



ARUNACHAL PRADESH INFORMATION COMMISSION ITANAGAR.

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

Case No. APIC- 585/2025.

(Summon to appear in person)

(Or.5 R.3 of CPC)

APPELLANT : Shri Tap Sajan, E-Sector Naharlagun.

RESPONDENTS : a) The PIO, o/o the Member Secretary, A.P Bio-Diversity Board, Deptt. of Environment & Forest, SFRI Chimpoo, Itanagar.
b) The CC-cum-Field Director, Namdapha National Park,
c) The DFO, Pasighat Forest Division, Pasighat.
d) The DFO, Ziro Forest Division, Ziro.
e) The DFO, Pakke Tiger Reserve Seijosa.

ORDER/SUMMON

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tap Sajan for non-furnishing of below mentioned information by the PIO, o/o the Member Secretaries, A.P Bio-Diversity Board, Deptt. of Environment & Forest, SFRI Chimpoo, Itanagar, Govt. of A.P as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 06.02.25.

A) Particulars of Information: Implementation of Butterfly Park in Pakke Forest Division, Namdapha Forest Division and Ziro Forest Division.

B) Details of information required:

1. Copy of the Administrative approval and detail Project Report (DPR) of implementation of Butterfly Park at (1) Pakke Forest Division (2) Namdapha Forest Division, (3) Ziro Forest Division.
2. Copy of name and numbers of Firm participated during financial bidding in details, if works is executed through work order furnish copy of work order with agreement between Department and contractor of said scheme.
3. A copy of payment details paid through cheque or PFMS, furnish counterfoil of amount paid to in favor of Firm holder/contractor.
4. A copy completion Certificate/Utilization Certificate.
5. A copy of Annual Progress Report.
6. A copy of coloring photograph of the works being undertaken.
7. Number of important events celebrated till date furnish with the photograph of the banner with date and time.

C) Period for which the information asked for: 2023 and onwards.

Brief facts emerging from the appeal:

Records emerging from the appeal disclose that the Appellant, Shri Tap Sajan had requested the PIO for the aforementioned information / documents but failed to obtain the same which prompted him to appeal before the Member Secretary,

Arunachal Pradesh Bio Diversity Board, Department of Environment & Forest, SFRI, Chimpur, Govt. of A.P. Itanagar as the First Appellate Authority (F.A.A) under Section 19 (1) of the RTI Act vide his Appeal Memo dated 29.05.2025. But having failed to obtain any response from the PIO or the FAA, the appellant filed his 2nd appeal before this Commission under section 19(3) of the RTI Act vide Memo of Appeal dt.17.07.2025.

This appeal was, accordingly, heard on 12.09.2025, 22.10.2025, 03.11.2025 and today on 28.01.2026.

On 12.09.2025, none appeared but on 22.10.2025, the appellant, Shri Tap Sajan and Shri Ngilyang Tangu, Office Asstt. o/o the Member Secretary, AP Bio-Diversity Board, SFRI representing the PIO with some of the requested documents, were present in person.

This Commission, upon perusal of the documents brought in by the representative of the PIO and upon hearing the complaint of the appellant that the PIO has furnished incomplete information/documents, had directed the PIO to collect and furnish the left out documents to the appellant and report compliance therewith on or before 04.11.2025. The appellant, however, informed vide his letter dt.06.11.2025, that the following information/documents have still not been furnished by the PIO:

“Namdapha Butterfly Park, DPR, photographs of work undertaken, participating firms or work order.”

In view of the complaint of the appellant, the PIO was directed to furnish the left out information / documents to the appellant so as not to constrain the Commission to initiate penal action against him while making it clear that if the o/o PIO does not hold the left out information, he shall furnish a declaration to that effect by way of an affidavit in terms of section-18(3)(c) of the RTI Act and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.

On 03.12.2025 the PIO was absent without any intimation nor did he depute any representative which this Commission viewed as wilful disrespect to the Commission and the RTI regime attracting the penal provisions of the Act.

The appellant who was present produced the documents furnished by the PIO on 04.11.2025 but complained that the PIO did not furnish the names of the firms who participated in the tender process or whom the work orders were issued in respect of the projects in all 3(three) locations (Sl.No.2 of RTI application), the photographs of entire project in respect of Namdapha (Sl.No.6) and number of events celebrated till date in respect of all 3(three) locations. The appellant also complained that the PIO, though, has furnished the photographs of the gate, trail walking path and some other areas but has not furnished the colour photographs of other items such as pond, water whole development stream, way side amenities, poly house for raising host plants etc. in respect of the project undertaken at Namdapha.

This Commission perused the documents furnished by the PIO to the appellant on 04.11.2025 whereupon it was noticed that the appellant has not, indeed, been furnished the requested documents fully which ought to have been furnished as none of those information / documents sought for are exempted under the RTI Act.

