



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC- 731/2025.

APPELLANT : Shri Nabam Bida Hina & Nabam Sonia, Doimukh.
RESPONDENT : The PIO, o/o the (DLRSO), Yupia, Papum Pare District,

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Nabam Bida Hina & Nabam Sonia for non-furnishing of below mentioned information by the PIO, o/o the (DLRSO), Yupia, Papum Pare District (which was inadvertently mentioned as the "the EE (RWD), Yupia Division, Itanagar, Govt. of Arunachal Pradesh" in the Summon Notice dt. 8th January, 2025), as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 14.07.2025.

(a) Particulars of information: 132 KV Line transmission Compensation details of Leporiang Circle (including – yet to payment for compensation).

(b) Details of Information:

1. All land compensate details/recipients.
2. KMZ file for 132 KV line transmission of the Leporiang Circle.
3. Furnish segregation map of Community/private land reserve forest area of 132 KV line under Leporiang Circle.
4. Furnish copies of Final Bills.
5. Assessments items of all land beneficiary/recipients.
6. Furnish rates/value copy of plain land/commercial/WRC, Non-Cultivable/fallow land, hill lock/slope land, Agri-Horti items.
7. Towers and Air-Surface rate.
8. Building and other properties.
9. Total Compensation fund received from the competent authority for the 132 KV line, Leporiang Circle.

(c) Period for which information asked for:-2024-2025.

Brief facts emerging from the appeal:

Records emerging from the appeal disclose that the Appellants had requested the PIO for the aforementioned information / documents but failed to obtain the same which prompted them to appeal before the Deputy Commissioner, Papum Pare District, Yupia, Govt. of Arunachal Pradesh, Itanagar as the First Appellate Authority (F.A.A) under Section 19 (1) of the RTI Act vide his Appeal Memo dated 13.08.2025.

Records further reveal that the PIO, vide his letter dt. 11.08.2025, had furnished replies to some of the sought for information to the appellants.

Records also disclose that the D.C., Yupia, the First Appellate Authority had conducted the hearing on 12.09.2025 and disposed of the appeal holding that the PIO had furnished the requested information/documents to the appellants.

The appellants, however, apparently, not satisfied with the response of the FAA and the PIO, had preferred 2nd appeal before this Commission under section 19 (3) of the RTI Act, 2005 vide their Memo of appeal dt. 24.09.2025.

This appeal was, accordingly, listed and heard on 4th of February, 2025 wherein the PIO was represented by Shri Takam Logi, Mandal but the appellants were absent without any intimation.

This Commission, taking into account the absence of the appellants in the hearing despite summons and after hearing the representative of the PIO, who, reiterating the submission of the PIO made before the FAA in the hearing conducted by the FAA, pleaded for closure of the appeal, disposed of and closed the appeal in terms of the stipulation contained in the summon notice that in default of appearance by the parties, the matter will be heard and determined in their absence.

The appellants, however, vide their petition dt. Nil prayed for listing the appeal again and to afford them an opportunity of hearing to present their case on merit. The extract of their prayer is reproduced hereunder:

“ Most respectfully showeth:

1. *That the appellant had preferred the present second appeal under section 19 (3) of the Fight to Information Act, 2005, seeking information from the respondent authority which was illegally withheld/ incompletely furnished.*
2. *That the above mentioned second appeal came to be disposed of by this Hon'ble Commission vide order dated 04/02/2026 passed without hearing of the appellant and same shall re-hearing.*
3. *That due to circumstance beyond the control of the appellant, the appellant could not appear and/or effectively represent the case at the time of heating the reasons, inter alia, include; non-service of hearing notice, and or unavoidable personal circumstance or medical exigency, and or non-availability of counsel or technical difficulties in virtual hearing.*
4. *That the non-appearance of the appellant was neither wilful nor deliberate, but purely bono fide and unintentional.*
5. *That the appellant has a strong prima face case on merits, as the respondent public information officer DLRSO, Papum Pare, Yupia has failed to comply with the mandatory provisions of the RTI Act by not furnishing the complete and correct information within the prescribed statutory period.*
6. *That the impugned order has resulted in serious prejudice to the appellant and has defeated the very object and spirit of he Right to Information Act, 2005.*
7. *That it is a settled principle of law that no litigant should suffer for technical lapses, and matters ought to be decided on merits rather than on procedural grounds.*
8. *That this Hon'ble Commission is empowered to recall its order and grant re-hearing in order to secure the ends of justice and ensure transparency and accountability in public administration.*
9. *That no prejudice will be caused to the respondent if the present application is allowed, whereas grave and irreparable loss will be caused to the appellant if the same is rejected.*

PRAYER

In view of the facts and circumstances stated above, it is most respectfully prayed that this Hon'ble Commission may graciously be pleased to allow the present application; Recall/set aside the order dated 04/02/2026 passed in second appeal No case U/S 19(3) of RTI Act, 2005 and restore the Second Appeal to its original file and

number; fix a fresh date of hearing and afford the appellant an opportunity to present the case on merits; and pass such other and further order (s) as this Hon'ble commission may deem fit and proper in the interest of justice.

And for this act of kindness, the appellant as in duty bound shall ever pray.

**(Filed by Counsel Appellant
through Advocate)**

Sd/-

Tacha Noma (Adv)"

This Commission, upon consideration of the prayer of the appellants recalled the closure order passed on 04.02.2026 and listed the appeal for hearing today on 13.03.2026.

Today one of the appellants, namely, Shri Nabam Sonia, assisted by Ms. Dindo Bori, is present in person while the PIO is represented by Shri Takam Logi, Mandal, o/o the DLRSO, Yupia with information/ replies to some of the queries.

Heard the parties.

The appellant, restating the demand for the requested information from the PIO, pleaded for an appropriate direction to the PIO to furnish the information/documents. The representative of the PIO, on the other hand, producing the copy of the PIO's letter dt.11.03.2026 furnishing the replies to the appellants, submitted that whatever information as requested by the appellants were available with the PIO, have been furnished to the appellants and that for the rest of the information/documents, these shall be provided to the appellants as and when these become available. In this regard the representative of the PIO also produced a copy of letter dt.03.03.26 written to the ADC, Sagali requesting to forward the rest of the relevant information regarding 132KV Line for furnishing to the appellants. The extract of the said letter is as under:

"Madam

Enclosed please find herewith an RTI Application received from one Shri Nabam Bida, vide No. nill Dated 14/4/2025 seeking information regarding 132KV Line from Leporiang to sagalee. In this regard it is to mention that the documents which are available in this office have already furnished to the applicant. (copy enclosed)

However, the applicant has appealed in the state information commission seeking complete information from this office

Therefore, it is requested to forward all the relevant documents available in your office as per the RTI application to the undersigned for taking further necessary action from this end

This is for your kind information and necessary action please.

Sd/-

(Nanne Yowa) DLRS

Papum pare District Yupia"

This Commission, after hearing the parties and upon perusal of the records including the PIO's letter dt.03.03.2026 to the ADC, Sagalee, directs the PIO to collect the relevant information/documents pertaining to the 132KV Line from Leporiang to Sagalee from the o/o the ADC, Sagalee and furnish to the appellants.

The representative of the PIO also submitted that the left out replies / information to rest of the queries shall be furnished as and when the process of settlement of the land acquisition and payment of compensation in 4(four) locations gets completed. This Commission, however, holds that the explanation/replies have to be finished by way of an affidavit in terms of the provisions of section section-18(3)(c) of the RTI Act, 2005 and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.

The o/o the ADC, Sagalee is also directed to forward all the relevant documents pertaining to the 132KV Line from Leporiang to Sagalee as available in his office as per the RTI application to the PIO.

In this regard, this Commission deems it appropriate to refer to the provisions of sub-sections (4) and (5) of section 5 of the RTI Act, 2005 which is reproduced hereunder:

“5(1)....

(2).....

(3).....

(4) *The Central Public Information or State Public Information Officer, as the case may be, may seek the assistance of any officer as he or she considers it necessary for the proper discharge of his or her duties.*

(5) *Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be.”*

The implication of the provisions of the above sub-sections is that on being requested by the PIO for the assistance of an officer for providing the documents requested by an RTI applicant, the said officer is bound to provide the requested documents/information and in the event of failure to provide the documents/information, such officer can be proceeded against as a PIO.

The PIO shall make an endeavour to comply with the above direction within 2(two) weeks from the date of receipt of this order and the appellants shall, thereafter within 1(one) week, intimate this Commission of the receipt of the same for further consideration of the appeal failing which this appeal shall stand closed without further notice.

Given under my hand and seal of this Commission on this 13th march, 2026.

Sd/-

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

Memo No. APIC-731/2025 / 731 Dated Itanagar, the 16th March, 2026

Copy to:

1. The Deputy Commissioner, Yupia, Papum Pare District, Govt. of A.P, Itanagar, the First Appellate Authority (F.A.A) for information and ensuring compliance by the PIO.
2. The PIO, o/o the (DLRSO), Yupia, Papum Pare District (Pin code-791111), Itanagar for information and compliance.
3. The ADC, Govt. of A.P, Sagalee, for information and compliance.
4. Shri Nabam Bida Hina & Nabam Sonia, Emchi Village, PO/PS-Doimukh, Papum Pare District (Pincode-791112), (Phone No.8414927669/8413997388) for information.
5. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
6. Office Copy.
7. S/Copy

Pragya 16/03/26
Registrar/ Deputy Registrar
APIC, Itanagar.
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar