

OFFICE OF THE  
**ASSAM INFORMATION COMMISSION**

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037  
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Case No. : SIC/KP(M) 414/2021  
Complainant/ Appellant : Joydeb Das  
Respondent : SPIO, Principal Chief Conservator of Forest,  
Aranya Bhawan, Panjabari, Guwahati.  
Date of Hearing : 24/01/2022  
Complaint/ Second : Dr. A.P.Rout,  
Appeal heard by State Chief Information Commissioner, Assam

**O R D E R**  
**24/01/2022**

1. The petitioner has filed his RTI petition on 1.11.2021 before the PIO of Principal Chief Conservator of Forest, Aranya Bhawan, Panjabari seeking following information:
  - (a) Required information: Plantation of new trees.
    - (i) Please furnish details of plantation of new trees with exact area of location during the period 2018-19 to till date, along with details of procedure adopted prior plantation of new trees, if any, e-tender was floated, kindly furnish a copy of newspaper advertisement.
    - (ii) Please furnish fund involved and released, along with copy of Govt. sanction letter.
2. On not being satisfied with the information received, the petitioner filed a complaint petition before the Commission on 22.12.2021 and accordingly the matter was taken up for virtual hearing.
3. The SPIO of Principal Chief Conservator of Forest has sent an email dated 22.1.2022 wherein he has mentioned that due to Covid 19 he is not in a position to attend the hearing, even in video conferencing.
4. From the file, it is seen that the petition was forwarded to Field level officers to furnish the information and it is seen from the prayer of the petitioner that the report is received from Hailakandi Division and from the SPIO of the office of Additional Principal Chief Conservator of Forest (T), Lower Assam Zone, Guwahati vide letter no. FGT/4/RTI/JoydebDas/LAZ/2021 dated 20.1.2022 stating that the information relating to 9 locations are given to the petitioner.
5. Further a few correspondences on sharing of information with the petitioner from couple of DFOs are received at the Headquarters.
6. In the video conferencing, the petitioner said that information has been received but the process of utilization i.e., tendering process, place of plantation and completion of plantation etc are not mentioned.
7. In analyzing the above, the Commission would like to draw the attention of the SPIO to **point 15 (V) of the judgment of Delhi High Court in Sri Rakesh Kumar Gupta (Erstwhile CPIO) Union Bank of India & Ors Vs. CIC & Anr** wherein it is mentioned that Quote PIO/CPIO cannot function merely as "post offices" but instead are responsible to ensure that the information sought under the RTI Act is provided Unquote. And **point 15 (VII)** wherein it is mentioned quote Duty of compliance lies upon the PIO/CPIO. The exercise of power by the PIO/CPIO has to be with objectivity and seriousness the PIO/CPIO cannot be casual in their approach unquote.
8. In light of the above, the Commission would like to take another hearing physically to know the position of the plantation etc.

9. Fix another date of hearing.

Sd/-  
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/KP(M)414/2021**

**Dtd. 24.1.2022**

Copy to:

1. The SPIO, Principal Chief Conservator of Forest, Aranya Bhawan, Panjabari, Guwahati 781037 for information. He is to remain present on the next date of hearing.
2. The petitioner Sri Joydeb Das, S/O Lt. Karunamoy Das, H.No.16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Guwahati 25 for information. He is to remain present on the next date of hearing.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Secretary & Registrar  
Assam Information Commission