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-435 / 2024.

APPELLANT : Shri Ijip Taso Village Torajon, under Kangku Circle, PO/PS Liklhabali, Lower Siang District, Arunachal Pradesh.

RESPONDENT : The PIO, o/o the Registrar Himalayan University, Jollang, Itanagar, Arunachal Pradesh.

ORDER/SUMMON

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ijip Taso, Village Torajon, under Kangku Circle, PO/PS Liklhabali for denial of 19 (nineteen) point information by the PIO, o/o the Registrar, Himalayan University, Jollang, Itanagar, Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 16.09.2024.

This appeal was, accordingly, heard on 07.03.2025 whereupon this Commission noticed that the F.A.A, the Registrar, Himalayan University, Jollang, Itanagar did not adjudicate on this appeal as mandated under Section 19(1) of RTI Act, 2005 and as such the appeal was remanded to the F.A.A for adjudication vide this Commission's order dt.07.03.2025. There was, however, no record of hearing by the FAA but vide letter dt. 21.04.2025, addressed to the appellant, communicated as under:

"Dear Sir,

This is in reference to your First Appeal submitted under Section 19(1) of the Right to Information Act, 2005, against the response provided by the Public information Officer (PIO) vide letter dated 28.10.2024, concerning your RTI application seeking various details related to Himalayan University. Upon a thorough examination of your RTI application, the grounds raised in your First Appeal, and the relevant provisions of the RTI Act, 2005, the following observations and decisions are made.

A. Information Related to University Approvals and Statutory Authorities.

You have sought information regarding (refer to Para Nos. 2, 8, 9,13, 15 and 17):

- *The designation of the Board of Management,*
- *Names and qualifications of statutory authorities,*
- *Affiliations from various regulatory bodies*
- *Establishment and government approvals of Himalayan University.*

in response, since these are matters of public record, relevant documents are already available in the public domain. Nonetheless, for your convenience, copies of the following documents are enclosed as Annexure-A (Colly).

- *The Arunachal Pradesh Gazette Notification No, 434 Vol. XXIII, Naharlagun, dated 24.11.2016:*
- *Permission letter from the Arunachal Pradesh Nursing Council (APNC) for the academic year 2024-2025, dated 16.12.2024;*
- *Approval from the Pharmacy Council of India,*
- *Approval for B.Ed. Special Education (Learning Disability):*
- *Affiliation letter from the Bar Council of India, dated 11.12.2024;*
- *List of the Board of Management of the University,*
- *Number of Existing Laboratories-42,*

- *Magazine-Agriculture Today;*
- *Daily Newspapers - The Arunachal Times, The Times of India, and The Assam Tribune.*
- *Name of officials:*
  Chancellor-Sh. P. Subba Rao
  Vice Chancellor -Prof, Venugopal Rao
  Registrar-Sh. Vijay Kumar Tripathi
  Joint Registrar-Sh. Dilip Jain
  Deputy Registrar - Mr. Kido Bagra
  Assistant Registrar-Mr. Prabh Mohan Singh
  Dean-Prof Debaprasad Dev
  Examination Controller (In Charge) - Dr. Tahir Khan

B. *Information Exempt Under Section 8(1)(j).*
The remaining part of your application requests specific details such as:

- *Salary, educational qualifications, degrees, and marks obtained by faculty members and students,*
- *Personal and academic records of enrolled students.*

Please note that this information falls under "third-party personal information", which is exempted from disclosure under Section 8(1)(j) of the RTI Act, 2005:
"Information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual, cannot be disclosed unless the PIO or Appellate Authority is satisfied that the larger public interest justifies the disclosure"
As no larger public interest has been demonstrated in your application, and you also did not apprised anything during your personal hearing to establish that the requested information is required in the public interest, the denial of access to this information by the PIO is justified and in accordance with the law.
After due consideration of all relevant facts, legal provisions and the PIOs response, the following conclusion is drawn :

- *The information concerning the legal status and affiliations of the university has been adequately addressed and provided;*
- *The remaining information sought is exempt under Section 8(1)(j) of the RTI Act, 2005*

Accordingly, the First Appeal is hereby disposed of and dismissed, upholding the decision of the PIO. If you are not satisfied with this decision, you may prefer a Second Appeal under Section 19(3) of the RTI Act, 2005 before the Central or State Information Commission, as applicable, within the prescribed timeframe.

Yours sincerely,
Sd/-
Shri Vijay K. Tripathi,
First Appellate Authority
Himalayan University"

Against the above decision of the FAA, the appellant, vide letter dated 10th Sept, 2025 complained that he was not satisfied with the aforesaid information/replies furnished by the FAA and pleaded for hearing the appeal.

In view of the appellant's complaint as above, this Commission deemed it appropriate to hear this appeal again and, accordingly, listed the appeal today on 24.10.2025 wherein the PIO, Shri Kido Bagra, Dy. Registrar, accompanied by his Counsel, Shri V.K.Sharma is present in person while the appellant, Shri Ijip Taso is present through VC.

Heard the parties.

The appellant, reiterating his demand for the complete information from the PIO as per his RTI application, pleaded for an appropriate direction to the PIO to furnish the same.

The Ld. Counsel for the PIO, on the other hand reiterated the PIO's earlier replies and also submitted written replies dt.22.10.2025 on behalf of the PIO which is reproduced hereunder:

"REPLY ON BEHALF OF THE RESPONDENT PIO DEPUTY REGISTRAR, HIMALAYAN UNIVERSITY, ITANAGAR, ARUNACHAL PRADESH TO THE APPEAL UNDER SECTION 19(3) OF THE RTI ACT, 2005 FILED BY MR. LIJIP TASO.

Respected Sir,

1. *It is submitted that we have already filed the reply to the previous RTI application filed by the appellant in compliance of order dated 07.03.2025 of this Hon'ble Commission and provide the information which was not barred under section 8 & 9 of the RTI Act, 2005. As per the reply to the information asked by the appellant the respondent provides below information to the appellant and the relevant provisions of the RTI Act, 2005, the following observations and decisions are made:*

A. *Information Related to University Approvals and Statutory Authorities*

Appellant sought information in his application (refer to Para Nos. 2, 8,9,13,15 and 17):

The designation of the Board of Management,

- *Names and qualifications of statutory authorities,*
- *Affiliations from various regulatory bodies*
- *Establishment and government approvals of Himalayan University. In response, since these are matters of public record, relevant documents are already available in the public domain.*
- *The Arunachal Pradesh Gazette Notification No. 434 Vol. XXIII, Naharlagun, dated 24.11.2016;*
- *Permission letter from the Arunachal Pradesh Nursing Council (APNC) for the academic year 2024-2025, dated 16.12.2024;*
- *Approval from the Pharmacy Council of India;*
- *Approval for B.Ed. Special Education (Learning Disability);*
- *Affiliation letter from the Bar Council of India, dated 11.12.2024;*
- *List of the Board of Management of the University;*
- *Number of Existing Laboratories -42;*
- *Magazine - Agriculture Today,*
- *Daily Newspapers - The Arunachal Times, The Times of India, and*
- *The Assam Tribune.*
- *Name of officials: -*

Chancellor - Sh. P. Subba Rao
Vice Chancellor - Prof, Venugopal Rao
Registrar Sh. Vijay Kumar Tripathi
Joint Registrar - Sh. Dilip Jain
Deputy Registrar - Mr. Kido Bagra
Assistant Registrar - Mr. Prabh Mohan Singh
Dean - Prof Debaprasad Dev
Examination Controller (In Charge) - Dr. Tahir Khan

2. *That the remaining information sought by the Appellant pertains to the salary details, educational qualifications, degrees, marks obtained by faculty members and students, and other personal/academic records of enrolled students and employees, which fall within the ambit of personal information.*
3. *That under Section 8(1)(j) of the RTI Act, 2005, such information is expressly exempt from disclosure, as it constitutes third-party personal information, the disclosure of which has no relationship to any public activity or interest and would amount to an unwarranted invasion of privacy. The said provision reads as follows:*

   "Information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual, cannot be disclosed unless the PIO or the Appellate Authority is satisfied that the larger public interest justifies the disclosure."
4. *In the present case, the Appellant has neither demonstrated nor established any element of larger public interest warranting the disclosure of such information. Accordingly, the denial of the same by the First Appellate Authority is lawful and justified.*
5. *That the Hon'ble High Court of Delhi, in Ryan International School vs. Central Information Commission & Ors., W.P.(C) No. 8984/2019, has held as under:*

   "The CIC has directed disclosure of information which is entirely personal information of the employees and as such stands exempted under clause (j) of Section 8(1) of the RTI Act. Nothing has been brought on record to show that any larger public interest is involved which requires disclosure of such information even though it is exempted. Therefore, the impugned order passed by the CIC is unsustainable and is accordingly set aside."
6. *That the Hon'ble Supreme Court in Central Public Information Officer, Supreme Court of India v. Subhash Chandra Agarwal, (2019) 16 SCC 435, has categorically held that marks, grades, answer sheets, and similar academic information are inherently personal and entitled to protection on the touchstone of privacy, except in cases where a demonstrable larger public interest justifies their disclosure.*
7. *Therefore, in view of the above legal position and the nature of information sought, the Respondent respectfully submits that the information relating to faculty members, students, and other employees of Himalayan University is exempt under Sections 8(1)(e) and 8(1)(j) of the RTI Act, 2005. The denial of such information by the First Appellate Authority is fully in accordance with law, and there is no illegality, irregularity, or malafide in the same.*

PRAYER

In view of the foregoing facts and submissions, it is most respectfully prayed that this Hon'ble Commission may be pleased to:

A. Dismiss the present appeal filed by the Appellant as devoid of merit; and

B. Any other order(s) as this Hon'ble Commission may deem fit and proper in the interest of justice may also be passed.

Date: 22/10/2025
Place: Itanagar

Through

Respondent
Sd/-
S.K Sharma
Advocate."

This Commission perused the replies and noticed that the averments at paragraph-1 is repetition of earlier submission and the rest of the averments from paragraphs 2 to 7 speak about the requested information being exempted under section 8(1)(e) and 8(1)(j) of the RTI Act, 2005. These paragraphs also contain the citations of Hon'ble Dehli High Court case and Hon'ble Supreme Court case. The PIO ought to have appreciated that the appellant was not satisfied with the replies furnished in the form as above. This Commission is also constrained to record that the PIO ought to have furnished the replies/information point-wise as per the RTI application of the appellant instead of furnishing the ditto replies in the present written statement.

In view of the above, the PIO and his Ld. Counsel are directed to furnish specific information/replies to each query of the appellant in a tabular form and with the cogent reasons for those points/ queries the replies to which are denied as mandated by the provisions of section 7(8)(i) of the RTI Act, 2005.

The PIO shall comply with the above direction in right earnest and report the compliance thereof in the next hearing on 19.11.2025 (Wednesday) at 10.30 am so as not to constrain this Commission to invoke the penal provisions of the Act against him.

The appellant is also directed to be present on that date in person to receive the revised information/replies failing which this appeal stand closed without further notice.

Given under my hand and seal of this Commission on this 24th Oct., 2025.

NOW THEREFORE, 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- 435/2024 /698 **Dated Itanagar, the** 27 **Oct., 2025**

Copy to:

1. The Registrar, Himalayan University Jollang, Itanagar, AP the First Appellate Authority(FAA) for ensuring compliance by the PIO information and compliance.
2. The PIO, the Deputy Registrar Himalayan University Jollang, Itanagar Arunachal Pradesh for information and compliance.
3. Shri Ijip Taso Village Torajon, under Kangku Circle, PO/PS Liklhabali, Lower Siang District, Arunachal Pradesh, Mobile No. 7002073570 for information and further follow-up action.
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

Registrar
Arunachal Pradesh Information Commission
Itanagar