



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC- 585/2025.

APPELLANT : Shri Tap Sajan, E-Sector Naharlagun.
RESPONDENTS : The PIO, o/o the Member Secretary, A.P Bio-Diversity Board, Deptt. of Environment & Forest, SFRI Chimpu, Itanagar.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tap Sajan for non-furnishing of below mentioned information by the PIO, o/o the Member Secretaries, A.P Bio-Diversity Board, Deptt. of Environment & Forest, SFRI Chimpu, Itanagar, Govt. of A.P as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 06.02.25.

- A) Particulars of Information: Implementation of Butterfly Park in Pakke Forest Division, Namdapha Forest Division and Ziro Forest Division.
- B) Details of information required:
1. Copy of the Administrative approval and detail Project Report (DPR) of implementation of Butterfly Park at (1) Pakke Forest Division (2) Namdapha Forest Division, (3) Ziro Forest Division.
 2. Copy of name and numbers of Firm participated during financial bidding in details, if works is executed through work order furnish copy of work order with agreement between Department and contractor of said scheme.
 3. A copy of payment details paid through cheque or PFMS, furnish counterfoil of amount paid to in favor of Firm holder/contractor.
 4. A copy completion Certificate/Utilization Certificate.
 5. A copy of Annual Progress Report.
 6. A copy of coloring photograph of the works being undertaken.
 7. Number of important events celebrated till date furnish with the photograph of the banner with date and time.
- C) Period for which the information asked for: 2023 and onwards.

Brief facts emerging from the appeal:

Records emerging from the appeal disclose that the Appellant, Shri Tap Sajan had requested the PIO for the aforementioned information / documents but failed to obtain the same which prompted him to appeal before the Member Secretary, Arunachal Pradesh Bio Diversity Board, Department of Environment & Forest, SFRI, Chimpu, Govt. of A.P. Itanagar as the First Appellate Authority (F.A.A) under Section 19 (1) of the RTI Act vide his Appeal Memo dated 29.05.2025. But having failed to obtain any response from the PIO or the FAA, the appellant filed his 2nd appeal before this Commission under section 19(3) of the RTI Act vide Memo of Appeal dt.17.07.2025.

This appeal was, accordingly, heard on 12.09.2025, 22.10.2025, 03.11.2025, 28.01.2026 and 27.02.26.

On 12.09.2025, none appeared.

On 22.10.2025, wherein the appellant, Shri Tap Sajan and Shri Ngilyang Tangu, Office Asstt. o/o the Member Secretary, AP Bio-Diversity Board, SFRI representing the PIO with some of the requested documents, were present in person, this Commission, upon perusal of the documents brought in by the representative of the PIO and upon hearing the complaint of the appellant that the PIO has furnished incomplete information/documents, had directed the PIO, vide order dt.22.10.25, to collect and furnish the left out documents to the appellant and report compliance therewith on or before 04.11.2025. The appellant, however, informed vide his letter dt.06.11.2025, that the following information/documents have still not been furnished by the PIO:

“Namdapha Butterfly Park, DPR, photographs of work undertaken, participating firms or work order.”

This Commission, vide order dt.06.11.25, therefore, directed the PIO to furnish the left out information / documents to the appellant so as not to constrain the Commission to initiate penal action against him while making it clear that if the o/o PIO does not hold the left out information, he shall furnish a declaration to that effect by way of an affidavit in terms of section-18(3)(c) of the RTI Act and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.

On 03.12.2025 the PIO was absent. The appellant who was present produced the documents furnished by the PIO on 04.11.2025 but complained that the PIO did not furnish the names of the firms who participated in the tender process or whom the work orders were issued in respect of the projects in all 3(three) locations (Sl.No.2 of RTI application), the photographs of entire project in respect of Namdapha (Sl.No.6) and number of events celebrated till date in respect of all 3(three) locations. The appellant also complained that the PIO, though, has furnished the photographs of the gate, trail walking path and some other areas but has not furnished the colour photographs of other items such as pond, water whole development stream, way side amenities, poly house for raising host plants etc. in respect of the project undertaken at Namdapha.

This Commission perused the documents furnished by the PIO to the appellant on 04.11.2025 whereupon it was noticed that the appellant has not, indeed, been furnished the requested documents fully which ought to have been furnished as none of those information / documents sought for are exempted under the RTI Act. The PIO was, therefore, again directed to furnish the left out information to the appellant to avoid penal action under section 20 of the RTI Act, 2005. It was yet again made clear that if the left out information are not in the records of the PIO's office, the PIO shall furnish an affidavit to that effect as required under *section-18(3)(c) of the RTI Act and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.*

On 28.01.2026, the appellant was present in person who, expressing his utter disappointment on non compliance of the order of this Commission, demanded for penal action against the PIO.

The representative of the PIO, o/o the Member Secretary, APBD Board, who was also present along with the Member Secretary, Shri Bengia Abo produced the copy of Member Secretary's letter dt.07.12.2025 by which the CF-cum-Field Director, Namdapha N/Park, DFOs of Pasighat F/Division, Ziro F/Division and Pakke T/Reserve, Seijosa were requested to submit the number of events celebrated and names of firms/contractor who participated in the tender on Butterfly park.

This Commission, upon consideration of the request made by the PIO to the four offices, directed the said offices to provide the requested documents /information available in their respective offices to the PIO, o/o the Member Secretary, APBD Board as mandated under sub-section (5) of section 5 of the RTI Act, 2005 within 4(four) weeks from the date of receipt of order dt.28.01.26 and report compliance thereof in next hearing on 27.02.26.

On 27.02.2026, the appellant was present while the PIO was represented by Shri Ngilyang Tangu, O.A along with Shri Oyang Dusu, ACF representing the DFO, Ziro. None appeared from Pakke Kesang, Pasighat and Namdapha. The PIO o/o DFO, Pasighat has, however, vide letter dt.12.02.2026, intimated that the work was executed through 2(two) firms, namely, M/s Abotani Construction and M/s Yanki Nursery but the Division did not organize any important events.

The appellant reiterated his demand for the left out information/documents such as names of the firms who participated in the tender process or whom the work orders were issued in respect of the projects (Sl.No.2 of RTI application), in all 3(three) locations, namely, Pakke Kesang, Ziro and Namdapha, the photographs of entire project in respect of Namdapha (Sl.No.6) and number of events celebrated till date in respect of all the said 3(three) locations.

The ACF, Ziro submitted that the requested documents in respect of the Ziro Division are available but he did not bring the same. The representative of the PIO o/o the Member Secretary, APBD Board reiterated the earlier replies furnished to the appellant and also brought in the affidavit as directed earlier. It was, however, noticed that the affidavit sworn in by the PIO did not contain the specific replies /declaration pertaining to the RTI queries. This Commission, vide order dt.27.02.26, therefore, directed the PIO, the Member Secretary, APBD Board to furnish revised affidavit declaring and mentioning therein the queries viz. (Sl.No.2), (Sl.No.6, in respect of Namdapha) and (Sl.No.7) within 1(one) week and report compliance thereof on 11.03.2026, the next date of hearing cautioning that if the PIO fails to comply with the direction, this Commission shall be constrained to invoke the penal provisions of the RTI Act, 2005.

As directed, today on 11.03.2026, the PIO, o/o the Member Secretary, APBD Board has brought in the Affidavit sworn in by the PIO, the contents whereof is extracted hereunder:

"AFFIDAVIT

1. Shri Ngilyang Tangu, Office Assistant-cum-APIO, o/o A.P Biodiversity Board (APBB, Chimpu, Itanagar in the appeal case No.APIC-585/2025 (Tap Sajan Vs. Member Secretary-cum-PIO, 0/0 A.P Biodiversity Board (APBB, Chimpu, Itanagar) do hereby solemnly affirm and declare as under:

- a) That all the documents pertaining to the Butterfly Parks at Pakke, Namdapha and Ziro which were available in this office have already been provided to Shri Tap Sajan as per his RTI application.
- b) That with regard to the number of firms who participated in the tender process (Sl. No.2 of RTI application), and the number of events celebrated in the Butterfly Parks, the concerned 3 Forest Divisions at Pakke, Ziro and Namdapha were requested to submit the information/documents.
- c) That except Hapoli Forest Division, no other Forest Division has submitted the details regarding both the number of events conducted and the number of firms who participated in the tender process.
- d) That as regards photographs of project at Namdapha (Sl.No.6), other photograph also enclosed here with the affidavit, other than the photographs of the park already furnished to the appellant earlier, were submitted to the office of the Member Secretary, Arunachal Pradesh Biodiversity Board by the o/o the Field Director, Namdapha.

Verification

Verified at Itanagar on this 10th day of March, 2026 that the contents of this affidavit are true and correct, and nothing material has been concealed there from.

Sd/
DEPONENT
Ngilyang Tangugu
Office Assistant cum APIO."

This Commission, on careful perusal of the contents of the affidavit, notices that the PIO has complied with the requirement of law as provided under section 7(8)(i) r/w section-18(3)(c) of the RTI Act, 2005 and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005 in so far as the left out information viz. (Sl.No.2), (Sl.No.6, in respect of Namdapha) and (Sl.No.7). Resultantly, this Commission, concludes that this appeal does not warrant any further adjudication in this Commission and accordingly, the appeal is disposed of and closed.

The appellant, if felt, aggrieved with the judgement and order of this Commission as above, may prefer appeal before the appropriate forum as provided under section 24 of the RTI Act, 2005.

Given under my hand and seal of this Commission on this 11th March, 2026.

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

Memo No. APIC-585/2025 / 1131 Dated Itanagar, the 13, March, 2026

Copy to:

1. The PIO, o/o the Member Secretaries, A.P Bio-Diversity Board, Deptt. of Environment & Forest, SFRI Chimpu, Govt. of A.P (Pin code-791111) for information.
2. The CC-cum-Field Director, Namdapha National Park, Changlang District for information.
3. The DFO, Pasighat Forest Division, Pasighat, East Siang Distt. for information.
4. The DFO, Ziro Forest Division, Ziro, Lower Subansiri Distt. for information.
5. The DFO, Pakke Tiger Reserv Seijosa, Pakke Kessang Distt. for information.
6. Shri Tap Sajan, E-Sector, Naharlagun, PO/PS- Naharlagun, Pin code-791110 Phone No. 8729902044 for information.
7. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
8. Office Copy.
9. S/Copy.

P. Raji
**Registrar/ Deputy Registrar
APIC, Itanagar.**

Deputy Registrar
National Biodiversity Information Commission
Itanagar