Ela has been absent on two hearings and has failed to present any valid justification for such absence. As per the records, the appellant has not participated with due diligence, leading to the conclusion that the appeal lacks the necessary engagement from the appellant's side.

Furthermore, the information sought pertains to the construction of the Kush mini hydel project, which was executed in 1990 by the PWD Sangram Division. Then it was handed over to the Department of Power Govt of

Arunachal Pradesh and again it was handed over to the Department of the present PIO-cum CE Department of Hydrpower Development Subansiri Basin.

Subsequent transfer of the same project to different Department further complicated the retrieval of information, to which the Appellant has sought.

Considering the project's age of over 35 years, it is evident that locating and providing detailed information from the appropriate authorities is an impractical task. The present Public Information Officer (PIO) do not possess the relevant records as the information pertains to historical data managed by two previous departments.

Hence, in light of the above circumstances and the lack of participation from the appellant, the following orders are issued:

- i) Dismissal of Appeal: The appeal is hereby dismissed ex parte due to the consecutive absence of the appellant.
- ii) Liberty to Reapply: The appellant is granted the liberty to file an application seeking the information directly from the PWD Sangram Division regarding the construction of the Kush mini hydel project. It is advised that the appellant approach the appropriate competent authority to remedy the situation.
- iii) The records shall reflect that the dismissal is made considering the proper evaluation of the circumstances surrounding the appeal and the procedural adherence by the parties involved.

This order is made in good faith and with the intent to allow the appellant the opportunity to pursue the relevant information through the appropriate channels.

Order;

In view of the above facts and circumstance the Commission dismiss this **Appeal ex-parte..** And, accordingly, this Appeal stands dismissed and closed once for all.

Judgment pronounced in the open Court of this Commission today on this 4th day of December' 2025.

Given under my hand and seal of this Commission on this 4th day of December' 2025

Sd/-

(Vijay Taram)

State Information Commissioner
APIC-Itanagar

Memo.No.APIC-368/A/2024/1019

Dated Itanagar, the 10th December, 2025.

Copy to:

1. PIO-Cum-O/O Chief Engineer, Hydro Power Dept. (W/Zone), Itanagar, P/Pare District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code:791111**
2. Shri Yamra Elia, Chimpu, Itanagar, P/Pare District Arunachal Pradesh for information please. **Contact No. 6909899941**
3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy

Registrar/Dy. Registrar

APIC, Itanagar

Arunachal Pradesh State Information Commission