



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.**

**An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-621/2025.**

APPELLANT : Shri Ashok Sangbia, Model vill. Seppa.

RESPONDENT : The PIO, o/o the Executive Engineer (PWD), Sepa Division, East Kameng District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ashok Sangbia for non-furnishing of 8(eight) point information on the Category of work charge (W/C) serving under Seppa (PWD) division and sub-division by the PIO, o/o the Executive Engineer (PWD), Seppa Division, East Kameng District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 27.05.2025.

The appeal was heard on 15.10.2025.

This Commission, after hearing the APIO, Er. Shri Hind Rimo, AE through VC and the appellant, Shri Ashok Sangbia in person and upon perusal information/replies furnished by the PIO as contained in the Annexure-A to his letter dt.19.06.2025, noticed that the appellant has, in fact, been furnished the requested information point-wise. However, against Sl.No.(d)(Approval from competent Authority) and Sl.No.(h)(Recruitment Rules of W/C staff), the relies were "N/A". When this Commission asked the APIO to explain as to whether the 'N/A' stands for 'Not available' or 'Not applicable', the APIO explained that the same stands for 'Not available' stating further that the recruitments to the said posts in question were conducted by the office of the Superintending Engineer and as such the records thereof including the R/R are not held by the o/o the PIO.

This Commission, accepting the submission of the APIO as justified in as much as the PIO can not be directed to generate or manufacture the information/records which he does not hold as held by the Apex Court and High Court in various judicial pronouncements, nevertheless, directed to furnish the said replies to the *Sl. No (d) and (h) by way of an affidavit to the appellant, as required under section-18(3)(c) and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.*

The PIO was, thus, directed to comply with the above direction within 2(two) weeks from the date of receipt of order dt.15.10.2025 and the appellant was also directed to intimate this Commission of the receipt of the replies within 1(one) week thereafter.

It was, however, noticed from the appellant's letter dt.29.10.2025 that the PIO did not comply with the order of this Commission. The PIO was, therefore, again directed to furnish the replies to the points at (d) and (h) by way of an affidavit and report the compliance thereof on the next date of hearing so as not to constrain this Commission to invoke the penal provision of section 20 of the RTI Act, 2005.

The appeal was, hence, heard today again on 10.12.2025 wherein the appellant, Shri Asho Sangbia and the APIO, Er. Hinda Romo, AE appeared through VC.

Heard the parties.

The appellant complained that the o/o the PIO, despite this Commission's order dt.18.11.2025, failed to furnish the affidavit on the requested information for Sl No.(d) and (h).

The non-compliance of the direction of this Commission as above has been viewed seriously by this Commission which, if repeated again, shall entail penal action under section 20 of the RTI Act.

The PIO is, therefore, directed to furnish within 22.12.2025 the affidavit to the appellant who shall collect the same from the o/o the PIO and intimate the receipt thereof to this Commission on 22.12.2025 failing which this appeal shall stand closed without further notice.

Given under my hand and seal of this Commission on this 10th Dec., 2025.

Sd/-

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

Memo No. APIC- 621/2025 /462 Dated Itanagar, the 10th Dec., 2025

Copy to:

1. The C.E (PWD), Govt. of A.P, Western Zone Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer (PWD), Seppa Division, East Kameng District (A.P) PIN : 790102 for information and compliance.
3. Shri Ashok Sangbia, Model Vill. Seppa, East Kameng District (A.P) PIN – 790102 Mobile No. 8119994490 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

of B. Ben
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar