



ARUNACHAL PRADESH INFORMATION COMMISSION : ITANAGAR.
ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Case No. APIC- 683/2025.

APPELLANT
RESPONDENT

: Shri Ha Tago & Shri Sartam Tallu, Nirjuli.
: The PIO, o/o the District Land Revenue & Settlement
Officer (DLRSO) Kra Daadi District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ha Tago & Shri Sartam Tallu for non-furnishing of below mentioned information by the PIO, o/o the District Land Revenue & Settlement Officer (DLRSO) Kra Daadi District (A.P) as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 27.06.2025:

A. **Particular of information:** Details information about the Land compensation and all other relevant document regarding the Frontier High-way stretch Huri-Taliha package-III under Kra Daadi District.

B. **Details of information required:**

1. A copy of Sanction order;
2. A copy of Social impact report & Public notice of Land acquisition;
3. A copy of Final bill list submitted by steering committee/department with Items wise/quantities rate of each beneficiary;
4. A copy of list of steering committees and it members;
5. A copy of funds provision allocates for survey and investigation with expenditure report includes Utility certificate and bill Voucher;
6. A copy of total funds/amount against the beneficiary of Kra Daadi district on ground of land compensation release from GOI;
7. A copy of final ground survey report and total Kilometers of land areas of Frontier Highway package-III under Kra Daadi District with Beneficiary chainage Numbers;
8. A copy of Final Notification/declaration Report of the land acquired & beneficiaries list And amount of bill against each beneficiary;
9. A copy of NOC for eligible beneficiaries from Gram Panchayat of concerned villages and it minutes or representation as per manual guideline;
10. A copy of details of the beneficiary account where the compensation amount was disbursed or will disburse and a CTC copy of cheque vouchers;
11. A copies of NOC from each land owners & agreement copy of land owners with department;
12. Furnish a copy of cheques amount dispatched for land compensation to each land owners Through cheque/PFMS/DBT etc. and
13. A copy of unused balance amount & solitum amount.

C. Period for Information asked for: 2024-2025

Facts emerging from the appeal and decision.

1. WHEREAS Shri Ha Tago & Shri Sartam Tallu had filed RTI application dt. 27.06.2025 before the PIO, o/o the District Land Revenue & Settlement Officer (DLRSO) Kra Daadi District, Palin under section 6(1) of RTI Act, 2005 requesting for the aforementioned information but failed to obtain the same which prompted them to appeal before the Deputy Commissioner, KraDaadi District, Govt. of A.P, the First Appellate Authority (FAA) under Section 19 (1) of the RTI Act, 2005 vide their appeal memo dt. 29.07.2025. However, no records as to the conduct of hearing by the FAA, if any, has been placed in the appeal. The appellants, however, preferred their second appeal before this Commission under 19(3) of the RTI Act, 2005 vide memo of appeal dated 01.09.2025 on the ground that the PIO did not furnish the requested information.

2. AND WHEREAS this appeal was heard 3(three) times on 19.11.2025, 16.01.2026 and on 30.01.2026. On 19.11.2025, wherein one of the appellants, Shri Ha Tago was present in person while the PIO, the (DLRSO) was represented by Ld. Counsel, Advocate Shri Xavier Gyati, this Commission, upon hearing the parties and on perusal of the PIO's letter dt.08.08.2025 by which the replies were furnished to the appellants, had held as under:

"1) that as regards the denial of **Social impact report {Sl. No.(c) of RTI application}**, the submission of the PIO that *Social Impact Assessment (SIA) was not conducted as the Land was acquired under the urgency clause in section 40 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARRA) vide Govt. Notification dt. 22.11.2024, is found to be justified and therefore, no direction can be passed to the PIO to furnish an information/document which is not in existence.*

2. that with respect to **Final Bill list submitted by the Steering Committee/ Department with item wise/quantities of rate of each beneficiary {Sl. No.(d)}**, the ground cited by the PIO in denying this information being third party information can not be accepted for the simple reason that the report of the Assessment Committee which is, admittedly, a Govt. record is not a third party information/documents as claimed by the PIO and therefore, the requested information can not be said to be covered by the exemption clause (j) of section 8(1) as a third party information and, hence, can be disclosed. -2-

3. that similarly, the denial of information against query at Sl. No.(f) **Funds provision allocates for survey and investigation with expenditure report includes utility certificates and bill & Bill Vouchers**, as being *inter-departmental administrative and financial records, not in the public domain and exempted under Section 8(1)(d) & 8(1)(j)*, can not be accepted inasmuch as the fund allocated against the expenditure in question is a Govt. fund and not something covered under clauses (d) and (j) of section 8(1) of the RTI Act. The requested information can, therefore, be furnished more so when the PIO, as noticed in his replies to query on Total fund allocation to the beneficiary {Sl. No. (g) of RTI application, had already furnished the information.

4. that as regards replies against Sl.NO. (j) **NOC from Gram Panchayats of affected villages**, the grounds cited therein that the *Land acquisition was carried out as per LARR Act 2013 and Manual of Land Acquisition, Arunachal Pradesh 2022, invoking urgency clause under section 40 of the Act, is found justified and no direction can be passed for disclosure of an information which does not exist.*

5. that with respect to denial of **Beneficiary Account Details, Cheque Vouchers, Bank Info.** {Sl. No.(k)} being personal financial data, exempt under Section 8(1)(j) of the RTI Act, the ground cited by the PIO can be accepted to the extent that the account details of the beneficiaries like account transection (debit /credit) can be said to be personal data of third party covered by the provisions of section 8(1)(j) but the names of beneficiaries, their account numbers and the amount of compensation paid to them can be disclosed for the reasons cited in the preceding paras.”

Accordingly, this Commission had passed the following direction to the PIO:

“(1)The PIO shall furnish the information/documents against the following queries as requested by the appellant in his RTI application:

- i. Sl. No.(b)(copy of Sanction order);
- ii. Sl. No.(d)(copy of Final bill list submitted by steering committee/department with Items wise/quantities rate of each beneficiary);
- iii. Sl. No.(e) (copy of list of steering committees and its members);
- iv. Sl. No.(f)(copy of funds provision allocates for survey and investigation with expenditure report includes Utility certificate and bill Voucher);
- v. Sl. No.(g)(copy of total funds/amount against the beneficiary of Kra Daadi district on ground of land compensation release from GOI);
- vi. Sl. No.(h)(copy of final ground survey report and total Kilometers of land areas of Frontier Highway package-III under Kra Daadi District with Beneficiary -wise chainage Numbers);
- vii. Sl. No.(i)(copy of Final Notification/declaration Report of the land acquired & beneficiaries list and amount of bill against each beneficiary);
- viii. Sl. No.(k)(copy of details of the beneficiary account where the compensation amount was disbursed or will disburse and a CTC copy of cheque vouchers) and
- ix. Sl. No.(n) (copy of unused balance amount & solatium amount).

(2)The PIO shall furnish the above documents/information to the appellant in a tabular form with proper index and duly certified by the PIO and report the compliance therewith on 16th January, 2025 the next date of hearing without fail so as not to constrain this Commission to invoke penal provisions of the RTI Act,2005.”

3. AND WHEREAS on 16.01.2026, the PIO, Er. Shri Pudom Taku, DLRSO was present in person and the appellants were also present with their Counsel, Shri Sorang Tada and the following were the submissions made by the parties:

The appellants and their Ld. Counsel submitted that the PIO did not furnish the requested information/documents despite the direction of this Commission. They also submitted that the Commission, in its earlier order did not pass any direction on their query at Sl.(j)(**NOC from Gram Panchayats of affected villages**). In this regard, this Commission in its aforesaid order had already considered the point and endorsed the grounds cited by the PIO i.e *invocation of urgency clause under section 40 of the LARR Act 2013*, for non-furnishing the said information, as justified and therefore, it is re-iterated that no direction can be passed for disclosure of an information which does not exist. The appellants/Ld. Counsel, however, insisted for the copy of the Govt. notification issued under section 40 of the Act and it's publication in the News paper. The said documents, which are available along with other records submitted to this Commission by the PIO earlier shall be furnished to the appellants which shall be collected by them on next working day (19.01.2026).

The appellants also demanded that the copy of notice issued by the office of the Deputy Commissioner under the proviso to section-40(2) of the LARR Act be furnished to them.

The PIO, on the other hand, submitted as under:

- a) that no Steering Committee was constituted for recommending *Final bill list with Items wise/quantities rate of each beneficiary* as requested by the appellants vide Sl. No.(d) of their application but there was an Assessment Committee constituted by the Govt. for assessment of land and other standing properties, the copy of which can be furnished to the appellants;
- b) that there was no separate fund allotted for *survey and investigation {Sl. No. (f)}* but the expenditure on *survey and investigation* was borne out of the contingency fund provisions provided for administrative charges, the detailed statement of expenditure of which can be furnished to the appellants;
- c) that as regards the *total funds/amount against the beneficiary of Kra Daadi district release from GOI {Sl. No.(g)}*, the o/o the PIO does not hold the copy of sanction but available with the State Govt.;
- d) that the information/documents requested vide Sl. No.(h), (i) and (k) are identical in nature and the details, such as, the names of beneficiaries, *Beneficiary-wise chainage Numbers, actual amount of compensation paid, cheque numbers etc.* could be found in the *Final Notification/declaration Report except the individual Bank A/c number of the beneficiaries as the compensation amount was not disbursed in the bank accounts and*
- e) that the details of *balance amount & solatium amount {Sl. No.(n)}* could be furnished.

4. AND WHEREAS this Commission, upon hearing the PIO and in light of his submission as above, directed him to furnish the information/documents as above. He was also directed to furnish the copy of notice issued by the D.C under the proviso to section 40(2) of the LARRA 2013. *It was, however, made clear that if the o/o the PIO does not hold any of the information/documents including the copy of cheques by which the compensation were released to the beneficiaries, he shall furnish appropriate replies by way of an affidavit as mandated under section-18(3)(c) of the RTI Act, 2005 and under rule-5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.*

The PIO was, thus, directed to comply with the above direction within 2(two) weeks from the date of receipt of order and report compliance thereof on 30.01.2026, the next date of hearing.

4. AND WHEREAS on 30.01.2026, the appellants were present while the PIO was represented by Shri Jumdo Karbak, Mandal with the letter dt.26.01.2026 from the PIO furnishing the replies to the left out information as under:

“Sir,

With reference to the Order/Summons and directions issued by the Hon'ble Commission, the undersigned, in capacity as Public Information Officer, respectfully submits point-wise compliance based on records available in this office.

*Certified copies are furnished wherever readily available and permissible.
Information furnished in compliance of the Commission's order.*

The following documents/information are furnished to the appellant in tabular form with proper index and duly certified copy:

S/N	RTI Query No.	Information furnished	Remarks
1	(b)	Copy of Sanction Order	The document available in district record evidencing release / deposit of fund towards land acquisition cost is furnished. Separate administrative / financial sanction order, if any, is not held in custody of this office. Enclosed: Annexure-A
2	(d)	Copy of Final Bill List of Steering Committee with item-wise/quantity-wise rates.	As submitted during hearing dated 16-0- 2026, no Steering Committee was constituted for recommending Final Bill List. Compensation assessment was carried out through duly constituted assessment Board Headed by the ADC, Tali (Annexure-C). Beneficiary-wise compensation assessment records exist in case file. Certified copies are presently under verification before furnishing in compliance with direction of Hon'ble Commission. Aggregate compensation position is furnished. Enclosed: Annexure-B(Award)
3	(e)	Copy of constitution of Steering Committee and list of members order of assessment	Copy of constitution order of assessment/ valuation committee as available in records of this office, is furnished. Enclosed: Annexure-C
4	(f)	Copy of Funds Provision Order for survey and investigation with expenditure report includes utility certificate bill Voucher.	No separate fund provision order exists exclusively for survey and Investigation work at office level. Expenditure relating to survey and investigation is met from contingency provision forming part of total land Acquisition cost. AS per Manual for land Acquisition in Arunachal Pradesh, 2022 contingency provision is calculated at 1% of value of land and assets (excluding solatium component), subject to Government ceiling limits. Relevant vouchers and bills exist as part of financial case records and are under verification before furnishing permissible certified copies in compliance with direction of Hon'ble Commission. Enclosed: Annexure-B (Award)
5	(g)	Copy of total funds released for land compensation in Kra Daadi District.	Fund release / deposit communication available in Office record is furnished at Annexure-A

