



सूचना का
अधिकार
RIGHT TO
INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

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

Case No. APIC- 683/2025.

APPELLANT

: Shri Ha Tago & Shri SartamTallu, Nirjuli.

RESPONDENT

: The PIO, o/o the District Land Revenue & Settlement Officer (DLRSO) KraDaadi District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ha Tago & Shri SartamTallu for non-furnishing of 13(thirteen) point information about the Land compensation and other relevant document regarding the Frontier High-way stretch Huri-Taliha package-III under KraDaadi District 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.

This appeal was heard 2(two) times earlier i.e on 19.11.2025 and on 16.01.2026. On 19.11.2025 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, on 19.11.2025, 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.

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 transaction (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:

- xix. Sl. No.(b) (copy of Sanction order);
- xx. Sl. No.(d) (copy of Final bill list submitted by steering committee/department with Items wise/quantities rate of each beneficiary);
- xxi. Sl. No.(e) (copy of list of steering committees and its members);
- xxii. Sl. No.(f) (copy of funds provision allocates for survey and investigation with expenditure report includes Utility certificate and bill Voucher);
- xxiii. Sl. No.(g) (copy of total funds/amount against the beneficiary of Kra Daadi district on ground of land compensation release from GOI);
- xxiv. 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);
- xxv. Sl. No.(i) (copy of Final Notification/declaration Report of the land acquired & beneficiaries list and amount of bill against each beneficiary);
- xxvi. 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
- xxvii. 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.”

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 *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.

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.

Today on 30.01.2026, the appellants are present while the PIO is represented by Shri Jumdo Karbak, Mandal is present 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'bie 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 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.

			<p>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.</p> <p>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.</p> <p>Enclosed: Annexure-B (Award)</p>
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 withy 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.
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 comeletion 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.
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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."

The above replies of the PIO, which the representative of the PIO, reiterated during the hearing today, have been perused and it is noticed that replies are largely acceptable except the following, *the replies /clarification whereof shall be furnished in an affidavit:*

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

As already directed by this Commission in its earlier order dt.16.01.2026, it is the requirement of law under section -7(8)(i) of the RTI Act,2005 that when an information is denied to the applicant, the reason thereof has to be communicated to the applicant to his satisfaction. And as mandated by section-18(3)(c) of the RTI Act, 2005 and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, the submission/reply of the PIO has to be declared/supported by way of an affidavit. The PIO is, therefore, directed to furnish the replies to the above queries by way of an affidavit within 2(two) weeks from the date of receipt of this order failing which this Commission shall be constrained to impose on the PIO the penalty prescribed under section 20 as well as reasonable compensation under section 19(8)(b) of the RTI Act,2005.

The appellants are also directed to intimate the receipt of the left out information within 1(one) week of the receipt from the PIO failing which this appeal shall stand closed.

Given under my hand and seal of this Commission on this 30th January, 2026.

Sd/-

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

Copy to:

1. The Dy. Commissioner Kra Daadi District (A.P), the First Appellate Authority (FAA), for information and compliance by the PIO.
2. The PIO, o/o the District Land Revenue & Settlement Officer (DLRSO) KraDaadi District (A.P)(Pin Code:791118) for information and compliance.
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.
5. Office Copy.
6. S/Copy.

[Signature]
02/02/26
Registrar/ Deputy Registrar
APIC, Itanagar.
Arunachal Pradesh Information Commission
Itanagar