



सूचना का  
अधिकार  
RIGHT TO  
INFORMATION



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR



**File No. APIC-80/2025(Appeal)**

**Shri Karba Riba**

Durpai village PO/PS: Likabali  
Lower Siang District A.P  
Pin: 791125 (M) 8974679876

**Appellant**

Versus

**1. PIO,**

**o/o the Divisional Forest Officer (DFO)**

Likabali Lower Siang District A.P  
Pin Code: 791125

**Respondent**

**2. Chief Conservation of Forest (CCF)**

Central Circle, Pasighat  
East Siang District, Govt. of AP  
Pin Code : 791102

**ORDER**

Date of Hearing: 10.04.2025  
Date of Decision: 10.04.2025

**INFORMATION COMMISSIONER : Dani Gamboo**  
**Relevant facts emerging from appeal.**

RTI application filed on	:	30.07.2024
SPIO replied on	:	Not on record
First appeal filed on	:	03.09.2024
First Appellate Authority's Order	:	18.12.2024
Second Appeal filed on	:	13.01.2025

**Information sought:**

The appellant filed an RTI application dated 30.07.2024 seeking following regarding clear felling of trees falling in the submergence area of Subansiri Lower HE Project (SLP), NHPC Ltd.

**Details of Information required:**

- An amount of Rs. 4,55,00,118/- has been deposited to DFO Likabali, Ref. UTR No. CTR793482300004 Dated 31.03.2022 for clear felling of trees. Therefore, furnish true and certified copies of the account statement form account no.

1186905327 in the name of Divisional Forest Officer, Likabali, SBIN0006012, from March 2022 to July 2024.

- b. Certified true copy of sanction order.
- c. Certified true copies of work order issued to contractors.
- d. Certified true copies of measurement bills.
- e. Certified true copies of payment records, including cheques, hand receipts and other payment method bills made to contractors.
- f. All case memos or brochures related to procurement or purchase of materials and other necessary items.
- g. All complaints letters and correspondence related to disputes submitted by any parties.
- h. If the work was indeed executed within the department, please provide the following documents.
  - i) Muster roll book/register.
  - ii) Payment details/vouchers made to the workers, including:
    - Wage registers.
    - Payment receipts.
    - Bank statements (if. Applicable) any other relevant payment records.
  - iii) Please furnish true and certified copies of the Utilization Certificates (UCs) related to the project/works, which include:
    - Detailed statements of expenditure.
    - Proof of actual Utilization of funds.
    - Certifications by authorized officials.
  - iv) Please provide copies of all correspondence and letter exchanges between the NHPC office, department, and external parties, including: Letter, Emails, Memoranda, Notes, Telegrams, Faxes, Minutes of meetings, Agendas, Resolutions and Petitions.

Period for which information required: 2022 to 2024.

The following were present.

**Appellant** : Present through VC. The appellant states that the PIO has not furnished any information to him. Further he states that the FAA has heard the appeal on 18.12.2024 and issued a biased order and no further second hearing was conducted.

**Respondent PIO** : Absent.

**Decision:**

The Commission after adverting to the facts and circumstances of the case, hearing the parties and perusal of the records, observes that:

1. The PIO has not furnished the information to the appellant.
2. The First Appellate Authority (FAA) has heard the appeal on 18.12.2024. After hearing both parties issued an order which is not in speaking order form. There should be clear direction as to whether to furnish information or not under the provisions of RTI Act, 2005.



*As laid down at para-38 of the Guidelines for the FAA issued by the GoI and the State Govt. OM No. AR-111/2008 Dated 21<sup>st</sup> August, 2008, adjudication on the appeals under RTI Act is a quasi-judicial function. It is, therefore, necessary that the Appellate Authority should see to it that the justice is not only done but it should also appear to have been done. In order to do so, the order passed by the appellate authority should be a speaking order giving justification for the decision arrived at.*

Therefore, the instant appeal case is remanded to First Appellate Authority. Therefore, the **FAA – Chief Conservation of Forest (CCF), Central Circle, East Siang Pasighat Govt. of AP.**, following the principle of natural justice, shall conduct hearing giving fair and equal opportunity to both the appellant and the PIO and thereafter pass reasoned and speaking order on merit within two weeks from the date of receipt of this order i.e **on or before 24.04.2025.**

The appellant is at liberty to file 2<sup>nd</sup> appeal afresh if not satisfied with the decision of the FAA / or PIO has not provided satisfactory information after order issued by the FAA. Fee for such 2<sup>nd</sup> appeal, if done, shall be exempted.

**The appeal is disposed of accordingly at Commission.**

**Sd/-  
Dani Gamboo  
Information Commissioner**

Authenticated true copy

Registrar / Dy. Registrar  
APIC

Date:


Memo No. APIC-80/2025/

699

Dated Itanagar the 11 April, 2025.

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2. Office copy.

  
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Itanagar.