



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

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

Case No. APIC-364/2026.

(Summon to appear in person)

(Or.5, R.3 of CPC)

APPELLANT :Shri Bagemso Mitti, New Hatiduba, Sunpura.

RESPONDENT :The PIO, o/o the DFO, Lohit Forest Division, Tezu.

ORDER/SUMMONS

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Bagemso Mitti for non-furnishing of 29 (twenty nine) point information on Model Nursery Project under CAMPA 2023-24, Located under Digaru Forest Range, Lohit Forest Division by the PIO, o/o the DFO, Lohit Forest Division, Tezu, Lohit District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 28.11.2025.

This appeal was heard on 24.07.2026 wherein both the appellant, Shri Bagemso Mitti and the PIO, Shri Aduk Paron attended through VC.

This Commission after hearing the parties and upon perusal of the records including the order dt. 24.02.2026 passed by the First Appellate Authority-cum-Chief Conservator of Forests, Eastern Arunachal Circle, Tezu, had directed the appellant to collect the information/documents from the o/o the PIO, as advised by the PIO, within 1(one) week from the date of receipt of Commission's order dt.24.07.26 and report the short coming, if any, therein to this Commission within 1(one) week of the receipt of the same for further consideration of the appeal, if so warrants.

During the course of hearing on 24.07.2026, the PIO has forwarded the copy of his letter dt.12.06.26 by which he had furnished the requested information to the appellant which is extracted hereunder:

"Sir,

With reference to your above quoted application, this to furnish below the required inform as sought for:*

Sl. No.	Particulars	Reply
1	Complete detailed project report (DPR) with annexure	Copy Enclosed.
2	Furnish certified copy of administrative approval (AA)	Copy of Sanction order Enclosed
3	Provide certified copy of financial sanction order(FSO)	As Sl. 2 Above
4	Furnish certified copy of allotment order with project code.	Not applicable

5	Provide DPR cost estimate (component-wise and item-wise for ₹ 1 Crore).	As Sl 1 above
6	Provide measurement book (MB) estimate pages attached with DPR at the time of sanction.	Copy of MB Enclosed
7	Provide site map with geocoordinates and approved nursery layout plan	Copy of Map enclosed
8	Provide details on correspondence between range officer, DFO and state CAMPA Nodal office.	Not Applicable
9	Provide details on file noting sheets and movement of file during DPR approval.	Not Applicable
10	Provide copies of bank statement of CAMPA project account for full project period	Exempted under RTI Section 8(1)(j)
11	Provide cash book entries relating to the project	-do-
12	Furnish work/expenditure register entries	-do-
13	Furnish all bills, Vouchers, Invoices with (a) Amount (b) Date (c) Cheque no/Transaction no (d) Payee name & GST details.	The Hon'ble Supreme in the Sukhjinder Singh Vs Department of Posts on 22nd June 2022 held that order books /cash books/daily transaction report etc. contain the elements of personal information of third parties which is hit by section 8 (1)(j) of the RTI Act. The Apex Court reiterated the judgement delivered in the matter of Central Public Information Officer, Supreme Court of India Vs Subash Chandra Agarwal.
14	Furnish the certified copies related to purchase committee proceedings, quotations/tender documents	The work was allotted according to the Govt. Notification No. 247, Vol. XXVII dated 02.11.2020
15	Furnish citified copy of utilisation certificate (UC) submitted to CAMPA HQ	Copy Enclosed
16	Furnish list of all contractors/vendors with full address and GS numbers.	As in Sl. No 13 Above
17	Furnish gate pass register and entry log book for material movement.	Not Applicable
18	Furnish measurement book (MB) verified pages with signatures and dates.	As Sl.6 Above\

19	Furnish certified copies of muster roll of labours engaged (name, attendance, bank details).	The Hon'ble Supreme Court in <i>Canara Bank vs CS Shyam</i> in civil appeal no 22 of 2009, on 31st August 2017 ruled that the information which falls under the purview of Personal information defined in clause (j) of Section 8 (1) of the RTI Act shall not be disclosed under RTI. The Apex Court held that disclosing the name of individuals working in an organization is a matter of personal information in nature, which was exempted under Section 8(1) of the RTI Act. The court ruled that personal information would also include details like Salary, Service records, copies of Promotions and other financial benefits of the employees.
20	Provide ages payment receipts / bank transaction details.	As in Sl. no 19 above
21	Provide attendance register of all labourers	As in Sl. no 19 above
22	Provide stock register for seeds, seedlings, poly bags, manure, tools, fencing, irrigation items.	Copy Enclosed.
23	Provide vehicle log book and fuel register used for the project.	Since Digaru Beat has not been allotted vehicle, it was engaged by hired system
24	Provide nursery stock register (species-wise).	As Sl. 22 Above
25	Provide complete details on present sapling count and current status report	As Sl.22 Above
26	Latest geo-tagged photographs submitted to CAMPA portal	Copy Enclosed
27	Provide Inspection reports of: (a) Range officer (b) DFO Lohit (c) State CAMPA Nodal officer	Copy of Completion report enclosed.
28	Provide copies related to joint physical verification reports.	As Sl.27 Above
29	Provide name & designation of officer-in charge for project (a) Period for which information is sought: financial year 2023-24 to till date. (b) Other details	Shri Harpe Bam, RFO
		2023-24
		Not applicable.

Sd/-
(Aduk Paron) IFS
Divisional Forest Officer,
Lohit Forest Division: Tezu."

The appellant, in compliance with this Commission's order, had collected the documents from the office of the PIO but vide his letter dt.30.07.2026 (reproduced below), complained that the PIO either furnished misleading information /replies or did not furnish complete information:

"Report on shortcomings noticed in the Information furnished by the Public Information Officer pursuant to the Order dated 24.07.2026 passed by this Hon'ble Commission in Case No. APIC-364/2026.

Most Respectfully Submitted:

- 1. That the above-captioned Second Appeal is pending adjudication before this Hon'ble Commission.*
- 2. That this Hon'ble Commission, vide Its Order dated 24.07.2026 passed in Case No. APIC-364/2026, was pleased to direct the Appellant to collect the information/documents furnished by the Public Information Officer and to submit a report indicating the shortcomings, if any, noticed therein for further consideration of the appeal.*
- 3. That in compliance with the aforesaid directions, the Appellant collected the information furnished by the Public Information Officer vide Letter No. LF/RTI-01/25/CAMPA/3169-71 dated 12.06.2026 and, upon careful examination of the records supplied, has found several deficiencies, omissions and improper denial of information as detailed hereinbelow.*

Shortcomings noticed in the information furnished by the Public Information Officer:

- 1. Sl. No. 4: The Appellant sought the Allotment Order along with the Project Code. The Public Information Officer has merely replied "Not Applicable." No explanation has been furnished as to why the information has been treated as "Not Applicable." The Public Information Officer may kindly be directed to clarify whether the record exists or not, if not give written explanation with regard to the same.*
- 2. Sl. No. 8: The Appellant sought certified copies of the correspondence exchanged between the Range Officer, Divisional Forest Officer and the State CAMPA Nodal Office relating to the project. The Public Information Officer has replied "Not Applicable." The Public Information Officer may kindly be directed to clarify whether no correspondence whatsoever exists regarding the preparation, approval, sanction and implementation of the project and to explain the basis on which the information has been termed as "Not Applicable."*
- 3. Sl. No. 9: The Appellant sought certified copies of the File Noting Sheets and File Movement Records pertaining to the project. The Public Information Officer has replied "Not Applicable." The Public Information Officer may kindly be directed to clarify whether the proposal was processed without any file noting or file movement records and, if not, the reasons for describing the information sought as "Not Applicable."*
- 4. Sl. No. 10: The Appellant sought the Bank Statement of the CAMPA Project Account reflecting utilisation of Government funds. The Public Information Officer denied the information by invoking Section 8(1)(j) of the RTI Act, 2005. The Public Information Officer may kindly be directed to clarify how a Bank Statement relating to expenditure of Government funds in a public project constitutes personal information exempt under Section 8(1)(1), and to assign specific factual and legal reasons for such denial.*

5. **Sl. No. 11:** The Appellant sought certified copies of the Cash Book Entries relating to the PUBLIC FUNDED CAMPA Project. So, It does not constitute under exemption under sec.8(1)(j) of the RTI act, 2005, as it records payment receipt and expenditure of public project not personal project. The information has been denied under Section 8(1)(j) of the RTI Act, 2005. The Public Information Officer may kindly be directed to explain how entries relating to receipt and expenditure of public funds fall within the scope of personal information exempt from disclosure.

