



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)
ITANAGAR, ARUNACHAL PRADESH

An apple case U/S 19(3) of RTI Act, 2005
Vide Case No.APIC- 428/2024

BEFORE THE HON'BLE COURT OF SHRI KHOPEY THALEY, THE STATE INFORMATION
COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.

Shri Vijay Pertin
Itili Village, PO/PS, Roing..... **Appellant.**

-VERSUS-

PIO-cum-DFO, Dibang Forest Division .. **Respondent.**
Roing, Lower Dibang Valley District.

Date of hearing : 21/05/2025
Date of decision/Judgment : 21/05/2025

INFORMATION COMMISSIONER : Shri Khopey Thaley
Relevant facts emerging from Appeal:

RTI application file on : 23/08/2024
PIO replied on : 20/09/2024
First appeal file on : 03/10/2024
First Appellate Authority's order : 25/10/2024
2nd Appeal dated : 11/12/2024

Information sought :

The appellant file an RTI Application dated 23/08/2024 seeking Details regarding Deopani Reserve Forest and De-reservation of Deopani Reserve Forest.

As per the case record, PIO has never conducted hearing under his jurisdiction.

Being dissatisfied, the appellant filed First Appeal dated 03/10/2024. No hearing has been conducted by the First Appellate in this regard. Feeling aggrieved and dissatisfied, appellant approached the Commission with instant Second Appeal.

The following were present.

Appellant : Shri Vijay Pertin attended through VC

Respondent : PIO-cum-DFO, Roing Forest Division attended through VC.

JUDGMENT/ORDER

This is an appeal filed under sub-section (3) of Section 19 of the RTI Act, 2005. Brief fact of the case is that the appellants Shri Vijay Pertin on **23.08.2024** filed an RTI application under Form-‘A’ before the PIO-Cum-Divisional Forest Officer, Dibang Forest Division, Roing, Lower Dibang Valley District, Govt. of Arunachal Pradesh whereby, seeking various information, as quoted in Form-A application. The Appellant, being not satisfied with the information received from the PIO, filed the First Appeal before the First Appellate Authority on **03.10.2024**, Appellant, again having not received the required information from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on **11.12.2024** and the Registry of the Commission (APIC), having receipt of the appeal, registered it as **APIC No. 428/2024** and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission for first time i.e on 21/05/2025. In this hearing of the appeal on 21st day of May, 2025, both the parties the PIO-cum-DFO, Roing Forest Division and the appellant Shri Vijay Pertin attended through VC.

Going through the case record, it is seen that hearing was conducted by the First Appellate Authority. The information has been provided by the PIO-cum-DFO, Roing Forest Division as per the query made in Form ‘A’ application by the appellant. The appellant has stated that he is not satisfied by the information provided to him. So he made this appeal. As per his submission made today, query No. 1 which he sought for Original Toposheet of Deopani Reserve Forest but the PIO has provided certified copy of the Toposheet which he is not satisfied.

Query No. 2 sought for Central and State approved original Map of De-reservation of Deopani Reserve Forest in colour photograph. But the PIO has provided sketch map, which he is not satisfied.

Query No. 3 sought for person who have applied NOC from DFO, Roing to obtain LPC but not satisfied by the information provided by the PIO.

Query No. 4 is of the NOC from DFO, Roing to shri Debit Lego, Shri Tony Pertin, Shri Abo Tayeng, Shri Midiang Pertin, Shri Abu Borang, Shri Baro Mepo (Bisen Mepo), Shri Abayo Linggi, Shri Kading Perme, Shri Gonong Pertin, Shri Isaac Pertin, Shri President Lego, Shri Ogan Perme, Shri Danied Perme, Dr. allok Yirang, Shri Alokeng Perme, Shri Sobat Pertin, Shri Tokik Tayeng, Shri Aniram Peertin, and Smti Opet Taggu Pertin and others. Regarding the query No. 5, the appellant state that no information has been provided.

The DFO, Dibang Forest Division, Roing has stated that that whatever information which the appellant sought has been provided. Extract copy of the information provided are submitted in the Commission. The PIO has stated that regarding query No. 5 I am not supposed to give written reply of the query.

The Commission is of view that the information sought by the appellant has been provided by the PIO as per the record submitted before the Commission.

Commission cannot insist the PIO to create information which he is not having. The Commission deems that the submission made by the PIO is true and Commission deems there is no more documents to be provided to the appellant by the PIO.

Regarding the query No. 5 sought by the appellant it is not answerable by the PIO as Section 2(f) of the RTI Act defined that information means any material in any form including records, documents, memos, e-mail, opinions,, advices, press release, circular, orders, logbooks, contracts report papers, sample, models, data, materials held in any electrical form and information relating to any private body which can be accessed by a public authority under any other law for time being in force. Under Section 6 of the RTI Act, can get any information which is already in existence and accessible to the public authority under law.

Under the RTI Act, the information seeker which not supposed to ask appeal to public authority and the public authority are not supposed to create information and furnish information for hypostatical question.

The Commission deems fit to dispose off this appeal in presence of both the parties, however, the appellant is at liberty to file appeal before the appropriate authority if feel aggrieved by the decision of the Commission. The APIC case is disposed and closed.

Judgment/Order pronounced in the open Court of this Commission today on this 21st day of May, 2025. Each copy of Judgment/Order be furnished to the parties.

Given under my hand and seal of this Commission/Court on this **21st day of May, 2025.**

Sd/-
(Khohey Thaley)
State Information Commissioner
APIC, Itanagar.

Memo.No.APIC-428/2024/(A) *1741*
Copy to:

Dated Itanagar, the *23* May, 2025.

1. The FAA-cum-Chief Conservator of Forest, Eastern Arunachal Circle, Tezu, Lohit District, Govt. of Arunachal Pradesh, Itanagar for information.
2. The PIO-cum- Divisional Forest Officer, Dibang Forest Division, Roing, Lower Dibang Valley, District, Arunachal Pradesh for information. Pin code.792110
3. Shri Vijay Pertin, Village-Ithili, PO/PS, Roing, Lower Dibang Valley District, Arunachal Pradesh for information. **Contact No. 7005487635**
- ✓ 4. The Computer Programmer for upload on the Website of APIC, please.
5. Office Copy.

Pharg...
Registrar/Dy. Registrar
APIC, Itanagar.
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar