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-279/2025.

APPELLANT : Shri Ratan Chetia, Sitpani Moran, Namsai.

RESPONDENT :The PIO, o/o the BDO-cum-EAC Lekang Circle, Mahadevpur, Namsai District (A.P)

ORDER/SUMMON

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ratan Chetia for non-furnishing of 7(seven)point information on 5(five) different projects/schemes under the BDO-cum-EAC, Lekang Circle by the PIO, o/o the BDO-cum-EAC Lekang Circle, Mahadevpur, Namsai District as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 27.12.2024.

This appeal was heard on 23.07.2025 wherein both the appellant, Shri Ratan Chetia and the PIO, Dr. Tojum Ete, EAC-cum-BOD, Lekang appeared through VC.

This Commission upon hearing the parties and noticing the fact that the PIO failed to provide the requested documents within the time limit specified in sub-section 1 of section 7 of the RTI Act (which is 30 days from the date of receipt of RTI application), did not accept the submission of the PIO for payment of the cost of documents by the appellant and as such held that the PIO has to provide the documents free of cost in terms of sub-section 6 of section 7 of the RTI Act. The PIO was, thus, directed to provide the requested documents which were ready, as submitted by him during the course of hearing, within 1 (one) week from the date of receipt of this Commission's order.

A letter dated 1st August, 2025 has now been received from the appellant, Shri Ratan Chetia intimating that he has received the information from the PIO on 30.07.2025 but the documents furnished by the PIO are found incomplete as under :

(i)	Sl. No. 3 sub-clause (ii)	• Size of CGI sheet issued to beneficiaries not mentioned. • Details of payment made to **M/s Lohit Enterprises** as per Sl. No. 2 (b) sub-clause (i) of Form-A and details of the firm like owner's name and address/***power of attorney***, ***Registration No. Trade License, PAN and GST Registration certificate***, ***Income tax returns*** (usually 2-3 years), ***solvency certificate from a bank, turnover certificate by CA, Affidavit/Declaration etc. not provided.***

(ii)	Sl. No. 3 sub-clause (iii), (iv) & (v)	• Details of payment made to **Skyline Industries, M/s BN Enterprise and M/s OGM Tea Company** as per Sl. No. 2 (b) Sub-clause (iii), (iv) & (v) respectively of form-A and details of firms like owner's name and address/***power of Attorney, Registration No., Trade License, PAN and GST Registration certificate (except BN Enterprise), Income tax returns (usually 2-3 years), solvency certificate from a bank, Turnover certificate certified by CA, Affidavit/Declaration*** etc. not provided.
(iii)	Sl. No. 3 sub-clause (iii)	NIT or advertisement not provided.

The appellant has, therefore, pleaded for hearing the appeal again.

This Commission holds that it is the requirement of law that the requested information are furnished to the appellant in complete and satisfactory form unless exempted under any of the exemption clauses under section 8 of the RTI Act. It is, therefore, the bounden duty of the PIO to furnish the requested information/documents as sought for by the appellant.

However, while adverting to the complaint of the appellant and the details of information in the table above vis-à-vis his RTI application dt.27.12.2024 in Form-A, this Commission noticed that the information / documents which he claims were not provided are not found in his application. Moreover, most of the documents he has now added in his complaint are personal information of the firm/contractor which, as per number of judicial pronouncements by the hon'ble High Courts and the Apex Court, can not be disclosed as being protected /exempted under clause (j) of section 8(1) of the RTI Act. Such information are PAN Card, Income Tax Returns etc.

This Commission, in the premises above, holds that except for (a)the details of payment made to the Firms mentioned in the RTI application (b)the names and addresses of beneficiaries (c) the quantity of CGI sheets procured and issued and other disclosable documents, the PIO is not bound to furnish the documents now mentioned in his complaint letter as these were not part of his request / queries in his RTI application e.g the Power of Attorney, Solvency Certificates, the turn over certificate from CA, the Affidavit etc.

In the premises as above, the PIO is directed to furnish those documents that have been requested originally in the RTI application dt.27.12.2024 excluding those which were not part of the request and those specifically exempted under section 8 (1) of the RTI Act.

The PIO shall comply with the above direction and report compliance thereof within one month from the receipt of this order for further consideration of the appeal and the appellant shall intimate this Commission of the receipt of the documents within one week from the date of receipt of the documents from the PIO.

Given under my hand and seal of this Commission on this 8th August, 2025.

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

Memo No. APIC- 279/2025/ 579 Dated Itanagar, the 11 August, 2025

Copy to:

1. The Project Director, District Rural Development Agency, Govt. of A.P, Namsai, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The Director (RD), Govt. of Arunachal Pradesh, Itanagar for information.
3. The PIO, o/o the BDO-cum-EAC Lekang Circle, Mahadevpur, Namsai District (A.P) PIN: 792103 for information and compliance.
4. Shri Ratan Chetia, village Sitpani, Moran. PO/PS Mahadevpur, Namsai PIN: 792105 Mobile No. 7063965456 for information.
5. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
6. Office copy.
7. S/Copy.

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar.