



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-373/2026.

(Summon to appear in person)
(Or.5, R.3 of CPC)

Shri Chayo Londa and Shri Chungma Sangbia,
Niya Colony near Banquet Hall, Itanagar.

Vs.

The PIO, o/o the Director, Health Services, Govt. of A.P, Naharlagun.

ORDER / SUMMON
{U/S-19 (3) & (4)}

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Chayo Londa and Shri Chungma Sangbia for non-furnishing of below mentioned information by the PIO, o/o the Director, Health Services as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 12.03.2026.

A) Particular of information : regarding Shri Techhi Sonu MI/MSI.

B) Details of Information:

1. Furnish the date of advertisement.
2. Furnish the date of interview/ date of Viva voice copy.
3. Furnish the attendance list during examination period.
4. Furnish the appointment letter/ Designation Name.
5. Furnish the date of joining letter.
6. Furnish the duty performance record copy/ place of posting.
7. Furnish the duty attendance record copy.
8. Furnish the salary money transaction copy.
9. Furnish the RR/ Guideline under health Deptt.
10. Furnish the DPC copy.
11. Furnish the education qualification certificate.
12. Whether he was appointed under Sports Quota or PWD quota? Furnish the document.
13. Furnish the proper Person with Disability certificate.

C) Please Period for which information asked for:

Brief facts emerging from the appeal:

Records in the appeal reveal that the appellants had requested the PIO for the aforementioned information but failed to obtain the same within the statutory period of one month which prompted them to file their 1st appeal before the First Appellate Authority (FAA), the Director of Health Services, Govt. of A.P, Naharlagun, under Section 19(1) of the RTI Act vide their Memo of Appeal dt. 17.04.2026. But having failed yet again to obtain the requested information, they preferred their 2nd appeal before this Commission under section 19(3) of the RTI Act vide Appeal Memo dt. 19.05.2026.

This appeal was, accordingly, listed on 12.08.2026, wherein Shri ChayoLonda, one of the appellants, was present in person but the PIO was absent without any intimation.

This Commission, after hearing the appellant, had vide order dt.12.08.2026, passed the following order:

"The appellant was heard who complained that though the o/o PIO, vide letter dt.16.07.2026, had furnished the information but the information / documents so furnished are misleading as the same pertain to appointment to the post of MTS. In this regard, the appellant has produced the copies of documents which have been taken on record in this Commission.

This Commission, after hearing the appellant and upon perusal of the documents / information furnished by the PIO vide his aforesaid letter, notices that while the appellant had requested for the details of appointment of Shri Techhi Sonu to the post of MI/MSI, the documents furnished by the PIO, indeed, pertains to recruitment and appointment of Shri Techhi Sonu to the post of MTS(Cook) which, in fact, is misleading as complained by the appellant. The appellant also complained that the PwD certificate of Shri Techhi Sonu furnished by the PIO is not a genuine one as the certificate is not issued by the competent authority for the purpose for availing benefit of job reservation under the PwD Act. The documents / information furnished by the PIO are shown against each query in the table below:

Sl No	Information sought	Observation / findings
1	The date of advertisement	MSI not furnished, only Advt. for cook (MTS) is furnished
2	The date of interview/date of viva voce	Not furnished
3	The attendance list during examination period	Not furnished
4	The date of appointment letter/Designation name	Not furnished
5	The date of joining letter	furnished
6	The duty performance record copy / place of posting	Not pressed
7	The duty attendance record copy	Not pressed by the appellant
8	The salary money transaction copy.	Not furnished
9	The Recruitment Rule/Guidelines under Health Deptt.	Misleading, GoI Guidelines for MTS furnished but for MSI not furnished
10	The DPC copy	Misleading. Furnished the DPC in respect of MTS but for MSI not furnished
11	The educational qualification certificate	Not furnished
12	Whether he was appointed under Sports quota or PwD quota ? Furnish the documents.	Furnished in respect of MTS under PwD quota.
13	Person with disability certificate copy.	Certificate is allegedly not genuine. Board Members certificate is not there.

In view of the discrepancy in the information / documents furnished by the PIO and the appellant's RTI queries as above, this Commission deems it appropriate to hear the PIO in person in the next hearing which is fixed on 09.09.2026 wherein the PIO must be present with his explanation / replies to the appellant's complaint so as not to constrain this Commission to invoke the penal provisions of RTI Act, 2026."

Today on 09.09.2026, Shri Chungma Sangbia, one of the appellants is present in person and the PIO, Dr. Shri K.T. Mulung, Dy. DHS-cum-PIO is also present with the copies of following information/replies furnished to the appellants:

“RTI ID No. 428 Filed by Mr. Chaya Londa & Team

Sl. No.	Question	Reply
	A.	
1	Furnish the date of advertisement	Furnished at Annexure - A
2	Furnish the date of Interview/date of viva voice copy	Furnished at Annexure-B
3.	The Attendance list during examination period	Furnished at Annexure B
4.	The date of appointment letter/Designation Name	Furnished at Annexure-C, also exempted under RTI Act 8(1)(j) of RTI Act 2005.
5.	The date of joining letter	Furnished
6.	The duty performance record copy/place of posting	Not pressed
7	The duty attendances record copy	Not pressed by the applicant.
8	The Salary money transaction copy	The information are exempted under RTI Act 8(1)(j) of RTI Act 2005.
9.	The Recruitment Rules / Guidelines under Health Deptt.	MSI recruitment Rule is attached at Annexure-D already furnished during hearing in FFA
10.	The DPC copy	Furnished at Annexure-E
11	The education qualification certificate	1. Exempted under 8 (1)(j) of RTI Act-2005. 2. Clarification from APIC may be seen at Annexure- F 3. Judgment copy of FFA enclosed at Annexure -F(A) + section B Para (3) & (4) below.
12.	Whether he was appointed under sports Quota or PWD quota ? Furnished the documents	Furnished at Annexure - G & G(A)
13.	Person with disability Certificate copy. (person with certificate copy)	Furnished at Sl. No. 12
	(B). Other Related Documents.	
2	Initial appointment reply received from DMO Yupia	Annexure - H
3	Written consent for third party information	Annexure-1
4	Objection letter received from Tech Sonu	Annexure-J
5	Submission of RTI reply	Annexure-K

Heard the parties.

The appellant, reiterating his demand for the complete information as per his application pleaded for an appropriate direction to the PIO. He, however, expressed his satisfaction with the clarification / documents given by the PIO regarding the advertisement for MSI(Sl.No.1), the Recruitment Rules for MSI (Sl.No 9), the DPC for MSI (Sl.No.10) and the PwD Certificate. But he insisted for the copy of educational qualification (Sl.No.11). He also insisted for the copy of appointment order to the post of MSI under PwD quota (Sl.No.12). The PIO, on the other hand, submitted that all the requested documents have been furnished to the appellants but the educational qualification was not furnished as the same, being a personal information of 3rd party, is exempted under section 8(1)(j) of the RTI Act and also that the 3rd party concerned had objected to the disclosure of his educational qualification and other documents pertaining to his appointment to the post of MSI.

In this regard the PIO has produced the copies of his notice dt.10.04.2026 to the 3rd party concerned, Shri Tech Sonu under section 11 of the RTI Act and the reply dt. 12.06.26 from the 3rd party objecting to the proposed disclosure which are extracted hereunder:

(a) Notice to third party:

"R.T.I THIRD PARTY INFORMATION"

To,

*Shri Tech Sonu
NVBDCP Branch.
Directorate of Health Services
Naharlagun*

Sub *Submission of Written consent for third party information under Clause 11
(1)(2) of R.T.I. Act-2005 vide RTI ID No.428*

Ref:-*Memorandum of appeal to the first appellate Authority under Section 19(1) of
the R.T.I Act 2005.*

*In reference to subject cited above the state PIO of this Directorate is intends to
disclose your personnel information like appointment letter, Joining Letter,
Performance record copy, money transaction copy and Education Qualification vide
RTI ID No.428 sought by Shri Chayo Londa, Chungma Sangbia & Team, Niya Colony,
Near Banquet Hall, PO Itanagar PS Niti Vihar, Itanagar*

*Therefore, you are hereby invited to make a submission in writing or orally
regarding whether information mentioned above should be disclosed or not and same
should reach to undersigned with in a period of 30(thirty) days from the date of issue
of this letter.*

Sd/-

*(Dr. K.T. Mulung) APHS
Dy DHS-cum-PIO(NVBDCP)
For Director of Health Services
Naharlagun"*

(b) reply from third party:

"The Dy. DHS-cum-PIO (NVBDCP)
For Director of Health Services
Naharlagun, Arunachal Pradesh.

Sub: Objection to Disclosure of Personal Information under Section 11 of the RTI Act, 2005

Ref: RTI ID No. and Letter No. NVBDCP/RTI-121/2026 dated 10.06.2026

Respected Sir,

With due respect, I hereby submit my objection to the proposed disclosure of my personal documents to third-party RTI applicants, as communicated through the above-referred notice issued under Section 11(1) of the Right to Information Act, 2005.

The information sought, namely my appointment order, educational qualification certificates, transfer/posting orders, and other service-related records, constitutes personal information protected under Section 8(1)(j) of the RTI Act, 2005. These documents have no nexus with any public activity or larger public interest, and their disclosure would amount to an unwarranted invasion of my privacy. **The exemption under Section 8(1)(j) can only be overridden where a larger public interest is established, which has not been demonstrated in the present case.**

As the concerned third party under Section 11(1) of the RTI Act, I expressly withhold my consent and object to the disclosure of any of my personal documents or service records to the RTI applicants.

It is further submitted that the applicants, namely Shri Chayo Loda and others, have no official, administrative, or service-related connection with my employment under the Directorate of Health Services. They have also failed to establish any larger public interest that would justify disclosure of information otherwise exempt under Section 8(1)(j) of the Act.

I respectfully submit that the applicants had previously contested elections against me and have personal interests adverse to me. I am also actively associated with the Paralympic Association of Arunachal. In these circumstances, the nature of the RTI request appears motivated by personal reasons and seems intended to create unwarranted suspicion, exert personal pressure, and cause harassment to the third party, rather than serve any genuine public purpose.

I further affirm that there is no illegality, irregularity, misconduct, or violation of any law in relation to my appointment, educational qualifications, transfer/posting, or service records maintained by the Department of Health Services. Disclosure of such documents would serve no administrative purpose, statutory requirement, or legitimate public interest.

In view of the facts and legal grounds stated above, I most respectfully request your good office not to furnish or disclose any of my personal documents, certificates, service records, or related information to the RTI applicants. This representation may kindly be treated as my formal objection under Sections 11(1) and 11(2) of the RTI Act, 2005.

I shall be grateful for your kind consideration and necessary action in the matter.

Yours faithfully,

Sd/-

(Shri Techhi Sonu)
NVBDCP Staff."

Section 11 of the RTI Act, 2005 which deals with the 'third party information' reads as under:-

"11. (1) Where a Central Public Information Officer or a State Public Information Officer, as the case may be, intends to disclose any information or record, or part thereof on a request made under this Act, which relates to or has been supplied by a third party and has been treated as confidential by that third party, the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within five days from the receipt of the request, give a written notice to such third party of the request and of the fact that the Central Public Information Officer or State Public Information Officer, as the case may be, intends to disclose the information or record, or part thereof, and invite the third party to make a submission in writing or orally, regarding whether the information should be disclosed, and such submission of the third party shall be kept in view while taking a decision about disclosure of information:

Provided that except in the case of trade or commercial secrets protected by law, disclosure may be allowed if the public interest in disclosure outweighs in importance any possible harm or injury to the interests of such third party.

(2) Where a notice is served by the Central Public Information Officer or State Public Information Officer, as the case may be, under sub-section (1) to a third party in respect of any information or record or part thereof, the third party shall, within ten days from the date of receipt of such notice, be given the opportunity to make representation against the proposed disclosure.

(3) Notwithstanding anything contained in section 7, the Central Public Information Officer or State Public Information Officer, as the case may be, shall, within forty days after receipt of the request under section 6, if the third party has been given an opportunity to make representation under sub-section (2), make a decision as to whether or not to disclose the information or record or part thereof and give in writing the notice of his decision to the third party.

(4) A notice given under sub-section (3) shall include a statement that the third party to whom the notice is given is entitled to prefer an appeal under section 19 against the decision."

The PIO, it is seen, following the procedure prescribed under Section-11 as above, had denied the educational qualification including the appointment order to the appellant and as also seen in the 3rd party's response letter dt. 12.06.2026, he had categorically objected to the disclosure of his educational qualification and other documents pertaining to his appointment / promotion to the post of MSI.

Before advertng to the question and arriving at a decision as to whether this appeal warrants a direction for disclosure of the educational qualification of the 3rd party, this Commission deems it appropriate that the third parties concerned be heard in terms of section-19(4) of the RTI Act which reads as under:

"(4) If the decision of the Central Information Commission or State Information Commission, as the case may be, against which an appeal is preferred relates to information of a third party, the Central Information Commission or State Information Commission, as the case may be, shall give a reasonable opportunity of being heard to the third party."

In view of the requirement of law as above, this Commission deems it appropriate to hear the 3rd party concerned, Shri Techhi Sonu and accordingly, summon him on 14.10.2026 (Wednesday) at 11.30 am whose attendance shall be ensured by the PIO. In the meanwhile, the PIO shall furnish to the appellant the copy of promotion order in respect of Shri Techhi Sonu to the post of MSI issued on the recommendation of the DPC meeting held on 28.03.23.

Given under my hand and seal of this Commission on this 9th Sept., 2026.

NOW THEREFORE, you are hereby summoned to appear in person in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC in person on 14th October, 2026, 2026 (Wednesday) at 11.30 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/-

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

Memo No. APIC- 373/2026 / 893 **Dated Itanagar, the 14th Sept., 2026**

Copy to:-

1. The Director of Health Services Govt. of A.P Nlg., the First Appellate Authority (FAA) for information and ensuring compliance by the PIO concerned.
2. The PIO, o/o the Director, Health Services Govt. of A.P Nlg. PIN: 791110 for information and compliance.
3. Shri Techhi Sonu, NVBDCP Branch, Directorate of Health Services Govt. of A.P Naharlagun. PIN: 791110 for information and compliance.
4. Shri Chayo Londa and Shri Chungma Sangbia PIN: 791111 Mobile No. 7628985507 for information.
5. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
6. Office copy.
7. S/Copy.

Pragati Joshi
Registrar/ Deputy Registrar
APIC, Itanagar

Deputy Registrar
Andhra Pradesh Information Commission
Itanagar