In view of above, the PIO was again directed to furnish the left out information to the appellant to avoid penal action under section 20 of the RTI Act, 2005. It was yet again made clear that if the left out information are not in the records of the PIO's office, the PIO shall furnish an affidavit to that effect as required under **section-18(3)(c) of the RTI Act and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.**

The PIO was thus directed to comply with the above direction in right earnest and report compliance thereof on **28th January, 2026.**

Today on 28.01.2026, the appellant is present in person who, expressing his utter disappointment on non compliance of the order of this Commission, demanded for penal action against the PIO. The representative /PIO, o/o the Member Secretary, APBD Board, who is also present along with the Member Secretary, Shri Bengia Abo produced the copy of Member Secretary's letter dt.07.12.2025 by which the CF-cum-Field Director, Namdapha N/Park, DFOs of Pasighat F/Division, Ziro F/Division and Pakke T/Reserve, Seijosa have been requested to submit the number of events celebrated and names of firms/contractor who participated in the tender on VButterfly park. The extract of the said letter is reproduced hereunder:

“To

The

1. CF cum Field Director Namdapha National Park
2. Divisional Forest Officer, Pasighat, Forest Division
3. Divisional Forest Officer, Hapoli, Forest Division
4. Divisional Forest Officer, Pakke Tiger Reserve, Seijosa

Sub: Submission of number of events celebrated and name of firms/contractor who participated in the tender on Butterfly park-reg.

Sir/Madam,

As sought by one Shri Tap Sajan and directed by Court of APIC, Itanagar, all are requested to furnish the number of event celebrated on Butterfly Park and Numbers of firms/Contractor who participated in tender process for Butterfly park as sanction from this office for placing before the Court.

This is for your kind information and taking immediate needful action please.

Sd/-

(H.B. Abo) IFS,

Member Secretary, APBB, Itanagar”

This Commission considered the above correspondence of the PIO and deems it appropriate to direct the offices of the CF-cum-Field Director Namdapha National Park, the DFO, Pasighat, Forest Division, the D.F.O, Hapoli, Forest Division and the D.F.O, Pakke Tiger Reserve, Seijosa to provide the requested documents/information available in their respective offices to the PIO, o/o the Member Secretary, APBD Board as mandated under sub-section (5) of section 5 of the RTI Act, 2005 which is extracted hereunder:

- “5(1)....
- (2).....
- (3).....

(4) The Central Public Information or State Public Information Officer, as the case may be, may seek the assistance of any officer as he or she considers it necessary for the proper discharge of his or her duties.

(5) Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be."

The implication of the provisions of the above sub-sections is that on being requested by the PIO for the assistance of an officer for providing the documents requested by an RTI applicant, the said officer is bound to provide the requested documents/information and in the event of failure to provide the documents/information, such officer can be proceeded against as a PIO.

In terms of above provisions of law, the aforementioned offices are directed to provide the requested documents/information available in their respective offices to the PIO, o/o the Member Secretary, APBD Board for onward furnishing to the appellant within 4(four) weeks from the date of receipt of this order and report compliance thereof on 27.02.2026, the next date of hearing.

Given under my hand and seal of this Commission on this 28th Jan., 2026.

NOW THEREFORE, you are hereby summoned to appear in person in the Hon'ble Court of Shri Sangyal Tsing Bappu, **SIC on the 27th February (Friday) at 2 pm** to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defense.

Take notice that, in default of your appearance, on the day above-mentioned, the matter will be heard and determined in your absence.

Sd/-

(S. TSERING BAPPU)

State Information Commissioner,

APIC, Itanagar.

Memo No. APIC-585/2025 /Yw Dated Itanagar, the 30 January, 2026

Copy to:

1. The PIO, o/o the Member Secretaries, A.P Bio-Diversity Board, Deptt. of Environment & Forest, SFRI Chimpoo, Govt. of A.P (Pin code-791111) for information and compliance.
2. The CC-cum-Field Director, Namdapha National Park, Changlang District compliance.
3. The DFO, Pasighat Forest Division, Pasighat, East Siang Distt. for compliance.
4. The DFO, Ziro Forest Division, Ziro, Lower Subansiri Distt. for compliance.
5. The DFO, Pakke Tiger Reserv Seijosa, Pakke Kessang Distt. for compliance.
6. Shri Tap Sajan, E-Sector, Naharlagun, PO/PS- Naharlagun, Pin code-791110 Phone No. 8729902044 for information.
7. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
8. Office Copy.
9. S/Copy.

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Registrar/ Deputy Registrar

APIC, Itanagar.

Deputy Registrar

Arunachal Pradesh Information Commission

Itanagar