



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

Complaint Case U/S 18 (1) of RTI Act, 2005

Case No. APIC- 10/2024.

(Summon to appear in person)

(Or.5, R.3 of CPC)

Shri Tania June, E-Sector, Naharlagun PO/PS

Naharlagun.

Vs

The PIO, o/o Executive Engineer (PWD), Capital Division
(B), Itanagar (A.P).

:APPELLANT

:RESPONDENT

ORDER/SUMMONS

This is a Complaint under Section 18(1) of RTI Act, 2005 received from Shri Tania June for denial of information by the PIO, o/o the Executive Engineer (PWD), Capital Division (B), Itanagar, (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 12.09.2024.

The appelland had sought for the following information:-

i) Particular of information:

Details of present staff under Group-B / Group-C/WC T / WC R / UDC / LDC / PEON / Driver / Contingency / all MTS Post etc. Give the document of all employees currently working in your office establishment.

ii) Details of information required:

- (1) Joining report copies;
- (2) Class-X Pass certificate copies;
- (3) Seniority list copies;
- (4) Appointment order copies;
- (5) Scheduled Tribe (ST) Certificate copies and
- (6) Class-XII Pass certificate copies.

(iii) Period from which information asked for:2018 to till date.

It reveals from the record that the complainant, having been denied the information, filed this complaint under Section 18 of RTI Act 2005 before this Commission vide complaint dated 14/11/24.

Records also reveal that in response to the RTI Application dated 12/09/24, the PIO, o/o the E.E (PWD), Capital Division-B, vide letter dated 24/10/24 signed by the APIO CUM-ASW, informed the complainant that the information/documents requested by him is indiscriminate the collection of which will take considerable time besides the documents being covered under section 8 (1) (j) of the RTI Act. The information sought by the complainant was, thus, denied to him citing this Commission's advisory dated 08/05/24.

The Complainant, dissatisfied with the reply of the PIO as above, filed this complaint before this Commission which is listed today on 18/12/24 wherein Er. Shri Joram Takar, Asstt.Er. and the APIO, o/o the E.E (PWD), Capital Division-B and the complainant, Shri Tania June were present in person.

Since the complainant's primary request to the PIO was for disclosure of information and was denied by the o/o the PIO which prompted the him to file this complaint, this Commission deemed it appropriate to find out from the complainant as to whether he still wish to obtain the information or to proceed with the necessary action against the PIO under section 18 of the RTI Act, 2005.

Accordingly, this Commission asked the complainant to clarify his position in response to which he expressed his wish to have his complaint converted into appeal under section 19(3) of RTI Act, 2005. This commission, hence, converted the complaint into appeal under the section 19(3) and proceeded with the hearing of the parties.

Heard the parties.

The complainant/appellant, reiterating his demand for the documents, pleaded for appropriate direction to the PIO to furnish the information as sought by him vide his application.

The APIO submitted that the o/o the PIO had misconstrued the contents of the aforesaid advisory issued by this Commission and that whatever information is disclosable under the law, shall be furnished to the complainant/appellant.

This Commission considered the submission of the parties and passed the following directions:

- a) that the copies of appointment order and joining reports of the staff in the establishment of the Division (Sl.Nos.1 and 4) shall be furnished as those documents can not be said to be exempted under section 8 of the RTI Act.;
- b) that as regards disclosure of educational qualification and ST certificate of the staff (Sl.Nos. 2,5 and 6), the PIO shall take recourse to the procedure prescribed under section 11 of the RTI Act as those documents are personal documents of the staff and
- c) that as regards the seniority list of the staff working under the PIO's Division, the PIO shall collect the same and furnish to the complainant/appellant.

The PIO shall comply with the above direction within 30 days from the receipt of this order and in any case before the next date of hearing which is fixed on 29.01.2025.


You are, therefore, summoned to appear in person in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC in person on 29th January, 2025 (Wednesday) at 10.30.am.** to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defense.

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

Memo No. APIC-10/2024/383 **Dated Itanagar, the 19 December, 2024**

Copy to:

1. The S.E (PWD) (Co-ordn) / SE(PWD) (Capital Circle), Itanagar for information and ensuring compliance by the PIO of this order.
2. The PIO, o/o the Executive Engineer (PWD), Capital Division-B, Papum Pare District, (A.P) for information & compliance.
3. Shri Tania June, E-Sector, Naharlagun PIN: 791110 Mobile No. 8131848230 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.