6. **Sl. No. 12:** The Appellant sought certified copies of the Work/Expenditure Register Entries relating to the PUBLIC FUNDED CAMPA Project. So, it does not constitute any exemption under 8(1)(j) of the RTI Act, 2005 as It records the expenditure of public project not personal project/personal work. The Public Information Officer denied the information under Section 8(1)(j) of the RTI Act, 2005. The Public Information Officer may kindly be directed to clarify how such public financial records attract the exemption claimed and to furnish the reasons for withholding the information.

7. **Sl. No. 13:** The Appellant sought certified copies of the Bills, Vouchers and Invoices relating to execution of the CAMPA Project reflecting utilization and approval of public money which directly related to the Govt. funded project, So it does not constitute personal information extracting the utilization of Public fund. The Public Information Officer may kindly be directed to clarify the statutory basis for withholding each category of records and to furnish certified copies thereof.

8. **Sl. No. 14:** The Appellant sought certified copies of the Purchase Committee Proceedings, Quotation Documents and Tender Documents. Instead of furnishing the requested records, the Public Information Officer merely referred to Government Notification No. 247, Vol. XXVII dated 02.11.2020. The Public Information Officer may kindly be directed to clarify how the said notification answers the Information sought, whether the requested records exist and, If so, the reasons for not furnishing certified copies thereof.

9. **Sl. No. 16:** The Appellant sought the List of Contractors/Vendors along with their complete addresses and GST details engaged in execution of the CAMPA Project. The Public Information Officer denied the information by referring to Sl. No. 13. The Public Information Officer may kindly be directed to clarify how the particulars of contractors/vendors engaged in execution of a Government-funded project attract the exemption under Section 8(1)(j) of the RTI Act, 2005,

10. **Sl. No. 17:** The Appellant sought certified copies of the Gate Pass Register and Entry Log Book relating to movement of materials under the CAMPA Project. The Public Information Officer replied "Not Applicable. The Public Information Officer may kindly be directed to clarify whether no such register was maintained during execution of the project and, if so, the reasons for terming the information sought as "Not Applicable."

11. **Sl. No. 19:** The Appellant sought certified copies of the Muster Roll of labourers engaged for execution of the Government-funded CAMPA Project. The Public Information Officer denied the information by relying upon the judgment of the Hon'ble Supreme Court in Canara Bank v. C.S. Shyam and invoking Section 8(1)(j) of the RTI Act, 2005. The Public Information Officer may kindly be directed to clarify how the said judgment, relating to personal service records of employees, is applicable to the Muster Roll of labourers engaged under a Government-funded CAMPA Project and to assign specific factual and legal reasons for denial.

12. **Sl. No. 20:** The Appellant sought certified copies of the Wage Payment Receipts/Bank Transaction Details relating to wages paid to labourers engaged under the CAMPA Project. The Public Information Officer merely referred to Sl. No. 19 without assigning any independent reasons. The Public Information Officer may kindly be directed to clarify how records evidencing disbursement of Government funds attract the exemption under Section 8(1)(j) of the RTI Act, 2005.

13. **Sl. No. 21:** The Appellant sought certified copies of the Attendance Register of labourers engaged under the CAMPA Project. The Public Information Officer denied the information by invoking Section 8(1)(j). The Public Information Officer may kindly be directed to clarify how attendance records maintained in connection with a Government-funded project constitute personal information exempt from disclosure.

14. **Sl. No. 23:** The Appellant sought certified copies of the Vehicle Log Book and Fuel Register used during execution of the CAMPA Project. Instead of furnishing the records, the Public Information Officer merely stated that "Since Digaru Beat has not been allotted vehicle, it was engaged by hired system." The Public Information Officer may kindly be directed to clarify whether records relating to hiring of vehicles, hiring charges, bills, vouchers, payment receipts, bank transaction details and other expenditure records were maintained and, if so, to furnish certified copies thereof together with reasons for their non-disclosure.

15. **Sl. No. 25:** The Appellant sought complete details regarding the present sapling count and current status report of the Model Nursery Project. The Public Information Officer merely replied "As Sl. No. 22 Above" without furnishing the specific information sought. The Public Information Officer may kindly be directed to furnish the present sapling count, species-wise survival report, number of matured saplings, number of dead saplings, reasons for mortality, maintenance records, inspection reports and the present status report of the nursery.

In view of the facts and circumstances stated hereinabove, It is most respectfully prayed that this Hon'ble Commission may graciously be pleased to:

1. Take the present Report on Shortcomings on record in compliance with the directions contained in the vide Order dated 24.07.2026 passed by this Hon'ble Commission in Case No. APIC-364/2026.

2. kindly List the matter for further hearing in terms of the liberty reserved by this Hon'ble Commission in its Order dated 24.07.2026.

3. Direct the Public Information Officer to furnish a point-wise written clarification in respect of each of the shortcomings reported herein by assigning specific factual and legal reasons wherever the information has been denied or the expression "Not Applicable" has been employed.

4. Direct the Public Information Officer to furnish complete Certified True Copies (CTCs) of the records/information sought under Sl. Nos. 4, 8, 9, 10, 11, 12, 13, 14, 16, 17, 19, 20, 21, 23 and 25 of the RTI Application, and file a detailed written explanation supported by the relevant records clearly stating the factual and reasons for non-furnishing of each record.

Signature of the Appellant

Sd/-

Shri Degemso Mitti."

This Commission has carefully examined the shortcomings complained by the appellant as above vis-à-vis the replies / information furnished by the PIO and the observations / conclusion of this Commission thereon are as under:

Sl. No	Appellant's complaint	Commission's observation & conclusion/direction.
1	Sl. No. 4 (copy of allotment order with project code)	The Appellant's dissatisfaction on the reply, <i>"Not Applicable"</i> furnished by the PIO, is justified inasmuch as such a reply without citing any reason / explanation can not be accepted as a reply under the RTI Act. When a particular information is denied to the information seeker, the reason for such denial has to be communicated to the person seeking information as mandated under section-7(8)(1) of the RTI Act, 2005. The PIO shall, therefore, furnish an appropriate reply/explanation on an affidavit in terms of section-18(3)(c) of the RTI Act, 2005 and rule-5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.
2	Sl.No.8 (details on correspondence between range officer, DFO and state CAMPA Nodal office).	<i>Same as above</i>
3	Sl.No.9 (details on file noting sheets and movement of file during DPR approval)	<i>Same as above</i>
4	Sl. No. 10 (copies of bank statement of CAMPA project account for full project period)	The requested information being the statement of expenditure of public fund incurred on public activity can not be said to be protected as personal information of the public authority from disclosure under section 8(1)(j) of the RTI Act. The PIO is, hence, obliged to furnish the same as requested and he is, accordingly, directed.
5	Sl. No. 11 (Cash book entries relating to the project)	Observation is same as above but <i>minus</i> the entries regarding the personal information of the parties/beneficiaries such as Adhaar Card, Pan Card and their a/c details which are personal information exempted under clause(j) of section 8(1) besides being third party information covered under clause (d) of section-8(1) and section-11. The PIO is, accordingly, directed.
6	Sl. No. 12 (work/expenditure register entries)	Observation is same as that against Sl.No.10 above. The PIO is, hence, directed to furnish the sought for information. However, if the requested documents / information are not available, the PIO shall furnish an appropriate reply / explanation on an affidavit

7	Sl. No. 13 (all bills, Vouchers, Invoices with (a) Amount (b) Date (c) Cheque no/ Transaction no (d) Payee name & GST details.)	Observation is same as those against Sl.No.10, 11 and 12 above. Additionally, the PIO's attention is brought to the provisions of section-4 of the RTI Act which mandates <i>suo motu</i> disclosure of information by the public authority and the requested information in question is/are squarely covered under section 4 (2) (b) (xi) of the RTI Act. It is noticed that the PIO has refused the information as being exempted under <i>section 8 (1)(j) of the RTI Act</i> and relying on the ratio of <i>Sukhjinder Singh Vs. Department of Post</i> decision dt.20.06.2022 by the Central Information Commission in <i>CIC/POSTS/A/2021/122284</i> (wrongly cited by the PIO as that of <i>Apex Court</i> ruling). In any case the ratio of the said CIC decision is not applicable in the instant case as the information involved in that case pertained to the daily cash transection of the post office which includes the deposits of third parties (depositors) whereas in the present case amount involved is public fund received from the Govt. the transection of which is disclosable under the aforesaid provisions of section 4 of the RTI Act. The PIO is, hence, directed to furnish the sought for information <i>minus</i> the personal information of the beneficiaries, such as Adhaar Card, GST details.. However, if the requested documents / information are not available, the PIO shall furnish an appropriate reply / explanation on an affidavit.
8	Sl.No.14 (copies related to purchase committee proceedings, quotations/tender documents)	The requested documents are not exempted under any of the exemption provisions. No Govt. notification which is an executive order, as relied on by the PIO in denying the requested information, can supersede the provisions of RTI Act, 2005. The requested documents/information, therefore, could not have been denied to the appellant. The PIO shall, hence, furnish the same if the work was executed through tender otherwise appropriate reply/explanation shall be furnished on an affidavit.
9	Sl.No.16 (list of all contractors/vendors with full address and GST numbers.)	The requested information <i>minus</i> the GST details of the contractor shall be furnished to the appellant.
10	Sl. No. 17 (copies of the Gate Pass Register and Entry Log Book relating to movement of materials under the CAMPA Project)	Observation is same as those against Sl.No.10, 11, 12 and 13 above.

11	Sl. No. 19 (copies of the Muster Roll of labourers engaged for execution of the Government-funded CAMPA Project.)	This Commission is not in a position to accept the PIO's reliance on the Apex Court ruling in <i>Canara Bank vs C.S Shyam</i> case in denying the requested information in question for the reason that the information sought in that case was with regard to personal details of individual employee such as the date of joining, designation, details of promotion earned etc. while the information sought by the appellant in the instant case is the muster roll of the employees being engaged in public activity. The principle of law settled in that case, therefore, has no application in the present case. Further, the attention of the PIO is again brought to the provisions of section 4(1)(b) under which a public authority is mandated to provide <i>suo motu</i> information (directory of its employees) vide sub-clause (ix). The PIO is, therefore, directed to furnish the requested information/documents, if exist, or an explanation with reasons on an affidavit, if no such records exist.
12	Sl. No.20 (copies of the Wage Payment Receipts/Bank Transaction Details relating to wages paid to labourers engaged under the CAMPA Project.)	Observation is same as against Sl. No. 19 above and provisions of section 4(1)(b)(x) is relevant which pertains to <i>suo motu</i> disclosure of monthly remuneration received by each of the employees. The PIO is, accordingly, directed to furnish the requested information <i>minus</i> the individual a/c statement of the employees/labourers which are exempted being third party and personal information under section 8(1)(d) and (j).
13	Sl.No. 21 (copies of the Attendance Register of labourers engaged under the CAMPA Project)	The requested information is not exempted under any of the exemption clauses of section 8(1) of the RTI Act. Hence, the PIO shall furnish the same, if exist or an explanation with reasons on an affidavit, if no such records exist.
14	Sl. No. 23 (copies of the Vehicle Log Book and Fuel Register used during execution of the CAMPA Project	The requested information is not exempted under any of the exemption clauses of section 8(1) of the RTI Act. Hence, the PIO shall furnish the same, if exist or an explanation with reasons on an affidavit, if no such records exist.
15	Sl.No.25 (details regarding the present sapling count and current status report of the Model Nursery Project)	The requested information is <i>not the same</i> as the one requested vide Sl.22. Hence, the PIO shall furnish the same, if exist or an explanation with reasons on an affidavit, if no such records exist.

The PIO is directed to comply with the directions as indicated above within 3 (three) weeks from the date of receipt of this order and report compliance thereof on 11.09.2026 the next date of hearing and not constrain this Commission to invoke the penal provisions of RTI Act, 2005.

Given under my hand and seal of this Commission on this 18th August, 2026.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri Sangyal Tsering Bappu, SIC in person on 11th September, 2026 (Friday) at 2 pm to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defense.

Take notice that, in default of your appearance, on the day above- mentioned, the matter will be heard and determined, including closure of the appeal, in your absence.

To avail online hearing please at least notify or get in touch one day prior to the hearing, download "**WEBEX MEETING APP**" from Google Play store. For further technical assistance Shri Himanshu Verma, IT Consultant (Mobile no. 8319014957) maybe contacted

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

Memo No. APIC- 364/2026/881 Dated Itanagar, the 18th August, 2026

Copy to:-

- 1) The Chief Conservator of Forest (CCF) Eastern Zone Tezu, Lohit District, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO concerned.
- 2) The PIO, o/o the DFO, Lohit Forest Division, Tezu, Lohit District (A.P) PIN: 792001 for information for compliance.
- 3) Shri Bagemso Mitti, Vill. New Hatiduba, Sunpura Lohit PIN: 792111 Mobile No. 8837021474 for information.
- ✓ 4) The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
- 5) Office copy.
- 6) S/Copy.

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar