



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC- 298/2026.

APPELLANT : Shri Witwang Lowangdong, Vill. Kheti, Khonsa.
RESPONDENT : The PIO, o/o the Deputy Commissioner, Tirap District, Khonsa,

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Witwang Lowangdong for non-furnishing of below mentioned information by the PIO, o/o the Deputy Commissioner, HQ Khonsa, Tirap District as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 24.11.2025.

A. Particular of information : information pertaining to the land under the occupation of 44th Assam Refiles at Khonsa.

B. Details of information required:

1. Furnish the details whether one time premium/ revenue has been paid by the for the land under occupation of 44th Assam Refiles at Khonsa A.P if yes, furnish the details.
2. Furnish the details whether the above said land been allotted to the 44th Assam Refiles at Khonsa or not if yes, furnish the land allotment details/ records.
3. Furnish the details whether the above and the occupation of 44th Assam Refiles at Khonsa falls under any notified forest land or not. If yes furnish the details.

Brief facts emerging from the appeal:

Records emerging from the appeal disclose that the Appellants, Shri Witwang Lowangdong had requested the PIO for the aforementioned information / documents in response to which the PIO, vide his letter dt. 29th Dec 2025 (reproduced hereunder) had refused to disclose the requested information citing national security reasons as the same relates to sensitive Govt. documents/papers including Land acquisition papers for the Army establishments etc. being exempted under the RTI Act, 005.

“Sir

With reference to the above mentioned subject, this is to inform you that as per Secretary Land Management Govt. of A.P Vide No. Secy (LM)-06/2021 dtd 15th Mar 2021 it is instructed to all D.Cs that shall not share any sensitive Govt. documents/papers including Land acquisition papers for the Army establishments etc. and not released through RTI for national security reasons under appropriate exception clause of RTI Act.

In view of above facts this establishment won't be able to provide Information a sought by you in RTI application.

Your kind cooperation in this regard will be highly appreciated.

This is for favour of your kind information please.

Encio. As stated above.

*Yours faithfully,
Sd/-
(Lomin Lonchung) DLRSO
For Deputy Commissioner
Tirap District, Khonsa."*

The appellant, apparently, feeling aggrieved with the decision of the PIO as above filed his 1st appeal before the Deputy Commissioner, Khonsa, Tirap District, the First Appellate Authority (F.A.A) under Section 19 (1) of the RTI Act vide his Appeal Memo dated 15.01.2026.

Records further reveal that the FAA conducted the hearing on 11.03.2026 and by his order dt. 11.03.2026 disposed of the appeal upholding the decision of the PIO not to furnish the requested information on the ground of national security.

The extract of the order dt.11.03.2026 passed by the FAA is reproduced hereunder:

"ORDER

In the matter of an Appeal u/s 19(1) of the RTI Act, 2005, an appeal petition. was filed by Shri Witwang Lowangdong of Kheti village, PO/PS- Khonsa, District-Tirap, Arunachal Pradesh on the ground of non furnishing of information of documents under RTI Act, 2005.

Earlier, the hearing of the First Appeal was fixed on 04/02/2026. However, the Appellant could not produce any valid documents in support of his claims and the matter was adjourned to 11/03/2026 for second hearing.

Both the parties, the Appellant represented by Shri Jaqwang Lowangchha, S/o Wangman Lowangchha, R/o Borduria village, PO/PS- Borduria, District - Tirap. (A.P) and the Respondent, Shri Lomin Lonchung, DL.RSO, Khonsa appeared today i.e on 11/03/2026 for Second Hearing before the First Appellate Court.

The Respondent presented a copy of Circular issued from the Secretary, Land Management, Government of Arunachal Pradesh, Itanagar vide No. Secy (LM)-7 06/2021, dated Itanagar, the 5th March, 2021. On examination of the circular, it is found that all DCs and Director Land Management / all Officers of Department of Land Management have been instructed to keep all the documents / papers pertaining to establishment of brigades/military bases' and 'land acquisition papers for the Army establishments in the border areas as confidential and also to not share any sensitive Govt documents/papers or release through RTT.

