



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Vide Case No. APIC- 967/2023.

(Summon to appear in person)
(Or.5, R.3 of CPC)

Shri , Bamang Pacho, **APPELLANT.**
(GS). All Arunachal Pradesh Contractor welfare
Association, Kurung Kumey District Unit
Forest Park Near Main Power House No. IMC 491
W-10 Itanagar.
PIN: 791111

Vs

The PIO District Forest Officer **RESPONDENT.**
Koloriang, Kurung Kumey District
Arunachal Pradesh
PIN: 791118

SUMMON 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 District Forest Officer Koloriang, Kurung Kumey District Arunachal Pradesh PIN: 791118, Govt. of Arunachal Pradesh as sought for by the Appellant under section 6(1) (Form-A) of RTI Act, 2005.

During the last hearing of this case held on 31/05/2024. The Appellant was present but the PIO was absent.

Facts of the case: The record reveals that the applicant, vide his application dated on 12/06/23, had sought from the PIO (DFO, Koloriang, Kurung Kumey District) the following information:

1. Particular of information:

Budget under "CA & NPV" CAMPA during 2022-2023.

(i) Creation of Artificial Plantation at Harang village under Koloriang Forest Range.

(ii) Creation of Artificial Plantation at Tapin village under Koloriang Forest Range.

2. Details of information required:

(a) Name of firm and EMD copy.

(b) Name of supporting firm and EMD copy.

(c) Sanction order copy.

(d) Name of firm participate.

(e) Tender Agreement

(i) Acceptance letter copy.

(ii) Commencement of work.

(iii) Approval and Acceptance letter.

(iv) Performance Bank/Security money Disposal copy.

(f) DPR

(g) Publish Local News Paper.

(h) Geo-tag certificate with photograph.

Contd P/2n-

3. Period for which information is asked for: - 2022-2023.

4. Other details: - List of attendance tender participate.

The Appellant, it transpires, failed to receive the sought for information(s) and therefore approached the First Appellant Authority (C.C.F, Western Circle Banderdewa) vide his application dated 27/07/23 seeking appropriate order.

The F.A.A heard the appeal on 30/08/23 wherein the Appellant was present but the PIO was absent.

The FAA, it reveals from the order dated 31/08/23 that after hearing the Appellant, had passed the order dated 31/08/23 with following directions to the PIO:

“(a) The information sought by the applicant is not covered under Section 8 (1) (d) of RTI Act, 2005 and are admissible to be disclosed before the public domain.

(b) Therefore, the PIO- the DFO, Kurung Kumey Forest Division is directed to furnish the required documents available with him as sought to the applicant within 15 days from the date of issue of this order.

(c) The applicant is at the Liberty to prefer any appeal before the next Higher Appellate Authority, if the PIO does not furnish the information with the stipulated time or if the applicant is not satisfied with the information(s) furnished by the PIO”

The aforesaid order of the FAA, in the considered opinion of the Commission is just and in order in as much as the information(s) as sought by the Appellant is not covered by any of the exemption clauses of section 8 of the RTI Act,2005.

The Commission, therefore, is inclined to uphold the direction of the FAA and to direct the PIO to attend the next hearing fixed on 21/06/24 to present his case in defence with adequate reasons /justifications failing which the Commission shall be constrained to pass an order upholding the decision of the FAA as above.

The next date of hearing of this case is fixed on 21/06/24(Friday) at 02.00 PM.

NOW THEREFORE, PIO, DFO Koloriang, KurungKumey District, Arunachal Pradesh, is hereby summoned to appear in person in the Hon'ble Court of Shri Sangyal Tsering Bappu, SIC in person on the above-mentioned date and time without fail or online.

To avail online hearing download "**WEBEX MEETING APP**" from Google Play store. For further technical assistance may contact Shri Himanshu Verma, Computer Programmer (Mobile no.8878891768).

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

Memo No. APIC- 967/2023/ 35
Copy to:-

Dated Itanagar, the 4 June, 2024

1. The PIO District Forest Officer Koloriang Kurung Kumey District Arunachal Pradesh PIN: 791118 for information & necessary action please.
2. Shri Bamang Pacho (GS) All Arunachal Pradesh Contractor Welfare Association Kurung Kumey District Unit. Forest Park Near main Power House, No.IMC 491. W-10 Itanagar PIN: 791111 mobile No. 9402275313 for information & necessary action please.
3. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
4. Shri Himanshu Verma, Computer Programmer to intimate the Appellant and PIOs for online hearing and arrangements accordingly.
5. Office copy.

Registrar/ Deputy Registrar
Arunchal Pradesh Information Commission
APIC, Itanagar.