



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)

TANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Case No. APIC- 243/2024.

Shri Dongru Tania, President, Unemployment Youths
Movement of Arunachal Pradesh (UYMAP) &
Shri Lokam Namdu, G/Secretary, All Arunachal Pradesh
Anti Corruption Youth Association (AAPACYA)
Near Takar Complex, Naharlagun.

: APPELLANT

Vs

The PIO, o/o the Chairman, State Pollution Control
Board, Naharlagun, Govt. of A.P.

: RESPONDENT

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Dongru Tania & Shri Lokam Namdu for non-furnishing of information by the PIO, o/o the Chairman, State Pollution Control Board, Naharlagun, Govt. of A.P. as sought for by them under section 6 (1) (Form-A) of RTI Act, 2005 vide thier application dated 08-04-2024

The appellants had requested for the following (eleven) point information as under regarding the recruitment and appointment of UDC/LDC/Peon/MTS / WCR and other Regular staff under the State Pollution Control Board, Naharlagun since 2015 to till filing of his application on 08.04.2024:

1. All the names of UDC/LDC/Peon/MTS/WCR and other regular staffs.
2. Date of joining and mode of recruitment.
3. The details of advertisements in local daily news paper cutting.
4. The no. of sanction post.
5. No. of candidate appeared in exam applied for the post.
6. The qualified list of candidate.
7. The name of appointing authority.
8. The calling letter.
9. The written examination marks.
10. Viva-voice marks.
11. The Govt. recruitment notification order copy.

Records reveal that having not received the information from the PIO, the appellants approached the F.A.A, the Member Secretary, State Pollution Control Board, Naharlagun under section 19(1) of RTI Act, vide thier Memo of Appeal dated 14/05/2024.

Records also reveal that the F.A.A had conducted the hearing but there is no record of the order or direction, if any, passed by the F.A.A. However, it transpires that the PIO had furnished the information to the appellants but the appellants were not satisfied with the information so received from the PIO. Hence, this appeal before this Commission under section -19(3) of RTI Act vide Memo of Appeal dated 28/08/2024.

Accordingly, this appeal was heard on 20th November, 2024 wherein the PIO, Shri Nich Meji, Scientist -'B', o/o the State Pollution Control Board and one of the appellants, Shri Dongru Tania and were present.

The appellant submitted that although the PIO had furnished the sought for information to him, he is not satisfied with the information so furnished. The PIO responded by saying that the appellant has been furnished with all the information(s) as requested except the copy of advertisement in the local news paper (Sl. 3) of the application.

This Commission perused the correspondence, more particularly, the representation dated 07-06-2024 by the appellant to the Member Secretary (APSPCB) found that the information furnished against the following (six) points out of the 11 (eleven) points were not satisfactory as no reasons were cited for their refusal.

1. The details of advertisement in local daily news paper/paper cutting as mentioned in Sl. No. 3 as per your reply.
2. The list of sanctioned post as mentioned in Sl. No. 4;
3. List of candidates applied for different post in Sl. No 5;
4. The copies of calling letter in Sl. No. 8;
5. The written examination marks in Sl. No. 9 and
6. Marks of viva-voce test in Sl. No. 10.

The Commission, on careful consideration of the submission made by the appellant, found that the PIO had indeed, mentioned as NIL against the points at Sl. No. 1 and 4,5,6 without citing any reason. When queried, the PIO submitted that since the proposal of the Board was to regularize the contractual services of the existing staff (LDC, UDC and MTS etc.), no advertisement was issued for recruitment to those posts and therefore, the question of furnishing list of candidates appearing in the examination, the copies of calling letter, the written examination marks and viva – voce does not arise.

This Commission considered and endorsed the submission of the PIO as above. However, as required under rule – 5 (vi) of Arunachal Pradesh Information Commission (Appeal Procedure) Rules, 2005 this Commission directed the PIO to furnish on or before 04/12/2024, an affidavit to the effect that no advertisement for recruitment was issued for the reasons cited above.

In the hearing fixed today both the PIO and appellant were present. And as directed on 20.11.2024, the PIO furnished the affidavit dt. 2nd December, 2024 sworn before the Executive Magistrate, Naharlagun and declaring that no advertisement was issued for recruitment and appointment to the posts of LDC, UDC and MTS etc. and as such the question of furnishing the information against point numbers 3,4,5,8,9 and 10 of his application do not arise.

In the premises as above, this appeal No.243/24 stands disposed of and closed.

Given under my hand and seal of this Commission on this 4th December, 2024.

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

Memo No. APIC-243/2024/ 470 Dated Itanagar, the 6 December, 2024

Copy to: -

1. The First Appellate Authority, the Member Secretary, APSPCB, Naharlagun for information.
2. The PIO, o/o the State Pollution Control Board, Naharlagun, Govt. of A.P. for information.
3. Shri Dongru Tania, President, Unemployment Youths Movement of Arunachal Pradesh (UYMAP) & Shri Lokam Namdu, G/Secretary, All Arunachal Pradesh Anti-Corruption Youth Association (AAPACYA) Near Takar Complex, Naharlagun, PIN No. 791110, Mobile No. 7005481022/9362166831 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.


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