



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-326/2025.

APPELLANT : Shri Tasang Tali, Polo colony, Naharlagun.
RESPONDENT : The PIO, o/o the Director General of Police,
Itanagar (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tasang Tali for non-furnishing of below mentioned information by the PIO, o/o the Director General of Police, Itanagar, Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 22.01.2025.

A) Particular of information: Constable AAPBN and IRBN / Advt. No. PHQ/Per-29/2011 headquarters, Itanagar

B) Details of information required:

1. All the participants name and roll no in particular written examination.
2. Copy of examination attendance sheets duly signed by each candidates in particular examination of written, viva-voce and medical fitness examination respectively.
3. Selected candidates from various examination of written and viva-voice together with their secured mark in examination respectively.
4. Candidates merit list including waiting list.

Brief facts emerging from the appeal:

Records reveal that the appellant had asked for the above-mentioned information from the PIO vide his application dt.22.01.2025 in response to which the PIO had furnished the replies/information to the query at Sl.No.1 (Names of candidates and their roll numbers). The PIO also furnished the copy of attendance sheets of *written examination* but did not furnish the copy of attendance sheets of *viva-voce* and medical fitness examination and the marks secured by the selected candidate in written and viva-voce examination. This incomplete receipt of the requested information led him file his 1st appeal before the Deputy Inspector General of Police, DIGP, Police Headquarter, Itanagar, the First Appellate Authority (FAA) under section 19(1) of the RTI Act vide his Memo of Appeal dt.08.03.2025.

Records further reveal that the FAA had considered and disposed of the appeal by his order dt. 08.05.2025 which is reproduced hereunder:

"The PIO, PHQ Itanagar vide his UO letter dated 27/01/2025 forwarded the same RTI application to AIGP(E) requesting to furnish the required information. In response AIGP(E), PHQ Itanagar vide letter dated 11/02/2025 had furnished the information. Accordingly, on 14/02/2025 the PIO, PHQ Itanagar has furnished the information to the applicant as provided by the AIGP(E), PHQ Itanagar.

I have gone through the appeal filed by the appellant and reply furnished by the I. PHO Itanagar. The PIO, PHQ has forwarded those information which were furnished by the AIGP(E), PHQ Itanagar. After thorough examination and searching of all the available records of this department, the copy of examination attendance sheet duly signed by each candidate in particular examination of viva-voce and medical fitness examination could not be traced/found, since the said recruitment was conducted in the year 2012 and it's already more than 12 year old records as on date and during the said period the records of this department have been shifted multiple times.

On cumulative consideration of above facts and circumstances, I agree with the reply furnished by PIO PHQ Itanagar vide letter No. PHQ/PB/RTI/ID No. 04/2025 dated 14 02/2025,

The RTI appeal application filed by the appellant is disposed off accordingly.

*(Chinmo Biswal) IPS
Dy. Inspector General of Police (HQ)
-cum-First Appellate Authority
Police Headquarters, Itanagar."*

The appellant, apparently, aggrieved by the response of the FAA and the PIO filed his 2nd Appeal before this Commission vide Memo of Appeal dt. 16.04.2025 which has, accordingly, been registered in this Commission as APIC-326/2025 and listed for hearing today on 29.08.2025.

Hearing and decision:

The appellant, Shri, Tasang Tali is present in person while the PIO is represented by Shri Moti Prasad, Inspector duly authorized vide order dt.27.08.2025.

Heard the parties.

The appellant reiterating his request for the remaining documents from the PIO, pleaded for appropriate direction to the PIO to furnish the same. The representative of the PIO on the other hand reiterated the factual position regarding the availability of the documents as stated in the order of the FAA. During the course of hearing the representative also produced detailed statement regarding the availability of the old records pertaining to the recruitment stating therein that the o/o the PIO has thoroughly examined and searched all the available records of their office but the records could not be found. The statement further states that the recruitment was conducted district-wise in the year 2012 and it is already 12 years old records as on date during which the records has been shifted multiple times and that despite their adequate efforts, the records could not be traced out.

This Commission notices that the appellant has sought for the documents after the lapse of 11 to 12 years of the conduct of the recruitment. The appellant, who admittedly, was one of the candidates for the post of constables ought of have sought for the for the information immediately after the conclusion of the recruitment process including declaration of the result thereof but he chose to seek the information after such a long period which, according to the considered opinion of this Commission, is hit by the doctrine of delay and laches.

In number of cases the Hon'ble Apex Court, the Hon'ble High Courts and the CIC had held that the public authorities can not be directed to provide information which they do not hold or which is not accessible or which could not be found out.

In the light of the above discussion, no direction to the PIO can be passed to provide the remaining documents to the appellant and accordingly, this appeal is disposed of and closed.

Given under my hand and seal of this Commission on this on 29th August, 2025.

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

Memo No. APIC- 326/2025/859 Dated Itanagar, the 03 Sept., 2025

Copy to:-

1. The DGP, Govt. of A.P, PHQ, Itanagar, for information.
2. The DIG, Govt. of A.P, PHQ, the First Appellate Authority (FAA) for information
3. The AIGP(Planning)-cum-PIO, o/o the Director General of Police, Itanagar for information.
4. Shri Tasang Tali, Polo Colony, Naharlagun, Papum Pare PIN: 791110 Mobile No. 8729973503 for information.
5. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
6. Office copy.
7. S/Copy.

Prag 01/09/25
Registrar/ Deputy Registrar
APIC, Itanagar.