



ITANAGAR, ARUNACHAL PRADESH

An appeal case U/S 19(3) of RTI Act, 2005

Vide Case No.APIC-566/2025

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

Shri Thomas Tayeng

..... Appellant

-VERSUS-

PIO-Cum-DDSE,
Pasighat, East Siang District,
Govt. of Arunachal Pradesh

..... Respondent.

Order:09.04.2026.

JUDGEMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI 2005. Brief fact of the case is that the Appellant Shri Thomas Tayeng on **09/04/2025** filed an RTI application in Form- 'A' before the PIO-cum-Deputy Director of Secondary Education (DDSE), Pasighat, East Siang District, Govt. of Arunachal Pradesh. Whereby seeking various information as quoted in Form 'A' application. The Appellant being not receiving some of the information from the PIO filed the First Appeal before the First Appellate Authority (FAA) on **27/05/2025**, and even then, the Appellant not receiving the required information from the PIO, filed the Second Appeal before the Arunachal Pradesh Information Commission on **22/07/2025** and the Registry of the Commission (APIC) having receipt of the Appeal registered it as APIC-No. **566/A//2025** (Appeal) and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission on **09.04.2026** wherein the Appellant absent despite being notified of today's hearing sent to him on 11.09.2025, without reporting the reason for his absence to the Arunachal Pradesh Information Commission (APIC).

The PIO-cum-DDSE, Pasighat, East Siang Distict, Govt. of Arunachal Pradesh is present through online mode.

Heard the PIO;

- i) The PIO stated that the Appellant has applied for three information out of which, he has provided the information listed in serial number (i) of the Form-A of the Appellant.
- ii) The information listed under serial number (ii) and (iii) of the Form-A of the Appellant could not be provided to the Appellant because the information are personal information like education degree certificates and marks obtained which

are classified as personal information and are exempted to be provided to any other individual under Section 8(j) of the RTI, Act, 2005.

After hearing the PIO, the Commission observes;

This appeal comes before the Arunachal Pradesh Information Commission filed by Shri Thomas Tayeng under Section 19(3) of the Right to Information Act, 2005 (RTI Act). The appellant seeks information pertaining to the education certificates, marks obtained, and the decision of board members regarding the selection of two individuals, namely Miss Mariyom Dai and Miss Marchini Taggu, for the positions of Warden and Teacher at the KGBV School.

Background;

The Public Information Officer (PIO) cum Deputy Director of School Education (DDSE), East Siang District, denied the two information out of three information requested by the appellant, citing the privacy of the individuals concerned and the fiduciary relationship that exists between the educational department and the selected candidates.

Legal Provisions and Considerations;

- 1) Status of the Appellant: The Commission notes that Shri Thomas Tayeng is not a candidate or applicant for the positions in question, and therefore, he lacks the necessary locus standii to demand personal information related to the selection process of Miss Mariyom Dai and Miss Marchni Taggu.
- 2) Right to Privacy and Personal Information: The Commission affirms that marksheets and educational certificates are personal documents. As established by various judgments of the Hon'ble Supreme Court of India, including *CBSE & Anr. vs. Aditya Bandopadhyay & Ors.* (2011), such documents fall under the protection of personal privacy rights and cannot be disclosed to third parties without explicit consent from the individuals involved.
- 3) Fiduciary Relationship: It has been recognized that a fiduciary relationship exists between the department authorities and the individuals whose information is being sought. This relationship imposes a duty on the department authority to maintain the confidentiality of the personal information of such individuals.
- 4) Precedent Cases: The judgment in the *CBSE vs. Aditya Bandopadhyay* case serves as a significant precedent, reinforcing the notion that personal details, particularly those involving academic assessments, are protectable due to privacy considerations.

Conclusion;

Given the above legal considerations, the Commission finds that:

- The appellant, being neither an applicant nor a candidate, does not have the standing to request access to the personal documents of the selected individuals.

- The information sought by the appellant constitutes personal information that is protected under the law.

- The argument regarding the fiduciary relationship between the PIO and the candidates further solidifies the denial of the requested disclosures.

In view of these findings, the Commission concludes that the appeal lacks merit and thus, dismisses it forthwith.

Order;

The second appeal filed by Shri Thomas Tayeng is hereby dismissed.

In view of the above facts and circumstances the Commission dismiss this Appeal. And, accordingly, this Appeal stands dismissed and closed once for all.

Judgment pronounced in the open Court of this Commission today on this 9th day of April' 2026.

Copy of this Judgment be furnished to the parties.

Given under my hand and seal of this Commission on this 9th day of April' 2026.

Sd/-

(Vijay Taram)

State Information Commissioner
APIC-Itanagar

Memo.No.APIC-566/A/2025 /1201

Dated Itanagar, the 16 April, 2026.

Copy to:

1. PIO-Cum-DDSE-cum-DPO, Samagra Shiksha District Society, Pasighat, E/Siang District Govt of Arunachal Pradesh for information and necessary action please. **Pin Code:791102**
2. Shri Thomas Tayeng, Mebo Village, Pasighat, E/Siang District Arunachal Pradesh for information please. **Contact No. 7005419006**
3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy

Registrar/Dy. Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar