



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

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

Case No. APIC-136/2025.

APPELLANT

: Shri Ijip Taso, Vill. Torajon PO/PS Kangku

RESPONDENT

: The PIO, o/o the (DFO), Likabali, Lower Siang District,
Arunachal Pradesh

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ijip Taso, for non-furnishing of below mentioned information by the PIO, o/o the DFO Likabali, Lower Siang District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 22.07.2024.

Details of information required:

Name of the scheme	Information or documents required
1. Clear Felling of trees Felling in the Submergence area of Subansiri Lower HE Projects, NHPC Ltd.	1. Furnish Sanction Order. 2. Furnish Work Order 3. Furnish NIT details 4. Furnish Newspaper cutting for inviting Tender. 5. Furnish the details documents of the bidder (Firm). 6. Photograph of project before and after the completion of the project in coloring photo. 7. Payment Cheque leaf/ PFMS/ DBT transaction receipt copy details.
2. Erecting of RCC Pillars at the prescribed AMSIL submerged area of Lower Subansiri Project from Pobo Nallah toward upstream from 11.15 km	8. Name of the officer involved in the said project 9. Asset Creation Registered. 10. Furnish Completion Certificate duly counter signed by the Deputy Commissioner, Lower Siang, Likabali. 11. Furnish Utilization Certificate duly counter signed by the Deputy Commissioner, Lower Siang, Likabali. 12. Furnish Geo-Tagging details 13. Reply the details seeking documents with CTC

3. CAMPA Scheme	<ol style="list-style-type: none">1. Furnish total Sanction amount with sanction order copy under 2 CAMPA Scheme since 2019 to 2024 in your good office.2. Furnish the details of State Government File Noting on CAMPA scheme.3. Furnish the coloring photo (s) and details documents of the Creation of Compensatory Plantation and Extraction of Departmental Timber , Operation etc.4. Reply the details seeking documents with CTC
4. Forest Land under RF and PRE	<ol style="list-style-type: none">1. Furnish total forest Land within Lower Siang, District A.P.2. Furnish total RF area within Lower Siang, District A.P.3. Furnish total PRF land within Lower Siang, District.4. Reply the details seeking documents with CTC.

Brief facts emerging from the appeal:

Records emerging from the appeal disclose that the Appellant, Shri Ijip Taso had requested the PIO for the aforementioned information / documents but failed to obtain the same which prompted him to appeal before the Chief Conservator of Forest, Govt. of Arunachal Pradesh, Central Circle, Pasighat, the First Appellate Authority (FAA) under Section 19 (1) of RTI Act, 2005 vide his Memo of Appeal dt. 12-09-2024.

The FAA conducted hearing on 18th December, 2024, and both the appellant Shri Ijip Taso and the PIO, Shri Bajum Taba, DCF, attended in person. The FAA upon hearing the parties, had passed the following order:

“In the presence of both the appellant and the respondent, the First Appellate Authority has examine the case and disposed off the case as under :

- 1. The appellant has been requested to send details of Sl. No. 1 & 2 as asked in Sl. No.3 & 4 to the PIO of the S.O. of Govt. of India to Govt. of Arunachal Pradesh.*
 - 2. The PIO cum DFO Likabaii is to provide the information as sought by the appellant vide his RTI application No. Nil dated 04/12/2024 within 30 days time from the date of issue of this order.*
 - 3. The appellant is at liberty to file second appeal before the state information Commissioner , Itanagar if he ts not satisfied with the decision of the First Appellate Authority.*
- The case stand disposed off.*

*(P. Ringu) IFS
Chief Conservator of Forests Central Circle, Pasighat
(First Appellate Authority)”*

Aggrieved with the decision of the FAA as above and having failed to obtain the information from the PIO the appellant preferred 2nd appeal before this Commission under section 19(3) of the RTI Act. 2005 vide his Memo of Appeal dt. 10.02.2025.

Hearing and decision:

This appeal is, accordingly, listed and heard today on 16th May, 2025 wherein both the PIO and the appellant are represented by their respective Counsels namely Advocate, Shri Lizar Bui for the PIO and Advocate, Shri Dope Ori.

Heard both the Ld. Counsels.

The Ld. Counsel, Lizar Bui submitted that as directed by the FAA vide order dt.20.12.2025, the appellant was supposed to have sent the details of his query at Sl.No.1 & 2 to the PIO, but the appellant did not comply with the direction and as such the sought for information was not furnished to the appellant. He also contended that the furnishing of the requested information to appellant as per direction No. 2 of aforesaid order of FAA is subject to the appellant's sending the details to the PIO as per direction No.1. He also submitted that as per this Commission's advisory, dt. 08.05.2024, the information /documents requested should be for one scheme and for one financial year and that since the information / documents requested by the appellant is against four different funding heads, the appellant should ask for specific information for one scheme and in separate RTI application.

It is to be noted and appreciated that the intent and object of the aforesaid full Commission resolution were to harmonise the cherished rights of the information seekers to obtain information on the one hand and the smooth and efficient functioning of the public authorities without obstructions caused by misuse or abuse of the provisions of the RTI Act by the information seekers on the other as ruled by the Hon'ble Supreme Court of India in its judgment & order dt.09.08.2011 passed in Civil appeal No. 6454 of 2011 {arising out of SLP (C) No. 7526 - 2009) in the matter of CBSE & Anr. Vs. Aditya Bandopadhyay & Ors..

This Commission, upon perusal of the documents/information requested by the appellant in his application dt.22.07.2024, noticed that the documents / information requested by the appellant for 4(four) schemes and for 6(six) financial years (2019 to 2024) is, indeed, indiscriminate and disproportionate which is against the principle of law settled by the Apex Court as above.

However, in order that the intent and the objective of the RTI Act is achieved, this Commission holds that it will be just and appropriate that the documents / information requested by the appellant against four schemes (at Sl.No.1,2,3 and 4 of his RTI application) are provided not at one go but in 4(four) installments. In other words, the PIO shall, at first instance, provide the documents/information against any one scheme out of the four within one month from today. Thereafter, the document/information against remaining three schemes shall be provided in a span of three months.

This appeal is disposed off in the above terms.

Given under my hand and seal of this Commission on this 16th of May, 2025.

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

Memo No. APIC- 136/2025 / 739

Dated Itanagar, the 19th May, 2025

Copy to:

1. The Chief Conservator of Forest, Central Circle, Pasighat, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the DFO, Likabali, Lower Siang District for information and compliance.
3. Shri Ijip Taso, Village Torajon PO/PS Kangku, Lower Siang District, A.P PIN: 791125 Mobile No. 7002073570 for information.
- ✓ 4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

P. Rajan
Registrar/ Deputy Registrar
APIC, Itanagar
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar