



सत्यमेव जयते

ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

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

Case No. APIC-350/2026.

(Summon to appear in person)

(Or.5, R.3 of CPC)



APPELLANT : Shri Ratan Chetia, vill. Sitpani, Namsai.
RESPONDENT : The PIO, o/o the DFO, Namsai, Namsai District.

ORDER/SUMMONS

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ratan Chetia for non-furnishing of below mentioned information by the PIO, o/o the DFO, Namsai, Namsai District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 16.01.2026.

A) Particular of Schemes/ Projects:

1. Creation of Botanical Garden at Noi-Chenam under Namsai Forest Division vide LOC No. Memo No. FOR/67/ACCTT/2021/1810-16 dated 03/02/2023, Amount: 159.520 lakhs.
2. Infrastructure Development for Botanical Garden at Noi-Chenam under Namsai Forest Division. (Amt- 300.000 lakh) vide sanction order NO.FOR/51/PLG/2024/94-106 dated (0) 06/01/2025.
3. Recovery of Botanical Garden Post Flood damage at Noi-Chenam(Amt.- 53.000 lakh) vide sanction order NO.FOR/73/PLG/2025/11, 341-60 dated 24/03/2025.
4. Construction and enrichment of Green House at Noi-Chenam(Amt: 77.000 lakh) vide sanction order NO.FOR/74/PLG/2025/11, 301-20 dated 24/03/2025.
5. Construction of retaining wall at Botanical Garden at Noi-Chenam(Amt: 21.000 lakh) vide sanction order NO.FOR/72/PLG/2025/11,281-300 dated 24/03/2025.
6. Providing security fencing around Botanical Garden at Noi-Chenam(Amt: 58.000 lakh) vide sanction order NO.FOR/71/PLG/2025/11,321-40 dated 24/03/2025.
7. Details of information required as below:-

B) Details of Information:

1. Furnish the certified copy of NIT published in newspapers, bid opening minutes, comparative statement, tender acceptance note against all the above mentioned projects as mandatorily required under GFR, DFPR, CPWD manuals and CVC Guidelines.
2. In case if work/item/material was procured without tender, then provide: Specific rule/relaxation under GFR/DFPR invoked, approval of competent authority permitting such deviation against all the above mentioned projects/works.
3. Furnish certified copies of procurement plan prepared for all the projects/works mentioned above.
4. Furnish the certified copy of Bid evaluation report, work orders, Supply orders, executing agency, contract agreement and LoA (Letter of Award) against all the above mentioned projects/works.
5. Furnish the list of all bidders who participated along with technical bid and financial bid details against all the above mentioned projects/works.
6. Copy of contract terms, including timeline for execution, penalty clauses, and payment terms.

7. Furnish the certified copies measurement books against all the above mentioned projects/works.
 8. Furnish the certified copies of GPS Coordinate number & Geo Tagged details of before, in progress and after works against all the above mentioned projects/works.
 9. Copies of MIS entry reports forwarded to Finance and Planning Departments.
 10. Copies of KML files and & geo-coordinate of Afforestation uploaded against all the above mentioned projects/works.
 11. Furnish the certified copies of Land Availability Certificates and NOC issued by the forest department for the execution of works against all the above mentioned projects/works.
 12. Furnish the copies of GST paid clearance certificate, ITR filled of successful bidders and copy of E-Way Bill of the Firms as per the terms and conditions of the Govt. guidelines or NIT.
 13. Furnish the CT copy of EMD, Contractor enlistment certificate, annual turnover certificate, bank solvency certificates, which had been submitted by the successful firms.
 14. Furnish copy of work site verification report by the officers, their signature, designation & address for all the above mentioned projects/works.
 15. Furnish the utilization/completion certificates against all the above mentioned projects/works.
 16. Furnish the payments details made to the contractors/suppliers (all Bills, cheques, demand draft, NEFTs etc.) and copies of GSTR-3B obtained before release of payments.
- C) Period for which information asked for: - 2023 to till date.

Facts emerging from the appeal:

Records in the appeal reveal that the appellant had requested the PIO for the aforementioned information but failed to obtain the information which prompted the appellant to file his 1st appeal before the First Appellate Authority (FAA), the Chief Conservator of Forest, Eastern Arunachal Circle, Tezu under section 19(1) of the RTI Act vide his Memo of Appeal dt. 28.02.2026.

Records further disclose that the FAA conducted the hearing on 06.04.2026 and vide order dt. 6th April, 2026, passed the following order:

"Order

This order shall dispose off the first appeal dt. 28/02/2026 received in this office on 11/03/2026 in respect to RTI No. RTI/DFO/NMS/2026-27/01-02 dt. 09/01/2026.

The hearing notice was issued for appearance on 06/03/2026 in person or on Virtual Mode at 11:00 AM and hearing was done on 06/02/2026.

