



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-377 /2024.

APPELLANT : **Shri Dongru Tania, Upper Police colony, PO/PS Nlg. Papum Pare District (A.P)**

RESPONDENT : **The PIO, o/o the Deputy Director of School Education Tezu, District Lohit, Arunachal Pradesh**

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Dongru Tania for non-furnishing of below mentioned information by the PIO o/o the Deputy Director of School Education, Tezu, District Lohit, Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 09-09-2024.

- A) **Particular of information:** Recruitment and appointment of TGT/ PRT Teacher/ UDC/ LDC /Peon/ All MTS Post.
- B) **Details of information required:**
- 1) Date of joining and mode of recruitment (Xerox) copy);
 - 2) Details of advertisement in local daily news paper cutting (Xerox copy);
 - 3) Number of sanction post (Xerox copy);
 - 4) Approval by Govt. of India and the Govt. of Arunachal Pradesh requirement to job engagement for early held in walk –in-interview system notification;
 - 5) The answer sheet copy with question papers of all the candidates (Xerox copy);
 - 6) Details of officially website online uploaded account number;
 - 7) CCTV footage during walk-in-interview held (Xerox copy);
 - 8) Number of candidates appeared in exam applied for the post (Xerox copy);
 - 9) Qualified list of candidates (Xerox copy);
 - 10) The names of appointing authority (Xerox copy);
 - 11) Appointment order (Xerox copy);
 - 12) Calling letter (Xerox copy);
 - 13) Departmental Promotion Committee (Xerox copy);
 - 14) Seniority list (Xerox copy);
 - 15) Educational qualification certificate (Xerox copy);
 - 16) The written examination mark sheet (Xerox copy);
 - 17) Viva-voce test (Xerox copy) and
 - 18) The Govt. recruitment notification order (Xerox copy)..
- C) **Period from which information asked for: 2018 to till date**

Records reveal that the Appellant did not receive the information sought by him from the PIO in view of which he approached the F.A.A the Director Elementary Education Dept. of Education Govt. of AP, Itanagar vide Memo Appeal dated 21/10/24 under section 19 (1) of the RTI Act.

Having failed yet again to obtain the information the Appellant preferred this second appeal before this Commission vide Memo of Appeal dated 29/11/24 u/s 19(3) of the RTI Act.

The appeal was accordingly listed today on 5th March, 2025 wherein both the appellant, Shri Dongru Tania and the PIO, Ms. Tumngam Nyodu, DDSE were present in person.

Heard the parties.

The PIO submitted that in response to the RTI application filed by the appellant, she had, vide her office letter dt.25.10.2024, already furnished the sought for documents comprising of 90 pages against the Sl. No.1 of the RTI application, but the documents could not be delivered to the appellant at his address mentioned in the RTI application (Form-A). She also submitted that the documents sought for by the appellant at Sl. No.2 to Sl. No.18 are not available with the o/o the PIO as all the appointments have been done through DEE and DSE, Itanagar.

Records in the appeal, however, disclose that the F.A.A has not adjudicated on this appeal as mandated under Section 19(1) of RTI Act,2005.

The First Appellate Authority, following the principle of natural justice, should have conducted hearing giving fair and equal opportunity to the Appellant and the PIO and thereafter passed a reasoned and speaking order on merit after applying his mind into the aspects like the kind of information sought by the Appellant, whether the information sought for could be disclosed or whether the same is exempted under relevant provisions of law as mandated by the provisions of Section 19(1) of the RTI Act, 2005.

Since the FAA did not adjudicate on the appeal, this Commission finds the case fit to be remanded to the FAA, the Director (Elementary Education), Govt. of AP, Itanagar for adjudication who, after applying his mind aspects like what kind of information was sought by the Appellant, whether the information(s) could be provided or whether the same is hit by the provisions of Section – 8 & 9 of the RTI Act, 2005 shall pass an appropriate speaking order giving justification for his decision.

This appeal is, accordingly, remanded to the F.A.A, the Director (Elementary Education) Govt. of A.P, Itanagar for adjudication within 4(four) weeks from the date of receipt of this order and the PIO shall comply with the order of the F.A.A within 2(two) weeks from the date of F.A.A's order with liberty to the Appellant to prefer second appeal before this Commission under section 19 (3) of the RTI Act, if he is aggrieved/ dissatisfied with the order passed by the F.A.A, or with the information furnished by the PIO for which no fee need be paid.


Sd/-

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

Memo No. APIC- 377/2024/461 Dated Itanagar, the 06 March , 2025

Copy to:

1. The Director Elementary Education, Govt. of A.P, Itanagar the First Appellate Authority(FAA) for information and compliance.
2. The PIO, o/o the Deputy Director of School Education, Tezu, District Lohit Arunachal Pradesh PIN: 792001 for information.
3. Shri Dongru Tania, President, Unemployed Youths Movement of Arunachal Pradesh, Upper Police Colony, PO/PS Naharlagun Papum Pare Dist. AP PIN: 791110 Mobile No. 7005481022 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
Registrar
Arunachal Pradesh Information Commission
Itanagar