



**ARUNACHAL PRADESH INFORMATION COMMISSION  
ITANAGAR**

BEFORE THE HON'BLE COURT OF SHRI GUMJUM HAIDER, STATE INFORMATION COMMISSIONER  
No.APIC-227/2023 Dated, Itanagar the 16<sup>th</sup> October', 2023.

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

**Appellant**

**Shri Serene Nimasow,  
Model Village, Near Lhasa Dhaba Hotel, Vs  
Bhalukpong, W/Kameng Dist. AP.**

**Respondent**

**PIO-cum-DFO, Khellong Forest Division,  
Bhalukpong, Dist.- W/Kameng, AP.**

**ORDER**

An appeal under section 19(3) of RTI Act, 2005 was received from **Shri Serene Nimasow, Model Village, Near Lhasa Dhaba Hotel, Bhalukpong, District – W/Kameng, Arunachal Pradesh**, for non-furnishing of information, by **The PIO –cum-Divisional Forest Officer, Khellong Forest Division, Bhalukpong, District – W/Kameng, 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 24.11.2022 filed an RTI application under 'Form-A' before the PIO, whereby, seeking various information regarding:

***"a) CAMPA Scheme under Component CA & NPV during the year 2015 to 2022. b) Non Plan/All Revenue Head 2015 to 2022".***

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

The 1<sup>st</sup> hearing was held on 03<sup>rd</sup> day of May' 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 furnished any documents yet. Later, the appellant had produced a correspondence letter from the First appellate authority Shri T.Riba(IFS) but the PIO was found absent in that hearing and today the hearing was fixed in the Commission's Court. As such, the Court directed to showcause the PIO for his willfull avoidance of the Court proceedings and is summoned to appear in person on next date of hearing. Hence, the Court fixed the next date of hearing on 17<sup>th</sup> of May' 2023.

The 02<sup>nd</sup> hearing was held on 17<sup>th</sup> day of May' 2023. The appellant was present but the PIO was absent. The case was heard ex-parte. The appellant informed the Court that the documents sought by him haven't been furnished yet by the PIO. The Court directed that an Bailable Arrest Warrant to be issued against the PIO for his non-appearance before the Court after issuing of show cause in earlier order. Accordingly, the Court fixed the next date of hearing on 31<sup>st</sup> May' 2023.

The 03<sup>rd</sup> hearing was held on 31<sup>st</sup> day of May' 2023. Both the parties were present. Heard both the parties. The PIO informed the Court that the informations sought by the appellant will be furnished within 10(ten) days time. The Court directed the appellant to go through the documents on receiving and should report his redressal of satisfaction/dissatisfaction on or before the next date of hearing. As such, the Court fixed the next date of hearing on 21<sup>st</sup> June' 2023.

The 04<sup>th</sup> hearing was held on 21<sup>st</sup> day of June' 2023. Both the parties were present. Heard both the parties. The PIO informed the Court that most of the informations sought by the appellant is ready but some documents are yet to be arranged. The Court directed the PIO to furnish all the information on or before 05<sup>th</sup> July' 2023. As such, the Court fixed the next date of hearing on 05<sup>th</sup> July' 2023.

The 05<sup>th</sup> hearing was held on 05<sup>th</sup> day of July' 2023. The appellant was present. Shri J.Padu, RFO Bhalukpong represented on-behalf of the PIO. Heard both the parties. The representative of the PIO has again sought some more time for providing the information, on which the Commission viewed seriously of the repeated excuses from the PIO-cum-DFO Khellong Forest Division, Bhalukpong, which establishes prima-facie evidence of violation of Sub Section 01 of the Section 7 of the RTI Act, 2005 by the PIO, in-spite of repeated directions given by the Commission to the PIO in every hearing for furnishing information's to the appellant, but the PIO failed to furnish the information's as sought by the appellant till the 05<sup>th</sup> hearing. Therefore, the Court found that the PIO is liable for imposing a penalty under Sub Section (1) of Section 20 of the RTI Act, 2005 with a fine to be paid, amounting to Rs. 25000/- (Twenty-Five thousand ) and was also directed to compensate a sum of Rs. 10,000/- (Ten thousand) to the appellant on or before next date of hearing. Accordingly, the Court fixed the next date of hearing on 23<sup>rd</sup> August', 2023.

The 06<sup>th</sup> hearing was held on 02<sup>nd</sup> day of August' 2023. Both the parties were present. Heard both the parties. The appellant informed the Court that the informations furnished by the PIO were received Yesterday(01.08.2023) only. Later, the appellant pleaded before the Court to give few days time to go through the documents received. The Court directed the appellant to inform his redressals of satisfaction/dissatisfaction on or before next date of hearing. Accordingly, the Court fixed the next date of hearing on 23<sup>rd</sup> August' 2023.

The 07<sup>th</sup> hearing was held on 23<sup>rd</sup> day of August' 2023. Both the parties were absent. Hence, the matter couldn't be discussed further. Therefore, the next date of hearing for the case was fixed on 13<sup>th</sup> September' 2023.

The 08<sup>th</sup> hearing was held on 13<sup>th</sup> day of September' 2023. Both the parties were absent. Since both the parties were absent the matter couldn't be discussed further. The Court observed that the appellant was absent for two(02) consecutive terms without any intimation to the Court for his reason of absence. As such, the Court assumed that the appellant is no more interested in the matter and directed to dispose of the case. Therefore the case is disposed of and no such hearings for the case will be entertained further in the Commission's Court.

*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 16<sup>th</sup> day of October' 2023.**

Sd/-

**(GUMJUM HAIDER)**

**State Information Commissioner,  
APIC, Itanagar.**

Memo.No.APIC- 227/2023/ 1037

Dated, Itanagar, the 16<sup>th</sup> October' 2023.

Copy to:-

1. The PIO-cum-DFO, Khellong Forest Division, Bhalukpong, District- W/Kameng, PIN – 790114, Arunachal Pradesh, for information & necessary action please.
2. Shri Serene Nimasow, Model Village, Near Lhasa Dhaba Hotel, Bhalukpong, District- W/Kameng, PIN – 790114, PH-8729922404, Arunachal Pradesh, for information & necessary action please.
3. The Computer Operator for uploading on the Website of APIC, please and mail to PIO at the mail id. [dfobhalukpong@gmail.com](mailto:dfobhalukpong@gmail.com)
4. Office copy.

**Registrar/Dy.Registrar,**

**APIC, Itanagar.**

**Deputy Registrar**

**Arunachal Pradesh Information Commission**

**Itanagar**