



**ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)
TANAGAR.**

**An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC- 337/2024.**

Shri Nibo Pao, Shri Tawa Yomdo, Shri Japa Tali, Shri
Jiten Lora, Advocate Tai Shiva and Ors., Polo Colony,
Naharlagun PO/PS Nlg., Papum Pare District (A.P)

: APPELLANT

The PIO, o/o the Divisional Forest Officer, (DFO), Kurung
Kumey Forest Division, Koloriang Govt. of A.P

: RESPONDENT

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Nibo Pao, Shri Tawa Yomdo, Shri Japa Tali, Shri Jiten Lora, Advocate Tai Shiva and Ors. for non-furnishing of below mentioned information by the PIO, o/o the Divisional Forest Officer, (DFO), Kurung Kumey Forest Division, Koloriang Govt. of A.P as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 19.08.2024.

a) Particular of information: Implementation of AP State CAMPA by the DFO, Kurung Kumey Forest Division, Koloriang (A.P) and all kinds of reserved Forest notifications in Kurung Kumey Forest Division.

b) Details of information required:

- i) Projects wise Chart showing the enumeration of trees, species, and girth wise volume in respect of diversion of forest lands;
- ii) Projects wise statements showing number of trees volume and valuation of trees in respect of diversion of forest lands;
- iii) Projects wise detail estimates for departmental timber operation against extraction of trees in respect of diversion of forest lands;
- iv) Projects wise abstract of Royalty and Departmental timber operation;
- v) Projects wise detail estimates for creation of compensatory afforestation for diversion of forest lands with maps;
- vi) Projects wise certificates from the competent authority regarding suitability area identified for compensatory afforestation;
- vii) Projects wise site inspection reports;
- viii) Year wise amount receipts under AP State CAMPA from the office of PCCF, department of Environment, Forest and Climate Change, Itanagar, Govt of AP;
- ix) Year wise payment made with cheque counterfoils, money receipts and bank statements of DDO/DFO Kurung Kumey Forest Division, Koloriang.
- x) All types of Reserved Forests Notifications in Kurung Kumey Forest Division with minute of meeting and agreement copies, if any.

c) Period for which information is required: 2014 to 2024.

The records available reveal that the appellants failed to receive any response from the PIO o/o the DFO, Kurung Kumey Forest Division which led to the appellants filing appeal Memo dt.16.10.2024 before the the First Appellate Authority (FAA), the CCF, Western Circle, Banderdewa under section 19(1) of the RTI Act, 2005.

Records further disclose that the FAA conducted the hearing of the appeal on 12.11.2024, but the PIO did not attend the hearing while the appellants were present. Therefore, the FAA examined the case in absence of the PIO and disposed of the same with the following directions:

“ In the absence of the PIO on the date of hearing, the 1st Appellate Authority has examined the case ex-parte and disposed off the case as under:-

- a) *The information sought by the appellant is not covered under section 8(1) (d) of the RTI Act, 2005 and are admissible to be disclosed before the public domain;*
- b) *The information sought is found to be voluminous & spread over several years. After detailed discussion, the appellant decided to seek information under CAMPA schemes only for the year 2023-24 executed under the Division;*
- c) *Therefore, the PIO-DFO, Kurung Kumey Forest Division is directed to furnish the required documents available with him as decided above to the applicant within 15 days from the date of issue of this order;*
- d) *The applicant is at liberty to prefer any appeal before the next higher Appellate Authority, if the PIO does not furnish the information within the stipulated time or if the applicant is not satisfied with the information furnished by the PIO.*

*Sd/-(T.Riba) IFS
Chief Conservator of Forest
Western Circle Banderdewa,
(1st Appellate Authority)*

No. WAC/RTI/2005/2023/203-04

Dated B/Dewa, the 12th Nov. ' 2024. ”

The PIO, however, failed to provide the sought for information to the appellants despite the direction of the FAA. Hence, they filed their 2nd appeal before this Commission under section 19(3) of the RTI Act vide their Memo of Appeal dt.19.11.2024 on the ground that the PIO had refused to furnish the information and the CCF-cum-FAA has passed wrong & incomplete order dt.13.11.2024.

The appeal has, accordingly, been registered in this Commission as APIC-337/2024 and listed for hearing on 17.01.2025 wherein the Appellants, Shri Nibo Pao, Shri Tawa Yomdo, Advocate Tai Shiva and Ors. were present but the PIO did not turn up.

Heard the appellants who reiterated their demand for the information on the same lines as in the Appeal No.329/2024 (Seppa Forest Division) and Appeal Nop.338/2024 (Hapoli/Ziro Forest Division).

This Commission observes that the nature of information sought for by the appellants from the PIO o/o DFO, Koloriang are the same and on the same subject i.e the implementation of schemes under CAMPA Fund. Therefore, this Commission deems it appropriate to pass the same direction to the PIO, o/o the DFO Koloriang as were passed in the aforesaid two appeals which are extracted hereunder:

“ This Commission perused the order dt.14.11.2024 passed by the FAA vis-à-vis the list of points on which the appellants had sought the information and is inclined to hold that the order passed by the FAA is a reasoned one in so far as the nature of information and its volume are concerned. However, considering the fact that the appellants have agreed to forego the information on 9(nine) other points out of 10(ten), in the considered opinion of this Commission, it will be just and fair on the part of the PIO to furnish the information on Sl. No.(ix) of the application pertaining to year-wise payment made with cheque counterfoils, money receipts and bank statements of DDO/DFO under CAMPA scheme for the period 2018-19 to 2023-24 as demanded by the appellants. It is, however, made clear that whatever documents/information are not available for any particular year/years, the PIO shall declare so with specific reasons thereof.

The PIO is, accordingly, directed to comply with the above direction within one month from the date of receipt of this order whereafter, the Appellants shall intimate their satisfaction or otherwise within one week to this Commission.”

The PIO, o/o the DFO, Koloriang is thus, directed to comply with the same direction within one month from the date of receipt of this order and intimate the compliance thereof to this Commission.

Given under my hand and seal of this Commission on 20th January, 2025.

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

Memo No. APIC-337/2024/407

Dated Itanagar, the 21 January, 2025

Copy to:-

1. The First Appellate Authority (FAA), the Chief Conservator of Forest (CCF), Western Circle, Banderdewa, for information and ensuring the compliance of the order by the PIO.
2. The PIO, o/o the Divisional Forest Officer (DFO), Kurung Kumey Forest Division, Koloriang K/Kumey District (A.P) PIN: 790102 for compliance.
3. Shri Nibo Pao, Shri Tawa Yomdo, Shri Japa Tali, Shri Jiten Lora, Advocate Tai Shiva and Ors., Polo Colony, Naharlagun, PO/PS Nlg., Papum Pare District (A.P) PIN: 791110 Mobile No. 6900033073/9383183531/7630855314/762803084 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

Deputy Registrar
Arunachal Pradesh Information Commission
itanagar