



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-642/2025.

APPELLANT

:Shri Yeha Mihu, Gipulin Village, Anini.

RESPONDENT

:The PIO, o/o the E.E (E), Anini Electrical Division,
Dibang Valley District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Yeha Mihu for non-furnishing of below mentioned information by the PIO, o/o the E.E (E) Anini Electrical Division, Dibang Valley District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 06.03.2025.

Details of information:

1. Copy of original handwritten document indicating marks allotted by member Trade Test Board for post of W/C Khalasi held on 05.10.2024.
2. Copy of original handwritten document indicating marks allotted by member Trade Test Board for post of W/C Khalasi 2014-2025.
3. Copy of list of meter readers (MR) Staff in Dibang Valley District indicating their seniority and date, month, year of appointment.
4. Copy of state government circular/ order/Memo/ notification indication appointment or recruitment rules/ criteria to the post of W/ C Khalasi

Brief facts emerging from the appeal :

Records emerging from the appeal disclose that the Appellant, Shri Yeha Mihu had requested the PIO for the aforementioned information / documents. Subsequently he filed his 2nd appeal before the Chief Engineer, Eastern Electrical Zone, Namsai, the First Appellate Authority under Section 19 (1) of RTI Act, 2005 in response to which the PIO, o/o the CE (Power), Namsai, vide letter dt. 06.06.2025 had requested the EE (E), Anini Division to intimate as to whether information sought by the appellant has been furnished to him to enable the o/o the C.E to take a decision for conducting the hearing.

There was, however, no record of the hearing conducted, if any, by the FAA but the appellant, vide his memo of appeal dt.21.07.2025, preferred his 2nd appeal before this Commission.

Hearing and decision:

This appeal was, accordingly, heard on 15.10.2025 wherein the appellant assisted by his Counsel, Shri Khoda Yube was present in person while the PIO, Er. Shri Kirdo Loya, EE, Anini Electrical Division attended the hearing though VC.

This Commission, upon hearing the parties, directed the PIO to furnish the original hand writing calculation sheet of Marks of Trade Test for the period 2014 to 2025, as sought for by the appellant within 2 (two) weeks from the date of receipt of this order and it was also made clear that *if the documents are not available then the PIO shall furnish declaration to that effect by way of an affidavit as required by section-18(3)(c) r/w rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.*

The PIO was also directed to pay compensation of an amount not exceeding Rs.25,000.00 (Rupees twenty five thousand) only to the appellant on account of mental harassment and financial loss he had suffered as provided under section 19(8)(b) of the RTI Act, 2005 as reproduced hereunder:

“19(8) In its decision, the Central Information Commission or State Information Commission, as the case may be, has the power to:

(b) require the public authority to compensate the complainant for any loss or other detriment suffered;”

In compliance with this Commission's order dt. 15.10.2025, the PIO had paid the compensation amount of Rs. 25,000.00 on 31.10.2025 to the appellant, the receipt of which has been duly acknowledged by the appellant vide Money Receipt dt.31.10.2025. The PIO also furnished the following requested documents/information to the appellant vide his letter dt.24.10.2025:

- i) the Mark Sheet of Trade Test of Casual staff held on-
 - a) 13.08.2016;
 - b) 11.09.2020;
 - c) 17.09.2021;
 - d) 05.10.2024.
- ii) Seniority list of the casual staff and
- iii) the Govt. Guidelines on regularisation of the services of the casual staff as requested by the appellant.

The appellant, through his Counsel Shri Khoda Yubey, however, complained vide letter dt.15.11.2025 that the PIO did not furnish the documents/record of the Trade Test held in the year 2014 as sought vide Sl. No. 2 of his RTI application Form A. The appellant further complained that despite the respondent PIO's admission during the course of hearing on 15.10.2025 that the Trade Test marks were recorded with '**pencils**', the Marks calculation sheet furnished by the PIO is by that of '**Ball pen**' which is misleading. The appellant has, hence, prayed this Court for the following:

1. The next date of hearing may be fixed and the PIO may be physically summoned and may be directed to show cause as to why he has not complied the order passed by this Hon'ble Court ?
2. Upon his appearance, a penalty of Rs. 25,000/- may be imposed for the violation of this Hon'ble Court order as contemplated U/S 20(1) of the RTI Act, 2005.
3. A proper cross-verification of the documents may be done before this Hon'ble Court for the ends of justice.
4. Further, on satisfaction of this Hon'ble Court, a strict disciplinary action may be initiated against the erring officer/PIO U/S 20(2) of the RTI Act, 2005.
5. And/or pass any such order(s) or further order(s) as deem fit proper by this Hon'ble Court for the ends of justice.

This Commission, upon perusal of the documents furnished by the PIO, noticed that the Mark Sheets of Trade Test of 2014, has not indeed been furnished. Besides, the marks recorded in the Mark Sheets are found in 'Ball Pen' and not in 'Pencil'.

In the premises as above, this Commission, accepting the complaint of the appellant, directed the PIO, vide order dt.24.11.2025, to furnish the marks of the Trade Test recorded by the Board Members in 'pencil' and also the Mark Sheet of Trade Test of 2014. This Commission also reiterated its earlier direction that *if the documents as sought for are not available with the PIO then he shall furnish an affidavit to that effect as required by section-18(3)(c) r/w rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005*. The PIO, thus, directed to comply with the above direction at right earnest and report the compliance thereof to this Commission in the next hearing on 03.12.2025 so as not to constrain this Commission to initiate penal action prescribed under 20 of RTI Act, 2005.

The PIO is, accordingly, present today with the Original Trade Test Mark Sheets recorded in hand writing accompanied by Affidavit dt.03.12.2025 declaring that the marks for the Trade Tests recorded by Board Members in pencil is not available in the office records. The Mark Sheet of Trade Test for 2014 has also been furnished.

Heard the PIO, Er. Kirdo Loya who reiterated his declaration made in the affidavit. Also heard the Ld. Counsel for the appellant, Shri Khoda Yube who was not satisfied with the response of the PIO stating that the PIO did not comply with the order of this Commission in right earnest.

This Commission, while endorsing the submission of the Ld. Counsel, cautions the PIO to be more responsive to the RTI queries in future so as not to earn the penal action under the RTI Act. This Commission, however, concludes that since *the PIO, by furnishing the affidavit*, has now fulfilled his responsibility as mandated by the provisions of section-18(3)(c) r/w rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, *no further adjudication of this appeal by this Commission is required*. Resultantly, this appeal is disposed of and closed.

Given under my hand and seal of this Commission on this 3rd Dec., 2025

Sd/-

(S. TSERING BAPPU)

State Information Commissioner,

APIC, Itanagar

Memo No. APIC- 642/2025

Dated Itanagar, the 4 Dec., 2025

Copy to:

1. The Chief Engineer Electrical Division Anini, Dibang Valley District, the First Appellate Authority (FAA) for information.
2. The PIO, o/o the Executive Engineer (E) Anini Electrical Division, Dibang Valley District (A.P) PIN: 792101 for information.
3. Shri Yeha Mihu, Gipulin Village, PO/PS Anini, Dibang Valley District (A.P) PIN: 792101 Mobile No. 8798435946 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.