सत्यमेव जयते

सूचना का अधिकार
RIGHT TO INFORMATION

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/SUMMON

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 informationon 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 2(two) times on 24.07.2026 and 11.09.2026.

On 24.07.2026, this Commission, after hearing the parties, the appellant, Shri Bagemso Mitti and the PIO, Shri Aduk Paron through VC, and upon perusal of the records, had directed the appellant, vide order dt.24.07.26, 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.

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, complained that the PIO either furnished misleading information /replies or did not furnish complete information.

This Commission carefully examined the shortcomings complained by the appellant as above vis-à-vis the replies / information furnished by the PIO, vide forwarding letter dt. 12.06.26 and directed the PIO, vide order dt.18.08.2026, to furnish the revised and corrected information to the appellant within 3 (three) weeks from the date of receipt of the said order and report compliance thereof on 11.09.2026.

On 11.09.26, the PIO, again through VC, submitted that in compliance with this Commission's order dt.18.08.2026, the revised replies/information has been furnished to the appellant vide. letter dt. 02/09/2026 the receipt of which the appellant has duly acknowledged.

This Commission, upon perusal of the replies furnished by the PIO noticed that the same appeared to be adequate and satisfactory. However, as prayed for by the appellant, he was directed to go through the replies and intimate this Commission of further shortcoming, if any, within 1(one) week from the date of receipt of this order fdt.11.09.2026.

In compliance with this Commission's order, the appellant, vide letter dt.17.09.26 (reproduced hereunder), complained that the PIO has furnished incomplete information:

"Sub: Submission regarding non-furnishing of information under Sl. Nos. 10, 11, 14, 19, 22 and 23 of the RTI Application

Ref:1. RTI Application in FORM 'A' dated 28.11.2025.
2. Reply furnished by the PIO and Cash Book referred to therein.
3. Case No.: APIC-364/2026

Most Respectfully Submitted:

Apropos to the above-cited subject, I respectfully submit that, upon examination and re-examination of the records furnished by the PIO, the following information sought in the original RTI Application remains unfurnished or requires specific clarification:

1. Sl. No. 10-Bank Statement of CAMPA Project Account: Under Sl. No. 10 of the RTI Application, I sought copies of the Bank Statement of the CAMPA Project Account for the entire project period.

In reply, the PIO stated that since the CAMPA funds are released through LOC to the Bank (SBI), there is no separate Bank Account for CAMPA.

However, the specific information sought was the account/transaction statement relating to the CAMPA project for the full project period. The reply does not furnish any corresponding statement or transaction record from which the receipt and expenditure of CAMPA funds can be verified.

I therefore respectfully request that the PIO may be directed to furnish the relevant LOC transaction statements and records showing receipt and utilisation of CAMPA funds for the entire project period, or, if no such statement/record is maintained, to provide a specific written clarification identifying the records through which the receipt and expenditure of the CAMPA funds can be verified.

2. Sl. No. 11-Cash Book: Under Sl. No. 11 of the RTI Application, I specifically sought copies of the Cash Book entries relating to the Model Nursery Project.

In the reply, the PIO has stated that "Copy enclosed." However, upon re-examination of the records actually furnished with the reply, I find that no copy of the Cash Book has in fact been enclosed or furnished against Sl. No. 11.

The statement of the PIO that the Cash Book has been enclosed therefore does not correspond with the documents actually supplied to the Appellant. Since the Cash Book is an important financial record for verification of the receipt, expenditure and utilisation of CAMPA funds, its non-furnishing prevents proper verification of the expenditure recorded against the project.

I therefore respectfully request that the PIO may kindly be directed to furnish a Certified True Copy of the complete Cash Book entries relating to the Model Nursery Project for the entire relevant project period, including all corresponding pages/entries and supporting references.

If the Cash Book is stated to have already been furnished, the PIO may be directed to specifically identify the page(s)/document(s) supplied against Sl. No. 11.

3. Sl. No. 14-Purchase Committee/Quotation/Tender Documents: The PIO has stated that the work order was issued to local firms by relying upon the Arunachal Pradesh District Based Entrepreneurs and Professionals (Incentives, Development and Promotional) (Amendment) Act, 2020. However, the reply does not furnish the Purchase Committee proceedings, quotation/tender records or the documentary basis for dispensing with the same.

Section 3A of the said Act permits award through work order without tender only subject to specified conditions, including the ₹50 lakh ceiling, absence of requirement of special technical know-how, coverage of the work under Schedule-A and approval of justified rates by the competent authority administratively and technically.

"Creation of Model Nursery" is not expressly specified in Schedule-A. The PIO has also not disclosed the work order value(s), the applicable Schedule-A provision, the justification for invoking Section 3A, or the administrative/technical approval and justified-rate record. Therefore, the reply does not fully address the information sought under Sl. No. 14.

I therefore respectfully request that the PIO may be directed to furnish CTCs of all work order(s), corresponding estimates, Purchase Committee proceedings, quotations/tender records, if any, administrative and technical approvals, justified-rate/rate-analysis records and the competent authority's approval for award without tender. In case Section 3A of the 2020 Act was relied upon, the PIO may further be directed to identify the specific Schedule-A category under which the Model Nursery work was treated as eligible, disclose the value of each work order and furnish the record establishing satisfaction of the statutory conditions of Section 3A. If any of the aforesaid records do not exist, a specific written clarification to that effect may kindly be directed to be furnished.