After perusal of the RTI application, PIO's response, other relevant documents and submissions made during the hearing, it is observed that the information sought relates to land management matters and has been denied as per instructions from the competent Land Management Authority.

Therefore, the PIO's denial, as instructed by Land Management, is upheld and the appeal is disposed of accordingly.

However, if the Appellant is discontented with the decision, he may prefer a Second Appeal under Section 19(3) of the RTI Act, 2005, before the State Information Commission within 90 (ninety) days from the date of receipt of this order.

Pass copy of this Order to the Appellant and Respondent accordingly.

Sd/-

DC-cum-First Appellate Authority,
O/o the Deputy Commissioner,
Tirap District, Khonsa."

Dissatisfied by the decision of the PIO and the FAA as above, the appellant filed his 2nd appeal before this Commission under section 19(3) of the RTI Act, 2005 vide his Memo of Appeal dt.25.03.2026 on the ground of illegal and arbitrary decisions by the PIO and FAA.

This appeal was, accordingly, listed on 05.06.2026 but could not be heard due to Bandh in Itanagar Capital Region and hence, listed today on 17.07.2026 wherein the PIO, Shri Lomin Lonchung, DLR&SO and Advocate, Shri Eddie Payeng, representing the appellant are present in person.

Heard the Ld. Counsel for the appellant reiterated the request of the appellant to furnish the information as sought for in his RTI application dt. 24.11.2025. The PIO, on the other hand, reiterated his decision refusing to furnish the requested information and the FAA's endorsement thereon.

This Commission, after hearing the PIO and on perusal of the FAA's order dt.11.03.2026 (supra), observes that requested information were denied to the appellant citing a State Govt. Circular No. Secy (LM)-7 06/2021, dated Itanagar, the 5th March, 2021 issued by the Secretary, Land Management, Government of Arunachal Pradesh, Itanagar. Since the information/documents sought for pertain to acquisition of land for Army establishments in the border areas, the same were denied in terms of the aforesaid Govt. circular, purportedly, issued in terms of the provisions of section-8(1)(a) of the RTI Act (as extracted hereunder) that exempts disclosure of information which would prejudicially affect, among others, the security of the State.

"Section -8(1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen,-

(a) information, disclosure of which would pre-judicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interest of the State, relation with foreign State or lead to incitement of an offence."

This Commission, upon careful perusal of the nature of information/documents sought for by the appellant in his RTI application(supra) vis-à-vis the provisions of section-8(1)(a) of the RTI Act as above, concludes that except for copy or records of land allotment as requested at Sl.No-2, the rest of the requested information at Sl. Nos. 2 and 3 can not be held as exempted as these are simply queries which can simply be replied in affirmative or negative without having to disclose any record (physical/electronic). In any case, the disclosure of the records/details of land allotment (Sl.No.2) is contingent upon factual position as to whether any plot has actually been allotted to the Assam Rifles. If land has actually been allotted, a mere affirmative reply would suffice the query and no records/details in any form need be furnished since such records/details are protected/exempted from disclosure under the aforesaid exemption provision.

The PIO, as assured to by him and fairly consented to by the appellant during the course of hearing, is, accordingly, directed to furnish the replies/information to the appellant within 1(one) week from the date of receipt of this order with an intimation to this Commission.

This appeal is, thus, disposed of and closed in above terms.

Given under my hand and seal of this Commission on this 17th July, 2026.

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

Memo No. APIC-298/2026 17/5 Dated Itanagar, the 21 July, 2026

Copy to:

1. The Deputy Commissioner, Khonsa, Tirap District, the First Appellate Authority (FAA) for information and ensuring compliance.
2. The PIO, o/o the PIO, o/o the Deputy Commissioner, HQ Khonsa, Tirap District PIN: 792130 for information and compliance by the PIO.
3. Shri Witwang Lowangdong, Vill. Kheti, Khonsa PIN: 792130 Mobile No. 7011811701 for information.
4. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
5. Office Copy.
6. S/Copy.

Reg 20/7/26
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Assam Pradesh Information Commission