



## ARUNACHAL PRADESH INFORMATION COMMISSION ITANAGAR

BEFORE THE HON'BLE COURT OF SHRI GUMJUM HAIDER, STATE INFORMATION COMMISSIONER  
No.APIC-356/2023

Dated, Itanagar the 29<sup>th</sup> January', 2024.

### Under Section 19(3) RTI Act, 2005

#### Appellant

Shri Takheng Lamnio,  
Gohpur, near KV No.2,  
Itanagar, ICR, AP.

#### Respondent

PIO-cum-EAC, O/o The DC,  
Seppa, E/Kameng District, AP.

Vs

### JUDGEMENT ORDER

An appeal under section 19(3) of RTI Act, 2005 was received from **Shri Takheng Lamnio, gohpur, Near KV No.2, PO-R K Mission, PS-Itanagar, ICR, Arunachal Pradesh**, for non-furnishing of information, by **The PIO-cum-EAC, O/o The Deputy Commissioner, Seppa, East Kameng District, 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 25.01.2023 filed an RTI application under 'Form-A' before the PIO, whereby, seeking various information regarding:

***"High Altitude road from Lada to Basai via Sangchung East Kameng District"***.

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

The 1<sup>st</sup> hearing was held on 28<sup>th</sup> day of June' 2023. Both the parties were present. Heard both the parties. The PIO informed the Court that the information sought by the appellant will be furnished by 30<sup>th</sup> June' 2023. The Court directed the appellant to go through the documents on receipt and inform his redressals of satisfaction/dissatisfaction on or before next date of hearing fixed on 26<sup>th</sup> July' 2023.

The 02<sup>nd</sup> hearing was held on 26<sup>th</sup> day of July' 2023. The appellant was present but the PIO was absent. The case was heard ex-parte. The appellant informed the Court that the PIO hasn't yet furnished any documents as sought by him. The Court seriously viewed the absence of PIO in the Court without any intimation and further imposed a reasonable penalty u/s 20(1) of the RTI Act 2005 for violation of Sub-Section (1) of the Section 7 of the RTI Act, 2005. Hence the Court, fixed another date of hearing for the case on 17<sup>th</sup> August' 2023.

The 03<sup>rd</sup> hearing was held on 17<sup>th</sup> August' 2023. The appellant was present but the PIO was absent. The case was heard ex-parte. The Court seriously viewed the absence of the PIO and again imposed a reasonable penalty u/s 20(1) of the RTI Act 2005 for violation of Sub-Section (1) of the Section 7 of the RTI Act, 2005 and failing which the PIO shall be invoked with the Section 20(2) of the RTI Act, 2005. Hence the Court, fixed another date of hearing for the case on 17<sup>th</sup> August' 2023.

The 04<sup>th</sup> hearing was held on 30<sup>th</sup> day of August' 2023. The appellant was present but the PIO was absent. The PIO though absent was heard over phone. The PIO informed the Court that the documents sought by the appellant would be furnished tomorrow i.e. 01<sup>st</sup> September 2023. The Court directed the appellant to go through the documents on receipt and inform his redressal of satisfaction/dissatisfaction on or before next date of hearing fixed on 14<sup>th</sup> September' 2023.

The 05<sup>th</sup> hearing was held on 14<sup>th</sup> day of September' 2023. The appellant was present but the PIO was absent. The case was heard ex-parte. The appellant informed the Court that the documents furnished by the PIO were incomplete. On this, the Court directed the PIO to furnish complete documents to the appellant on or before next date of hearing fixed on 18<sup>th</sup> October' 2023.

The 06<sup>th</sup> hearing was held on 18<sup>th</sup> day of October' 2023. The appellant was present but the PIO was absent. The APIO Shro Yomgam Marde, CO, Sewa represented the case on-behalf of the PIO. Heard both the parties. The appellant informed the Court that some documents haven't been furnished yet by the PIO. The Court directed the APIO to furnish a) Total compensation amount sanctioned b) Newspaper cutting/publication on or before next date of hearing fixed on 16<sup>th</sup> November' 2023.

The 7<sup>th</sup> hearing was held on 16<sup>th</sup> November' 2023. The appellant was present but the PIO was absent. However, the PIO has forwarded the information sought by the appellant through mail/whatsapp which was produced during the hearing of the case. The appellant had refused to accept the documents as it wasn't visible. Further, the PIO was contacted over phone and he had been directed to provide the documents in original form to the appellant by quickest means on or before next date of hearing fixed for the case on 20<sup>th</sup> December' 2023.

The 8<sup>th</sup> hearing was held on 20<sup>th</sup> December' 2023. The appellant was present but the PIO was absent. A Dak runner came in the Court and handed over the dak to the appellant furnished by the PIO. The PIO was contacted over phone during the hearing of this case and he has been directed to sworn in an affidavit if no publication is made on local dialects as sought by the appellant on or before next date of hearing fixed for the case on 17<sup>th</sup> January' 2024.

The 9<sup>th</sup> hearing was held on 17<sup>th</sup> January' 2024. The appellant was present but the PIO was absent. The case was heard ex-parte. The PIO had sent the affidavit in the Court though his staff and the documents was received by the appellant. After going through the document the appellant expressed his satisfaction and pleaded for disposal of the case. Hence, the Court directed to dispose of the case and no such hearings for this case will be entertained further in the Commission's Court for this case.

*Considering all the above aspects into account, I find this appeal fit to be disposed off as infructuous. And, accordingly, this appeal stands disposed off 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 29<sup>th</sup> day of January' 2024.**

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

Dated, Itanagar, the 29<sup>th</sup> January' 2024.

Memo.No.APIC- 356/2023/ 1273  
Copy to:-

1. The PIO-cum-EAC, O/o The Deputy Commissioner, Seppa, East Kameng District, PIN – 790102, Arunachal Pradesh, for information & necessary action please.
2. Shri Takheng Lamnio, Gohpur, Near KV No.2. PO-RKM, PS-Itanagar, ICR, PIN-791111, PH-9402843687, Arunachal Pradesh, for information & necessary action please.
3. The Computer Programmer for uploading on the Website of APIC.
4. Office copy.

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