6	(h)	Copy of Final Ground Survey Report along with beneficiary-wise chainage details.	Total land acquisition length 63.800 km and total land area acquired are 267.7924 Hectare as per available records. Beneficiary-wise chainage details exist in survey and assessment records and are under verification before furnishing certified copies.
7	(i)	Copy of Final notification/Declaration with beneficiary list and amount of compensation.	Final Declaration under Section-19 RFCTLARR Act is furnished. Compensation amount is not recorded in Section-19 Declaration document and therefore cannot be supplied as part of that specific record. Beneficiary-wise amount exists in assessment records and is under verification before furnishing. Annexure-D
8	(k)	Details of beneficiaries showing Name, cheque number and amount disbursed.	Names of PAFs are already reflected in Section-19 Declaration (Annexure-D). Beneficiary-wise cheque reference and compensation amount are traceable from payment acceptance records and payment files. However, consolidated certified statement containing PAF + Chainage + Amount + Cheque Reference is not readily available in compiled form at present and requires verification across multiple records. The same shall be furnished after completion of verification.
9	(n)	Copy of unused balance amount and solatium amount.	There is no unused balance amount. Out of total sanctioned compensation amount 102,13,54,921/-has been disbursed to 380 PAFs out of 382 beneficiaries. Balance 67,32,520/-pertains to two beneficiaries and is pending disbursement due to completion of procedural formalities. Solatium has already been paid along with Compensation for land and assets as per RFCTLARR Act, 2013.
10	Section 40(2) URGENCY COMPLIANCE CLARIFICATION		Preliminary Notification invoking urgency Clause under Section 40(1) RFCTLARR Act was issued. Enclosed: Annexure-E No separate Gazette Notification exists under proviso to Section 40(2). As per records, possession of land from PAFs was taken only after disbursement of compensation, and thereafter land was handed over to requiring agency.

This compliance report is submitted for kind information and record.

Sd/-

(Er. Pudom Taku) DLRSO-cum-PIO
O/o Deputy Commissioner
Kra Daadi District, Palin."

6. AND WHEREAS the replies of the PIO as above, which his representative reiterated during the hearing, have been perused and it was noticed that replies were largely acceptable except the following:

- a) *Copy of Final Bill List of Steering Committee with item-wise/quantity-wise rates {query (d)};*
- b) *Relevant vouchers and bills on expenditure relating to survey and investigation {query (f)};*
- c) *Final notification/Declaration withy beneficiary list and amount of compensation {query (i)};*
- d) *Details of beneficiaries showing Name, cheque number and amount disbursed {query (k)} and*
- e) *Notice under proviso to Section 40(2) (NOC from eligible beneficiaries from Gram Panchayat {query (j)}.*

7. AND WHEREAS this Commission, reminding the PIO of its earlier order dt.16.01.2026 regarding the requirement of law under section -7(8)(i) of the RTI Act,2005 r/w section-18(3)(c) of the RTI Act, 2005 and rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, directed him to furnish the replies to the above queries by way of an affidavit within 2(two) weeks from the date of receipt of the order making it clear that his failure would constrain this Commission to impose the penalty prescribed under section 20 as well as reasonable compensation under section 19(8)(b) of the RTI Act,2005.

8. AND WHEREAS the PIO failed to comply with the above direction which prompted the appellants to file complaint dt.17.02.2026 before this Commission complaining therein that despite Commission's order dated 2nd February, 2026, the PIO did not furnish the documents. The letter of the appellants' complaint is reproduced below:

"R/Sir,

With Reference to subject cited above we would like to draw your kind attention for necessary action please.

That sir, we being as appellants of mentioned above case humbly to inform you that your order. Memo No. APIC-683/2025/45.Date Itanagar, the 2nd Feb. 2026 issued against DLRSO Kra Daadi is yet not replay/furnish the documents to undersign.

Therefore Sir, we are an ardently request your good office to immediately issue penalty order on PIO, under section 20 as well as a reasonable compensation to both the appellant under section 19(8)(b) of the RTI Act, 2005.

This is for your kind consideration and necessary action please

Thanking You Sir,

Your Sincerely

Sd/-

Ha Tago (Appellant)

Sd/-

Sartam Tallu (Appellant)"

9. AND WHEREAS this Commission, taking serious view of the non-compliance of the direction of this Commission's order dt.30.01.26, issued Show cause Notice dt.05.03.2026 to the PIO, Er. Shri Pudom Taku, District Land Revenue & Settlement Officer (DLRSO, Palin directing him to appear in person on 1st April, 2026 and show cause as to why penalty of Rs. 25,000.00 (Rupees twenty five thousand) should not be imposed as provided under section 20(1) of the RTI Act, 2005 on him for willful non-compliance of the direction of this Commission and disrespect to the RTI regime.

10. AND WHEREAS today on 01.04.2026, the Appellants are present in person and the PIO is also present with his written explanation to the show cause notice stating that the delay in complying with this Commission's order dt. 30:01.26 had occurred due to pre-occupation in the urgent official duties and field responsibilities relating to ongoing land acquisition for 1720 MW Kamla Hydro Electric Project (KHEP). The PIO also produced the copy of affidavit dt. 19.03.2026 sworn in by him declaring therein the reasons for denial of the information/documents in respect of the queries mentioned at Para-6 above.

11. AND WHEREAS during the course of hearing the PIO submitted that the original copy of the affidavit has since been sent to the appellants on 25.03.26 vide letter dt.19.03.2026(As extracted hereunder) via Speed post, the xerox copy whereof has been handed over to the appellants.

"Sir,

With reference to the subject cited above, it is to inform that in compliance with the directions of the Hon'ble Arunachal Pradesh Information Commission In APIC Case No. 683/2025, this office has filed a Reply on Affidavit before the Hon'ble Commission addressing the queries as directed.

A copy of the said Reply on Affidavit along with annexures is hereby forwarded for your information.

It is further clarified that the information furnished is strictly based on records available in this office, and the same has been provided in accordance with the provisions of the Right to Information Act, 2005 and applicable procedures governing land acquisition records.

This is issued for Information and record.

*Yours faithfully,
Sd/-
(Er. Pudom Taku)
DLRSO-cum-PIO"*

12. AND WHEREAS this commission considered the replies furnished by the PIO against the Show Cause notice dt.05.03.2026 with which this Commission is satisfied that the PIO was prevented from complying with the order of this Commission for genuine reasons of administrative exigencies in view whereof the said show cause notice is hereby closed.

13. AND WHEREAS this Commission also perused the affidavit dt.19.03.2026 and the contents therein and notices that the PIO has duly complied with the requirement of law as provided under section -7(8)(i) of the RTI Act,2005 r/w section-18(3)(c) of the RTI Act, 2005 and rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, the extract of which are reproduced hereunder:

- (1) Section 7(8) "where a request has been rejected under sub-section(1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall communicate to the reason making the request,-
(i) the reasons for such rejection;"
- (2) Section 18(3)(c) "The Central Public Information Officer or State Public Information Officer, as the case may be, shall while inquiring into any matter under this section, have the same powers....., in respect of the following matters, namely:-
(a) ...
(b) ...
(c) receiving evidence on affidavit."
- (3) Rule 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005:
"In deciding the appeal the Commission shall,-
(i) ...
(ii) ...
(iii)
(iv)
(v)
(vi) receive evidence on affidavits from the State Public Information Officer, Assistant State Public Information Officer, such Senior Officer who decided the first appeal or third party."

14. NOW THEREFORE, this Commission concludes that this appeal no longer requires any further adjudication in this Commission and consequently, it stands disposed of and closed. If the appellent or the respondent PIO, feels aggrieved/dissatisfied with the order of this Commission as above, he may prefer appeal before the appropriate forum in terms of section 23 of the RTI Act, 2005.

Given under my hand and seal of this Commission on this 1st April, 2026.

Sd/-
(S. TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC-683/2025 / 11 78 Dated Itanagar, the 07 April, 2026

Copy to:

1. The Dy. Commissioner Kra Daadi District (A.P), the First Appellate Authority (FAA), for information.
2. The PIO, o/o the District Land Revenue & Settlement Officer (DLRSO) Kra Daadi District (A.P)(Pin Code:791118) for information.
3. Shri Ha Tago & Shri Sartam Tallu, State General Secretary & finance Secy., Anti Corruption Foundation A.P, Camp office Haku village Nirjuli (PIN:791109) (Contact No. 9612541253/8258882412) for information.
4. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
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