4. Sl. No. 19-Muster Roll of Labourers
Under Sl. No. 19, I sought copies of the Muster Roll of labourers engaged for execution of the Government-funded CAMPA Project.
In reply, the PIO merely stated that "Muster Roll system is abolished since 2017-18." However, no order, notification, circular or other relevant record has been furnished along with the reply to substantiate or evidence the stated abolition of the Muster Roll system.
Since the PIO has relied upon the alleged abolition of the system as the reason for non-furnishing of the Muster Roll, the supporting order/notification or record relied upon by the Department is relevant to the response.
I therefore respectfully request that the PIO may be directed to furnish the Muster Roll/alternative labour engagement and attendance records, if maintained, relating to the CAMPA Project; and, if the Department relies upon the statement that the Muster Roll system was abolished from 2017-18, to furnish a certified copy of the relevant Government Order/Notification/Circular or other record evidencing such abolition.

5. Sl. No. 22-Stock Register: The Stock Register for seeds, seedlings, polybags, manure, tools and fencing items has not been furnished. However, information relating to stock for seeds/seedlings is enclosed only.

I specifically sought information/records relating to polybags, manure, tools and fencing items, which are missing.
The same is necessary for correlating purchase, receipt, issue and utilisation of project materials with the Cash Book and Bills.
I therefore respectfully request that the PIO may be directed to furnish the complete Stock Register relating to the aforesaid project materials, including entries concerning polybags, manure, tools and fencing items.

6. Sl. No. 23-Vehicle Log Book and Fuel Register
The PIO has not furnished the Vehicle Log Book and Fuel Register, instead stating: "No vehicle allotment made to the concerned Beat Forest Officer."
However, upon re-examination of the Bills and financial records furnished, fuel expenditure has been recorded against Government vehicles, including:
i. Cash Memo No. 48726 dated 16.03.2024-Diesel 12.04 litre₹1,000/-
ii. Cash Memo No. 45509 dated 16.12.2023-Diesel 11.78 litre₹1,000/-
iii. Cash Memo No. 49912 dated 02.03.2024-Diesel 10.00 litre -2830/-
iv. Government Vehicle No. AR-01-P-9573-HSD 35.34 litre₹2,999/-, Cash Memo No. 5652 dated 16.12.2024.
v. Government Vehicle No. AR-17-0021-Petrol 37.76 litre-23,611/-, Cash Memo No. 49020 dated 12.12.2024.
These fuel expenditures are recorded under CAMPA - NPV, Creation of Model Nursery (Overhead).
Therefore, the statement of the PIO that "No vehicle allotment [was] made to the concerned Beat Forest Officer" does not specifically address the information sought regarding the Vehicle Log Book and Fuel Register. The Bills/financial records themselves contain fuel expenditure relating to the above Government vehicles. Accordingly, the corresponding Vehicle Log Book and Fuel Register, or a specific written clarification regarding their non-maintenance/non-availability, are required for verification of the recorded fuel expenditure.

I further request Hon'ble SIC that the PIO may be directed to furnish the Vehicle Log Book and Fuel Register, along with relevant records corresponding to Cash Memo Nos. 48726, 45509, 49912, 5652 and 49020. If any such record is stated to be unavailable/not maintained, the PIO may kindly be directed to provide a specific written clarification for each such record, supported by the relevant order/notification/circular, wherever applicable.

Prayer
In view of the above, I respectfully request this Hon'ble Commission to kindly direct the PIO to furnish the aforesaid information/records in Certified True Copy (CTC) form, wherever requested in the original RTI Application.
I further request that the matter may kindly be listed for further hearing, as deemed appropriate by this Hon'ble Commission.
Enclosed: As stated above.

Daled 17/09/20

Yours faithfully.
Sd/-
Shri Bagemso Mitti
Vill: New Hatiduba."

The shortcomings in the documents/replies furnished by the PIO, as complained by the appellant appear to be genuine ones which the PIO is obliged to

furnish correctly and satisfactorily under the RTI Act. However, it is made clear that if any of the requested information/documents is denied, then cogent reason / explanation thereof has to be furnished on an affidavit to the appellant as mandated under section -7(8)(i) read with section-18(3)(c) of the RTI Act, 2005 and under rule-5(vi) of the A.P Information Commission (Appeal Procedure) Rules, 2005 which are extracted below.

Section 7(8)(i) of RTI Act, 2005.

"(8) Where a request has been rejected under sub-section(1), the Central Public Information Officer or State Public Information Office, as the case may be, shall communicate to the person making the request:-

(i) the reasons for such rejection

(ii) .....

(iii) ....."

Section 18(3) (C)

"(3) The Central Information Commission or the State Information Commission, as the case may be, shall, while inquiring into any matter under this section, have the same powers as are vestyed in a civil court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:-

(a).....

(b).....

(c) receiving evidence on affidavit.

(d).....

(e) .....

(f)....."

Rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005,

"5. Procedure in deciding appeal: In deciding the appeal, the Commission shall,

(i)....

(ii).....

(iii) ....

(iv).....

(v).....

(vi) receive evidence on affidavit from State Public Information Officer, Assistant State Public Information Officer, such Senior Officer who decided the first appeal or third party."

In view of the position of law as above, the PIO is directed to furnish satisfactory / appropriate replies to query Nos. ***10, 11, 14, 19, 22 and 23 of the RTI Application*** on an affidavits to the appellant, with intimation to this Commission, within 2(two) weeks from the date of receipt of this order and report the compliance thereof on 25.11.2026 the next date of hearing.

Given under my hand and seal of this Commission on this 26.10.2026.

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 25th November, 2026 (Wednesday) at 10.30 am** 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 1959 **Dated Itanagar, the** 27 **Oct., 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.
2) The PIO, o/o the DFO, Lohit Forest Division, Tezu, Lohit District (A.P) PIN: 792001 for information and compliance.
3) Shri BagemsoMitti, Vill. New Hatiduba, Sunpura Lohit PIN: 792111 Mobile No. 8837021474 for information and compliance.
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.

Registrar
Arunachal Pradesh Information Commission
Itanagar