On the date of hearing appellant Shri Ratan Chetia attended in person and Shri H. Oppo, RFO representative of the PIO cum DFO Namsai attended in virtual mode.

This is an appeal under section 19(1) of RTI Act, 2005 received from Shri Ratan Chetia for information not furnished by the PIO cum DFO, Namsai as sought by the appellant vide RTI application dated 09/01/2026. The applicant had requested the PIO cum DFO, Namsai to furnish the following detail information.

1. Particulars of Schemes/projects: -

- (i) Creation of Botanical Garden at Noi-Chenam under Namsai Forest Division vide LOC No. Memo No.FOR/67/ACCTT/2021/1810-16 dated 03/02/2023, Amount: 159.520 lakhs.*

- (ii) *Infrastructure Development for Botanical Garden at Noi-Chenam under Namsai Forest Division. (Amt- 300.000 lakh) vide sanction order NO.FOR/51/PLG/2024/94-106 dated 06/01/2025.*
- (iii) *Recovery of Botanical Garden Post Flood damage at Noi-Chenam (Amt-53.000 lakh) vide sanction order NO.FOR/73/PLG/2025/11, 341-60 dated 24/03/2025.*
- (iv) *Construction and enrichment of Green House at Noi-Chenam (Amt: 77.000 lakh) vide sanction order NO.FOR/74/PLG/2025/11, 301-20 dated 24/03/2025.*
- (v) *Construction of retaining wall at Botanical Garden at Noi-Chenam (Amt: 21.000 lakh) vide sanction order NO FOR/2/PEG/2005/11 281.300 dated*
- (vi) *Providing security fencing around Botanical Garden at Noi-Chenam (Amt: 58.000 lakh) vide sanction order NO.FOR/71/PLG/2025/11,321-40 dated 24/03/2025.*

2. Details of information required as below:-

- (a) *Furnish the certified copy of NIT published in newspapers, bid opening minutes, comparative statement, tender acceptance note against all the above mentioned projects as mandatorily required under GFR, DFPR, CPWD manuals and CVC Guidelines.*
- (b) *In case if work/item/material was procured without tender, then provide: Specific rule/relaxation under GFR/DFPR invoked, approval of competent authority permitting such deviation against all the above mentioned projects/works.*
- (c) *Furnish certified copies of procurement plan prepared for all the projects/works mentioned above,*
- (d) *Furnish the certified copy of Bid evaluation report, work orders, Supply orders, executing agency, contract agreement and LoA (Letter of Award) against all the above mentioned projects/works.*
- (e) *Furnish the list of all bidders who participated along with technical bid and financial bid details.*
- (f) *Copy of contract terms, including timeline for execution, penalty clauses, and payment terms.*
- (g) *Furnish the certified copies measurement books against all the above mentioned projects/works.*
- (h) *Furnish the certified copies of GPS Coordinate number & Geo Tagged details of before, in progress and after works against all the above mentioned projects/works.*
- (i) *Copies of MIS entry reports forwarded to Finance and Planning Departments.*
- (j) *Copies of KML files and & geo-coordinate of Afforestation uploaded against all the above mentioned projects/works.*
- (k) *Furnish the certified copies of Land Availability Certificates and NOC issued by the forest department for the execution of works against all the above mentioned projects/works.*
- (l) *Furnish the copies of GST paid clearance certificate, ITR filled of successful bidders, and copy of E-Way Bill of the Firms as per the terms and conditions of the Govt. guidelines or NIT.*
- (m) *Furnish the CT copy of EMD, Contractor enlistment certificate, annual turnover certificate, bank solvency certificates, which had been submitted by the successful firms.*
- (n) *Furnish copy of work site verification report by the officers, their signature, designation & address for all the above mentioned projects/works.*
- (o) *Furnish the utilization/completion certificates against all the above mentioned projects/works.*

(p)Furnish the payments details made to the contractors/suppliers (all Bills, cheques, demand draft, NEFTs etc.) and copies of GSTR-3B obtained before release of payments.

3. Others information required: Allow inspection of works under section 2(j) of the RTI Act, 2005 after the information are furnished.

4. Period for which information asked for:- 2023 to till date.

The applicant/appellant having not received information from the PIO cum DFO, Namsai aggrieved and approached First Appellate Authority under section 19(1) of the RTI Act vide appeal No. APL/DFO/2026-27/01-02 dtd. 28/02/2026.

Both the parties have agreed to that the PIO cum DFO Namsai has committed to provide required information by 13th April/2026 (next Monday).

In view of above, the appeal stands disposed off and addressed accordingly. If the appellant is not satisfied with the order/information provided, he may file an appeal before APIC, Itanagar within stipulated time.

Sd./-

(MILLO TASSER), IFS
First Appellate Authority Cum
Chief Conservator of Forests."

