



सत्यमेव जयते



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)

ITANAGAR.

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

Case No. APIC- 968/2023.

Shri Bamang Pacho, General Secy.
(All Arunachal Pradesh Contractor Welfare
Association Kurung Kumey District Unit),
Forest Park Near main Power House
House No. IMC 491-Ward No.10 Itanagar.

.....**APPELLANT**

Vs

The PIO, o/o the Divisional Forest Officer (DFO)
Koloriang, Kurung Kumey District, Arunachal Pradesh

..... **RESPONDENT.**

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Bamang Pacho for non-furnishing of information by the PIO, o/o the Divisional Forest Officer (DFO) Koloriang, Kurung Kumey District, Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide application dated 12.06.2023.

Records reveal that Shri Bamang Pacho had requested for 12(twelve) point information regarding *(a) creation of ANR Plantation at Patu and (b) creation of Artificial Plantation at Namya Dampo* under Sangram Forest Range during the year 2022-23 under CA & CAMPA Fund from the PIO, o/o the Divisional Forest Officer (DFO) Koloriang, Kurung Kumey District.

Having failed to obtain the sought for information from the PIO, the applicant/appellant had approached the o/o the CCF, Western Circle, Banderdewa, the First Appellate Authority (FAA) under section 19(1) of the RTI Act, 2005 vide his Memo of Appeal dt.31.07.2023.

The records also reveal that the First Appellate Authority (FAA), the CCF, W/Circle, Banderdewa had called for the hearing of the Appeal on 30.08.2023 in his office at Banderdewa but the PIO, DFO Kurung Kumey Forest Division did not attend the hearing. The FAA, however, heard the appellant and vide his order dt.30.08.2023, disposed of the appeal directing the PIO to furnish the sought for information to the appellant holding that the information is not covered under section 8(1)(d) of the RTI Act. But having failed yet again to obtain the sought for information despite the order of the FAA, the Appellant filed this 2nd Appeal before the Commission under section 19(3) of the RTIA vide his application dt.04.10.2023

The appeal is heard for two times on 4th Oct, 2024 and 30.01.2024 wherein both the PIO and the Appellant attended and presented their respective submissions.

During the course of hearing on 4th Oct, 2024, the PIO had submitted that the schemes on which the information has been sought by the Appellant were executed before his posting to the Koloriang, Kurung Kumey District but he also submitted that whatever information as sought for is available in the office will be furnished to the appellant and accordingly, he had handed over to the appellant some of the documents viz, the copy of common sanction order dt. 21.03.2023, copy of Estimate and the copy of Geotagged Report (DPR). The appellant, however, submitted that the documents which are not available should be mentioned specifically and an Affidavit to that effect should be furnished by the PIO.

The Commission, after hearing both the parties and considering the submissions, had directed the PIO to submit an affidavit as demanded by the Appellant on the next date of hearing.

On the next date of hearing on 30th October, 2024 wherein both the parties were present, the PIO handed over to the Appellant the Affidavit sworn in by him before the Executive Magistrate Koloriang declaring / affirming therein that most of the information (numbering 10) as sought for by the appellant are not available/ could not be traced out in his office.

In view of above, no further intervention of this Commission is required on this appeal and therefore, the appeal is disposed of and closed.

Given under my hand and seal of this Commission on this 1st Nov., 2024.

Sd/-

(SANGYAL TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC- 968/2023/ 416

Dated Itanagar, the 4 Nov., 2024

Copy to:-

1. The CCF, Western Circle, Banderdewa, the First Appellate Authority (FAA) for information.
2. The PIO, o/o the Divisional Forest Officer (DFO) Koloriang, Kurung Kumey District, A.P PIN: 791118 for information.
3. Shri Bamang Pacho, (GS, A P Contractor Welfare Association Kurung Kumey District Unit), Forest Park main Power House, House NO.IMC 491-Ward No. 10 Itanagar mobile no. 9402275313 PIN: 791111 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.

Arunachal Pradesh Information Commission
Itanagar.