



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

BEFORE THE HON'BLE COURT OF SHRI GUMJUM HAIDER, STATE INFORMATION COMMISSIONER

No. APIC-254/2023

Dated, Itanagar the 30th November', 2023.

Under Section 19(3) RTI Act, 2005

Appellant

**Shri Tadar Raju
Tegdo Pachin, Naharlagun
Arunachal Pradesh**

-V/S-

Respondent

**PIO-cum-DFO, Koloriang
Kurung Kumey District
Arunachal Pradesh**

JUDGEMENT ORDER

This is an appeal under section 19(3) of RTI Act, 2005 was received from **Shri Tadar Raju, Tegdo Pachin, Naharlagun, Arunachal Pradesh**, for non-furnishing of information, by the **PIO-cum-DFO Koloriang, Kurung Kumey 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 13.12.2022 filed an RTI application under 'Form-A' before the PIO, whereby, seeking various information regarding:

"To furnish the details regarding the Joram Koloriang Road (70.138 KM) Langro VFR Creation Raising Seedling/Causality/Replacement, Fireline Cutting, Entry Point Activity, Fencing Wages Plantation Watcher amounting to Rs.83.207 Lakhs only for the period March'2022 to till date."

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

The 1st hearing of this case was held on the 14th day of June'2023. The appellant was present but the PIO was absent. After hearing the case, the PIO was issued a Second Summon Order for his personal appearance to the Court on the 05/07/2023. The next date of hearing of this case was fixed on the 05th day of July'2023.

The 2nd hearing of this case was held on the 05th day of July'2023. The appellant was present but the PIO was absent. The Court seriously viewed absence of the PIO for 02(two) consecutive times and Show Caused the PIO as to why a reasonable penalty should be not imposed upon him under the relevant sections of the RTI Act,2005. The next date of hearing of this case was fixed on the 02nd day of August'2023.

The 3rd hearing of this case was held on the 02nd day of August'2023. Both the parties were present. The PIO informed the Court that he has not received the Form-A of the applicant till now, he has been provided with the copies of Form-A, etc., for his perusal and was directed by the Court to provide the information sought by the appellant on or before the next hearing of this case. The next date of hearing of this case was fixed on the 30th day of August'2023.

The 4th hearing of this case was held on the 30th day of August'2023. Both the parties were present. The PIO has requested the Court to provide some more time to furnish the documents as sought by the appellant. Hence, the Court directed the PIO to provide the information to the appellant on or before the next date of hearing of this case. The next date of hearing of this case was fixed on the 14th day of September'2023.

The 5th hearing of this case was held on the 14th day of September'2023. The representative of the PIO, Shri Tadu Pullan (Forester) was present. The appellant was also present. The representative of the PIO has been directed by the Court to re-submit the documents in a systematic way addressed to the appellant with proper index, remarks with sign and seal in every page and if any documents is not found in the custody of the PIO, then an affidavit is to be Sworn-in this regard with proper reasoning. The appellant should go through the same and should inform his satisfaction/dissatisfaction on or before the next date of hearing of this case. The next date of hearing of this case was fixed on the 18th day of October'2023.

The 6th of hearing of this case was held on the 18th day of October'2023. The representative of the PIO, Shri Tadu Pullan (Forester) was present. The appellant was also present. The information which was to be furnished to the appellant by the PIO, as per the earlier Court proceedings haven't been furnished yet. The Court seriously viewed that the PIO is diligently not performing the statutory duty and not providing the information as sought by the appellant, a penalty was imposed upon the PIO amounting Rs. 25,000(twenty-five thousand) only which was to be deposited through Treasury Challan and also compensate the appellant amounting a sum of Rs. 7,000(seven thousand) only for the losses incurred on to & fro journey expenses due to delay in providing the information. The Court also directed the PIO to provide all the information as sought by the appellant and submit all records of payment receipts made against both Penalty & Compensation to the Court on or before the next date of hearing of this case. The next date of hearing of this case was fixed on the 16th day of November'2023.

The 7th hearing of this case was held on the 16th day of November'2023. Both the parties were present. The Penalty amount and Compensation to appellant paid by the PIO and submitted to the Court during the court proceedings itself. Also, the PIO has furnished the information sought by the appellant during the Court proceedings itself. The appellant received the same and was directed by the Court to inform his satisfaction/dissatisfaction on or before the next date of hearing of this case fixed on 20.122023.

On the 20th day of November'2023 the appellant submitted an application (enclosed) informing the Commission that he has received all the information as sought from the PIO and is fully satisfied with information received and has pleaded the Court for the disposal of the case. Hence the case is disposed of.

Considering all the above aspects into account, I find this appeal fit to be disposed of as infructuous. And, accordingly, this appeal stands disposed of 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 30th day of November' 2023.

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

Memo.No.APIC- 254/2023/119

Dated, Itanagar, the 30th November'2023

Copy to: -

1. The PIO-cum-DFO Koloriang, Kurung Kumey District, Pin-791118, Govt. of Arunachal Pradesh for information & necessary action please.
2. Shri Tadar Raju, Tegdo Pachin, Naharlagun, Pin-791110, Ph-9436077280/9362558368, Arunachal Pradesh, for information & necessary action please.
3. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
4. Office copy.


Registrar/Dy. Registrar,
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar

To,

The Information Commissioner,
Arunachal Pradesh Information Commission
Itanagar.

Dated 20/11/2023

Sub:- Request for dispose, An Appeal Case U/s 19 (3) of RTI, Act, 2005 Vide Case No. APIC -254/2023.

Respected Sir,

With due respect and humble submission, I have the honour to inform you that, I have got all the relevant documents from Shri Subu Hania, PIO-cum-DFO, Koloriang Division, Kurung Kumey District, Arunachal Pradesh.

Therefore, I request you kindly dispose my appellant from your kind end please.

Thanking you sir,

Yours Sincerely,

20/11/23

Shri Tadar Raju

Tegdo, Pachin

Naharlagun, ICR, Arunachal Pradesh

M-9436077280

Received.
PA to SIC 20/11/23
Arunachal Pradesh Information Commission
Itanagar.