Records also disclose that the PIO, vide letter dt. 20th April, 2026, furnished the requested information as under:

"Sir,

Please refer to your RTI application Dated 09/01/2026 regarding supply of information under R.T.I Act 2005. The information as sought are furnished below.

SL. No	Particulars	Information
a)	Furnish the certified copy of NIT published in newspapers, bid opening minutes, comparative statement, tender acceptance note against all the above mentioned projects as mandatorily required under GFR, DFPR, CPWD manuals and CVC Guidelines.	All the works has been done as per the Arunachal Pradesh District Based Entrepreneurship Act 2015/Departmentally. No NIT was floated.
b)	In case if work/item/material was procured without tender, then provide: Specific rule/relaxation under GFR/DFPR invoked. approval of competent authority permitting such deviation against all the above mentioned projects/works.	All the works has been done as per the Arunachal Pradesh District Based Entrepreneurship Act 2015 / Departmentally.
c)	Furnish certified copies of procurement plan prepared for all the projects/work mentioned above.	Not applicable.

(d)	<i>Furnish the certified copy of Bid evaluation report, work orders, Supply orders, executing agency, contract agreement and LoA (Letter of Award) against all the above mentioned projects / works.</i>	<i>Copies of work order are enclosed as Annexure-1</i>
(e)	<i>Furnish the list of all bidders who participate along with technical bid and financial details against all the above mention projects/work.</i>	<i>All the works has been done as per the Arunachal Pradesh District Based Entrepreneurship Act 2015/Departmentally. No NIT was floated. So the information sought does not arise.</i>
(f)	<i>Copy of contract terms, including timeline for execution, penalty clauses, and payment terms.</i>	<i>Please refer Sl. No. (d) at Annexure-1</i>
(g)	<i>Furnish the certified copies measurement books against all the above mentioned project/works.</i>	<i>The details as sought are furnished at Annexure-II.</i>
(h)	<i>Furnish the certified copies of GPS Coordinate number & Geo Tagged details of before, in progress and after works against all the above mentioned projects/works.</i>	<i>The GPS Coordinates of the activities are mentioned as below:-</i> <i>1. Cr. of Botanical Garden N27°46'22.60 E95°58'52.86"</i> <i>2. Recovery of Botanical Garden Post flood damaged - do -</i> <i>3. Infrastructure Dev. of Botanical Garden -do-</i> <i>4. C/o Green House -N27 4613.85 E95-5827.80"</i> <i>5. C/o retaining wall - -N27 46 23.96 E96 58 59.35"</i> <i>6. Providing of security fencing - -N27 4624.73 E95 590897</i> <i>The copies of Geo-Tagging & MIS report of the above mentioned activities are enclosed as Annexure - III</i>
(i)	<i>Copies of MIS entry reports forwarded to Finance and Planning Departments.</i>	<i>Please refer at sl. no. (h) at Annexure-III.</i>
(j)	<i>Copies of KML files and geo-coordinate of Afforestation uploaded against all the above mentioned projects/works.</i>	
(k)	<i>Furnish the certified copies of Land Availability Certificates and NOC issued by the forest department for the execution of works against all the above mentioned projects/works.</i>	<i>All the works has been executed under RF areas. So, the information sought does not arise.</i>

(l)	<i>Furnish the copies of GST paid clearances certificate, ITR filled of successful bidders and copy of E-Way Bill of the Firms as per the terms and conditions of the Govt. guidelines or NIT.</i>	<i>Not available</i>
(m)	<i>Furnish the CT copy of EMD, Contractor enlistment certificate, annual turnover certificate, bank solvency certificates, which had been submitted by the successful firms.</i>	<i>Since no NIT was floated, so the information sought does not arise.</i>
(n)	<i>Furnish copy of work site verification report by the officers, their signature, designation & address for all the above mentioned projects/works.</i>	<i>Record not available in this office.</i>
(o)	<i>Furnish the utilization/completion certificates against all the above mentioned projects/works.</i>	<i>Copies of work completion report are enclosed as Annexure-V.</i>
(p)	<i>Furnish the payments details made to the contractors/suppliers (all Bills, cheques, demand draft, NEFTs etc.) and copies of GSTR-3B obtained before release of payments.</i>	<i>the Accountant Generals, Itanagar. All the payment related details has been submitted to the Accountant Generals, Itanagar</i>

Sd/-
(T Jamoh) APFS,
PIO-cum-Divisional Forest Officer."

The appellant, however, preferred his 2nd appeal before this Commission under section 19(3) of the RTI Act, 2026 vide his Memo of appeal dt.27.04.26 on the ground, among others, ***the FAA disposed of the appeal in a single hearing without passing reasoned speaking order, without recording findings on denial of information and without proper adjudication of each point raised by the appellant during the hearing conducted on 06.04.2026.***

This appeal is, accordingly, listed today on 05.08.2026 wherein the appellant and Shri Hage Opo, RFO-cum-APIO, appeared through VC.

Heard the parties.

The appellant, reiterating his grounds of appeal, pleaded for an appropriate direction to the PIO to furnish the information and facilitate the site inspection as requested in his application.

This Commission after hearing the parties and upon perusal of the information furnished by the o/o the PIO as above, notices that replies/information to some of the queries were, infact, either incomplete or not furnished satisfactorily which the PIO has to re-visit and furnish satisfactorily as indicated hereunder:

SL. No	Particulars	Replies to be furnished
a)	Certified copy of NIT published in newspapers, bid opening minutes, comparative statement, tender acceptance note against all the above mentioned projects as mandatorily required under GFR, DFPR, CPWD manuals and CVC Guidelines.	Replies furnished by the PIO is sufficient
b)	In case if work/item/material was procured without tender, then provide: Specific rule/relaxation under GFR/DFPR invoked. approval of competent authority permitting such deviation against all the above mentioned projects/works.	-do-
c)	Certified copies of procurement plan prepared for all the projects/work mentioned above.	To be furnished on an affidavit with reasons as to why not applicable.
(d)	Certified copy of Bid evaluation report, work orders, Supply orders, executing agency, contract agreement and LoA (Letter of Award) against all the above mentioned projects / works.	To furnish the copies of work order for the entire amount of Rs.6.68 cr.
(e)	Furnish the list of all bidders who participate along with technical bid and financial details against all the above mention projects/work.	Replies furnished by the PIO is satisfactory and sufficient
(f)	Copy of contract terms, including timeline for execution, penalty clauses, and payment terms.	Specific replies to be furnished.
(g)	Certified copies measurement books against all the above mentioned project/works.	Replies to be furnished in respect of all the projects.
(h)	Furnish the certified copies of GPS Coordinate number & Geo Tagged details of before, in progress and after works against all the above mentioned projects/works.	Replies furnished by the PIO is satisfactory and sufficient.
(i)	Copies of MIS entry reports*forwarded to Finance and Planning Departments.	Specific replies / information to be furnished
(j)	Copies of KML files and geo-coordinate of Afforestation uploaded against all the above mentioned projects/works.	The soft copy of the files to be furnished .
(k)	Furnish the certified copies of Land Availability Certificates and NOC issued by the forest department for the execution of works against all the above mentioned projects/works.	Elaborate replies/reasons for not requiring the NOC to be furnished.
(l)	Copies of GST paid clearances certificate, ITR filled of successful bidders and copy of E-Way Bill of the Firms as per the terms and conditions of the Govt. guidelines or NIT.	Elaborate replies/reasons for not requiring the NOC to be furnished

(m)	<i>Copies of EMD, Contractor enlistment certificate, annual turnover certificate, bank solvency certificates, which had been submitted by the successful firms.</i>	<i>Elaborate replies/reasons for denial to be furnished</i>
(n)	<i>Copy of work site verification report by the officers, their signature. designation & address for all the above mentioned projects/works.</i>	<i>-do-</i>
(o)	<i>Utilization/completion certificates against all the above mentioned projects/works.</i>	<i>Copies of UC to be furnished.</i>
(p)	<i>Payments details made to the contractors/suppliers (all Bills, cheques, demand draft, NEFTs etc.) and copies of GSTR-3B obtained before release of payments.</i>	<i>To be furnished.</i>

The PIO shall furnish the left out requested information as indicated above. It is, however, made clear that as mandated under section -7(8)(i) r/w section-18(3)(c) of the RTI Act, 2005 and rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2009, when a particular information denied to the appellant, the reply of the PIO has to be on an affidavit. The PIO is, therefore, directed to furnish the information as above or/and the affidavit in right earnest and report the compliance thereof on 25.09.2026, the next date of hearing. The PIO, in the meantime, is also directed to facilitate the site inspection of works on a mutually convenient date.

Given under my hand and seal of this Commission on this 5th August, 2026.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri SangyalTseringBappu, **SIC in person on 25.09.26 (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 HimanshuVerma, IT Consultant (Mobile no. 8319014957) maybe contacted.

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

Memo No. APIC- 350/2026 *1840* **Dated Itanagar, the** *7* **Aug., 2026**

Copy to:-

1. The Chief Conservator of Forests Eastern Arunachal Circle, Tezu, Lohit District, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the DFO, Namsai, Namsai District (A.P) PIN: 792103 for information and compliance.
3. Shri Ratan Chetia, Vill. Sitpani PO/PS- Mahadevpur, Namsai District PIN: 792103 Mobile No. 8729961231 for information.
4. ☒ The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

P. Raju
Registrar/ Deputy Registrar
APIC, Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar