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-350/2026.

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

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ratan Chetia for non-furnishing of 16 (sixteen) point information on implementation of 6(six) various schemes/projects by the PIO, o/o the DFO, Namsai, as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 16.01.2026.

This appeal was, accordingly, listed and heard 2(two) times on 05.08.2026 and 25.09.2025.

On 05.08.26 wherein the appellant and Shri HageOpo, RFO-cum-APIO, appeared through VC, this Commission, after hearing the parties and upon perusal of the information furnished by the o/o the PIO, noticed that replies/information to some of the queries were either incomplete or not furnished satisfactorily. As such this Commission concluded that the PIO has to re-visit and furnish the information/documents 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)	*Copies of EMD, Contractor enlistment certificate, annual turnover certificate, bank solvency certificates, which had been submitted by the successful firms.*	*Elaborate replies/reasons for denial to be furnished*
(n)	*Copy of work site verification report by the officers, their signature. designation& address for all the above mentioned projects/works.*	*-do-*
(o)	*Utilization/completion certificates against all the above mentioned projects/works.*	*Copies of UC to be furnished.*
(p)	*Payments details made to the contractors/suppliers (all Bills, cheques, demand draft, NEFTs etc.) and copies of GSTR-3B obtained before release of payments.*	*To be furnished.*

The PIO was directed to furnish the left out requested information as indicated above, however, making 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, 2005 shall 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, was also directed to facilitate the site inspection of works on a mutually convenient date.

On 25.09.2026 also the parties, the appellant and Shri Hage Opo, RFO-cum-APIO, appeared through VC. The APIO submitted that the direction of this Commission passed in last order dt.05.08.26 could not be complied with due to shortage of staff vis-à-vis the huge number of RTI applications besides some disturbing incidence that occurred recently in the o/o the FDOI. He, however, assured to furnish the requested documents to the appellant within 10(ten) days time to which the appellant has agreed but wanted some time to go through the documents, besides site inspection.

The PIO was, hence, directed, vide order dt.25.09.2025, to furnish the information/documents within 1(one) week from the date of receipt of this order and the appellant shall, within 1(one) week thereafter, intimate the receipt thereof to this Commission for further consideration of the appeal.

The appellant, vide his letter dt.10.10.2026 (as reproduced below), however, compliance that the PIO did not comply with this Commission's direction as above.

"Respected Sir,

With due respect, I, Ratan Chetia, the appellant in the above-mentioned appeal, wish to bring to your kind notice the non-compliance with the directions issued by this Hon'ble Commission in its order dated 25.09.2026.

In the said order, this Hon'ble Commission specifically directed the Public Information Officer (PIO), Office of the Divisional Forest Officer (DFO), Namsai, to furnish the requested information/documents to the appellant within one week from the date of receipt of the order. The Commission further directed the PIO to facilitate the site inspection by the appellant, as already ordered.

The Commission also directed the appellant to intimate the Commission regarding receipt of the information/documents within one week thereafter for further consideration of the appeal.

However, more than two weeks have elapsed, and the PIO has neither furnished the requested information/documents nor facilitate me any site inspection.

It is respectfully submitted that the order was passed after hearing both parties, and the PIO was given sufficient time to comply with the directions. Therefore, failure to provide the information within the prescribed period defeats the purpose of the Right to Information Act, 2005, and causes unnecessary hardship to the appellant.

In view of the above, I most respectfully request this Hon'ble Commission to:

1. Take this representation on record as an intimation of non-compliance with the Commission's order dated 25.09.2026.

2. Direct the concerned PIO, Office of the DFO, Namsai, to immediately furnish all the requested information/documents in strict compliance with the Commission's order.

3. Direct the PIO to facilitate the site inspection as ordered by the Commission and communicate the proposed date and necessary arrangements to the appellant.

4. Take appropriate action in accordance with the provisions of the RTI Act, 2005, for failure to comply with the Commission's directions within the stipulated time.

I further request that the matter may kindly be taken up on priority so that the directions of this Hon'ble Commission are implemented without further delay and the appellant is not compelled to pursue repeated proceedings for obtaining information to which he is legally entitled.

I shall be highly obliged for your kind intervention and necessary action in the interest of transparency and accountability in public administration.

Thanking you.

Sd/-
(Ratan Chetia)
Appellant."

This Commission taking serious note of the non-compliance of it's order dt.25.09.2026, concludes that the non-compliance of the Commission's direction attracts the penal provisions prescribed under section 20 of the RTI Act, 2005. The PIO is, therefore, directed once again to comply with this Commission's direction as contained in order dt.25.09.2026 within 2(two) weeks from the date of receipt of this order and report the compliance thereof on 16.11.2026 failing which necessary show cause notice shall be issued to him. The appellant shall also intimate the compliance by the PIO on or before 20th Nov., 2026 failing which this appeal shall stand closed without further notice.

Given under my hand and seal of this Commission on this 02.11.2026.

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

Memo No. APIC- 350/2026/987 Dated Itanagar, the 5th Nov., 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, for information and compliance.
3) Shri RatanChetia, Vill. Sitapani PO/PS- Mahadevpur, Namsai District PIN: 792103Mobile No. 8729961231 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

Registrar
Arunachal Pradesh Information Commission
Itanagar