सत्यमेव जयते

सूचना का अधिकार
RIGHT TO INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-279/2025.

APPELLANT : Shri Ratan Chetia, Sitpani Moran, Namsai.

RESPONDENT :The PIO, o/o the BDO-cum-EAC Lekang Circle, Mahadevpur, Namsai District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ratan Chetia for non-furnishing of below mentioned information by the PIO, o/o the BDO-cum-EAC Lekang Circle,Mahadevpur, Namsai District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 27.12.2024.

A)**Particular of information:**

i. Supply and Procurement of CGI sheet against sanction order Nos. 5 (LKG), 6 (LKG), 7 (LKG) and 8 (LKG) dated 01/08/2023.
ii. Procurement of CGI sheet against sanction order Nos. 201 (LKG), 202 (LKG), 203 (LKG), 204 (LKG) and 205 (LKG) dated 07/02/2024.
iii. Procurement of CGI against sanction order Nos. 11 (LKG), 12 (LKG), 13 (LKG) and 14 (LKG) dated 03/10/2024.
iv. Procurement of CGI against sanction order Nos. 20 (LKG), 21 (LKG), 22 (LKG), 23 (LKG) and 24 (LKG) dated 21/10/2024.
v. Areca nut plantation against sanction order Nos. 15 (LKG), 16 (LKG), 17. (LKG), 18 (LKG) and 19 (LKG) dated 16/10/2024.

B) Details of information required:

i. Names of beneficiaries with their full address as per the sanction orders from SL 2 (b) sub-clause (i) to (v) mentioned above.
ii. Xerox copy of full page of the issue register/record book with date of received, Quantity issued, size of CGI sheet and areca nut duly singed by beneficiaries from SL 2 (b) subclause (i) to (v) and details of owner/proprietor of M/S Lohit Enterprises and Xerox copy of amount paid via Govt. Cheque no. /Demand Draft No., RTGS/NEFT etc. to M/s Lohit Enterprises from SL 2 (b) sub-clause (i) mentioned above.
iii. Details of owner/proprietor of Skyline Industries and Xerox copy of amount paid via Govt. Cheque no. /Demand Draft No., RTGS/NEFT etc. to Skyline Industries from SL 2 (b) sub-clause (iii) mentioned above.
iv. Address of owner/proprietor of M/S BN Enterprises and Xerox copy of amount paid via Govt. Cheque no. /Demand Draft No., RTGS/NEFT etc. to M/S BN Enterprises from SL 2 (b) subclause (v) mentioned above.

v. Names of beneficiaries with their full address as per the sanction orders from Sl.2 (b) sub-clause (v) mentioned above.

vi. Xerox copy of full page of the issue register/record book with date of received, quantity issued of areca nut seedling and duly signed by Beneficiaries from SL 2 (b) Sub-Clouse (v) and details/ address of owner/proprietor of M/S OGM Tea Company and Xerox copy of amount paid via Govt. Cheque No. / Demand draft No. RTGS/ NEFT etc. to M/S OGM Tea Company against SL 2 (b) Sub-Clouse (v) mentioned above.

vii. NIT/Advertisement published against all the sanction order mentioned above from SL 2 (b) Sub-Clouse (i) to (v)

Facts emerging from the appeal:

Records in the appeal reveal that the appellant had requested the PIO for the aforementioned information but failed to obtain the same within the statutory period of one month which prompted him to file appeal before the First Appellate Authority (FAA), the Project Director, District Rural Development Agency (DRDA, Govt. of A.P. Namsai, Dist. under section 19(1) of the RTI Act vide his Memo of Appeal dt. 03.02.2025. But having failed yet again to obtain the information, he preferred his second appeal before this Commission under section 19(3) of the RTI Act vide his Appeal Memo dt.17.03.2025.

Records further reveal that the First Appellate Authority had conducted the hearing on 28th February, 2025 wherein one Shri Chali Simit was present on behalf of the appellant, Shri Ratan Chetia. The FAA, after hearing the PIO and on perusal of the records, disposed of the appeal holding that the PIO had furnished the information sought by the appellate through registered post on 21.01.2025 and with direction to the appellant to contact the concerned post office. The appellant, apparently, did not receive the requested information / documents.

Hence, this appeal before this Commission.

Hearing and decision:

This appeal was, accordingly, heard on 23.07.2025 wherein both the appellant, Shri Ratan Chetia and the PIO, Dr. Tojum Ete, EAC-cum-BOD, Lekang appeared through VC.

This Commission upon hearing the parties had directed the PIO to provide the requested documents which were ready, as submitted by him during the course of hearing, within 1 (one) week from the date of receipt of the Commission's order.

The appellant, Shri Ratan Chetia, vide his letter dt.01.08.2025, intimated that he has received the information from the PIO on 30.07.2025 but complained that the documents furnished by the PIO are found incomplete as under :

(i)	Sl. No. 3 sub-clause (ii)	• Size of CGI sheet issued to beneficiaries not mentioned. • Details of payment made to **M/s Lohit Enterprises** as per Sl. No. 2 (b) sub-clause (i) of Form-A and details of the firm like owner's name and address/***power of attorney***, ***Registration No. Trade License, PAN and GST Registration certificate***, ***Income tax returns*** (usually 2-3 years), ***solvency certificate from a bank, turnover certificate by CA, Affidavit/Declaration etc. not provided.***

(ii)	Sl. No. 3 sub-clause (iii), (iv) & (v)	• Details of payment made to **Skyline Industries, M/s BN Enterprise and M/s OGM Tea Company** as per Sl. No. 2 (b) Sub-clause (iii), (iv) & (v) respectively of form-A and details of firms like owner's name and address/***power of Attorney, Registration No., Trade License, PAN and GST Registration certificate (except BN Enterprise), Income tax returns (usually 2-3 years), solvency certificate from a bank, Turnover certificate certified by CA, Affidavit/Declaration*** etc. not provided.
(iii)	Sl. No. 3 sub-clause (iii)	NIT or advertisement not provided.

This Commission, after careful consideration of the appellant's complaint, had then passed the following direction vide order dt. 08.08.2025:

"This Commission holds that it is the requirement of law that the requested information are furnished to the appellant in complete and satisfactory form unless exempted under any of the exemption clauses under section 8 of the RTI Act. It is, therefore, the bounden duty of the PIO to furnish the requested information/documents as sought for by the appellant.

However, while adverting to the complaint of the appellant and the details of information in the table above vis-à-vis his RTI application dt.27.12.2024 in Form-A, this Commission noticed that the information / documents which he claims were not provided are not found in his application. Moreover, most of the documents he has now added in his complaint are personal information of the firm/contractor which, as per number of judicial pronouncements by the hon'ble High Courts and the Apex Court, can not be disclosed as being protected /exempted under clause (j) of section 8(1) of the RTI Act. Such information are PAN Card, Income Tax Returns etc.

This Commission, in the premises above, holds that except for (a)the details of payment made to the Firms mentioned in the RTI application (b)the names and addresses of beneficiaries (c) the quantity of CGI sheets procured and issued and other disclosable documents, the PIO is not bound to furnish the documents now mentioned in his complaint letter as these were not part of his request / queries in his RTI application e.g the Power of Attorney, Solvency Certificates, the turn over certificate from CA, the Affidavit etc.

In the premises as above, the PIO is directed to furnish those documents that have been requested originally in the RTI application dt.27.12.2024 excluding those which were not part of the request and those specifically exempted under section 8 (1) of the RTI Act.

The PIO shall comply with the above direction and report compliance thereof within one month from the receipt of this order for further consideration of the appeal and the appellant shall intimate this Commission of the receipt of the documents within one week from the date of receipt of the documents from the PIO."

This Commission, however, did not receive any report of the compliance by the PIO. But the appellant, vide his letter dt.15.09.2025, informed that the PIO did not comply with the direction of this Commission and hence requested for hearing the appeal again.

This appeal is, therefore, listed again today on 29.10.2025.
Today also both the parties are present through VC.

The appellant reiterated his complaint dt.01.08.25 and forwarded a copy of written submission dt.29.10.2025 contending therein that the PIO, despite this Commission's order dt.11.08.2025, failed to provide the documents viz. size (thickness) of CGI Sheet and the payment details and pleaded for penal action against the PIO under section 20(1) of the RTI Act.

The PIO, on the other hand, submitted that in compliance with the order of this Commission his office has already furnished the left out information, however, admitting that the thickness of the CGI Sheet has been missed out inadvertently in his replies dt.07.10.2025 to the appellant.

This Commission perused the copy of PIO's replies dt.07.10.2025 as received in whatsapp from the appellant during the course of hearing and it is noticed that the PIO has adequately furnished the replies to all the left out information including the payment details and the notice of NIT, except the size (thickness) of the CGI Sheet. The replies of PIO on rest of the points viz, the PAN, Income tax Returns, solvency certificate etc. are also found to be in consonance with this Commission's earlier observation that those are not to be disclosed as being personal information which has got no relation to public activity or public interest as held by the law courts. This Commission, therefore, endorses the replies of the PIO. However, the PIO shall furnish a revised reply with respect to the size (thickness) of the CGI sheet within one week from the date of receipt of this order.

This appeal is disposed of and closed accordingly.

Given under my hand and seal of this Commission on this 29th Oct.,2025.

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

Memo No. APIC- 279/2025/703 Dated Itanagar, the 30th Oct., 2025

Copy to:-

1. The Deputy Commissioner, District Namsai, the FFA for information.
2. The Deputy Director (RD), Govt. of A.P, Namsai, for information.
3. The Director (RD), Govt. of Arunachal Pradesh, Itanagar for information.
4. The PIO, o/o the BDO-cum-EAC Lekang Circle, Mahadevpur, Namsai District (A.P) PIN: 792103 for information.
5. Shri Ratan Chetia, village Sitpani, Moran. PO/PS Mahadevpur, Namsai PIN: 792105 Mobile No. 7063965456 for information.
6. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
7. Office copy.
8. S/Copy.

30/X/25

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar