

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 Likhabali, Lower Siang District, Arunachal Pradesh.

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

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ijip Taso, Village Torajon, under Kangku Circle, PO/PS Likhabali for denial of below-mentioned 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

Details of information required :

1. Furnish the name with proper designation of all the teaching and non teaching staffs (including administrators) of the Himalayan University.
2. Furnish total number of department with supporting documents like affiliation, Recognition from Bar Council, Nursing Council, RCI etc.
3. Furnish the details of salary in Figure and pay scale of every faculty.
4. Furnish the total number of Professors, their appointment order(s), Salary statement with name of the department of the Professors.
5. Furnish the total number of Associate Professors, their appointment order(s), Salary statement with name of the department.
6. Furnish the total number of scholars with their name and the name of their Guide / Supervisors with designation / status of the guide / Supervisor as he/she is Professor, associate Professor and Asst. professor in the department of Law and Economics.
7. Furnish the appointment letter of all the Professors and Associate Professors of your University.
8. Furnish the Name and the personal designation of the Board of Management as per "The Himalayan University, Itanagar (Arunachal Pradesh) Act 2012". (Act No. 6 of 2013) (Received the assent of the Governor on 8th May, 2013 and Published in the Arunachal Pradesh E.O. Gazette No. 83, Vol - XX dated 14th May, 2013.
9. Furnish the name and qualification of the Statutes of the Himalayan University which has been made by the Board of Management and the same has to be approved by the State Government (Cabinet) as per Himalayan University, Itanagar (Arunachal Pradesh) Act-2012.
10. Furnish the total number of existing Laboratory and also furnish the list of equipments available in the said laboratory.

11. Furnish the name of the persons/awardees that had been completed Ph.D From Himalayan University with their Enrolment No. and name of the department in all the existing department of the Himalayan University since its establishment to till date.
12. Furnish the letter and all the supporting documents submitted to UGC & AJU for reorganization and affiliation Under Section 2F and 12 B of the UGC Act, 1956.
13. Furnish the name, qualification and appointment letter of the Chancellor, Vice Chancellor, Joint Registrar, Deputy Registrar, Assistant Registrar and Dean of the Himalayan University.
14. Furnish the name and qualification with appointment order (s) of the Examination Controller, Deputy Examination Controller and Asstt. Examination Controller of the Himalayan University.
15. Furnish the total number of enrollment with enrolment number and name of the students enrolled in the year 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024 in the department of Special B.Ed (Bachelor of Education) and to furnish affiliation letter rehabilitation Council of India (RCI)
16. As per the UGC guideline, each University must have a proper and hygienic canteen within their campus. Hence, furnish the name and photo of the person(s) and staffs who run the canteen and coloring photo of University canteen as per UGC guidelines.
17. Furnish the Reading material as given below :

Reading Materials	Information Required
2. Daily News Paper Hindi / English	1.Total Number of Daily News Paper with the name of daily news paper in Hindi/English
2. Weekly Magazine	2.Total number of weekly magazine with name of the weekly magazine.
3. Fortnightly Magazine	3. Total number of Fortnight Magazine with the name of Fortnight Magazine
4.Monthly Magazine	4.. Total number of Monthly Magazine with the name of the Monthly Magazine
5.Quarterly Magazine	5. Total number of Quarterly Magazine with the name of the Quarterly Magazine

18. Furnish all the documents with proper CTC in each page.
19. Furnish and reply Acknowledgement letter to the applicant through register post as per above mentioned address.

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 Registrar-Cum-First Appellate Authority, Himalayan University, Jollang, Itanagar, AP under section 19(1) of the RTI Act vide Memo of Appeal dated 28.10.24.

Having failed yet again to obtain the information, the Appellant preferred this second appeal before this Commission vide Memo of Appeal dated 06.12.24 under section 19(3) of the RTI Act.

This appeal is, accordingly, listed today on 07.03.2025 wherein the appellant is present in person but none appeared from the respondent PIO side. However, one Learned Advocate Shri S.K. Sharma appeared through the VC on behalf of the PIO but he neither produced his vakalatnama nor any written authorization from the PIO. This Commission, therefore, politely refused to entertain the Ld. Advocate's appearance on behalf of the PIO with an advice that if he wishes to represent and conduct the case of the PIO, he should do so with proper authorization or vakalatnama from the public authority concerned.

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 Registrar, Himalayan University, Jollang, Itanagar, for adjudication who shall, after applying his mind into the 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, pass an appropriate speaking order giving justification for his decision.

This appeal is, accordingly, remanded to the F.A.A, the Registrar, Himalayan University, Jollang, 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 receipt of the 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, as the case may be, for which no fee need be paid.


Given under my hand and seal of this Commission on this 7th March, 2025.

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

Memo No. APIC- 435/2024/468 Dated Itanagar, the 11 March, 2025

Copy to:

1. The Registrar, Himalayan University Jollang, Itanagar, AP the First Appellate Authority (FAA) for 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 Likhabali, 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