



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-843/2025.

APPELLANT :Shri TamTagam, Upper Dam Site Nlg.
RESPONDENT :The PIO, o/o the Bini Yanga Govt. Women's College,
Lekhi, Naharlagun (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tam Tagam for non-furnishing of below mentioned information by the PIO, o/o the Bini Yanga Govt. Women's College, Lekhi, Naharlagun (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 10.01.2025:

Details of information:

1. CTC of the Bank Statement of Bini Yanga Govt. Women's College official bank account particularly of financial year of 2018-2024.

Brief facts emerging from the appeal and decision thereon:

Records in the appeal reveal that the appellant, vide his application dt. 10.01.2025, had requested the PIO for the aforementioned information in response to which the PIO, vide his letter No. dt. 22.01.2025, informed the appellant that under section 8 (e) & (g) of RTI Act, 2005 the information as sought for by the appellant can not be disclosed. Dissatisfied with the reply of the PIO the appellant filed his 1st appeal before the First Appellate Authority (FAA), the Director (Higher & Technical Education), Govt. of Arunachal Pradesh, Itanagar under section 19(1) of the RTI Act vide their Memo of Appeal dt. Nil.

Records also reveal, that APIO, Director (Higher & Technical Education), Itanagar, vide his letter dt. 10.04.2025 forwarded the appeal to the Principal, Binny Yanga Govt. Women College, Lekhi with to furnish the requested information as it falls under their jurisdiction.

The extract of the APIO's letter is reproduced below :

"Sir

I am forwarding herewith the information Appeal under section 19(1) of RTI Act 2005 application received from Shri Tam Tagam, Tigdo Colony. Dam site, Naharlagun, District Papum Pare, Arunachal Pradesh Itanagar-791112 to your good office for furnishing the information under RTI Act 2005, which falls under your jurisdiction.

Hence, you are requested to furnish the information as sought directly to the applicant with intimation to this Directorate.

Enclo: As Stated above.

Sd/-

*Digitally signed by
Nitin Kumar Tripathi."*

Records further disclose that the Principal-cum-PIO, Binni Yanga Government Women's College, Lekhi, vide her letters dt. 22.01.25 and dt.29.04.25 as extracted below, had denied the information on the ground that under section 8 (e) & (g) of RTI Act information can not be disclosed.

“Sir,

Please refer to you RTI application under Section 19 (1) of RTI Act 2005 No. Nil Dated: 04/04/2025, I am directed to furnish the information under RTI Act 2005. The information sought by you are as under:

Sl.No	Question	Reply
1.	<i>CTC copy of the college official bank account particularly of financial year 2018-2024.</i>	<i>Under section 8 (e) & (g) of RTI Act information can not be disclosed.</i>

Sd/-

*(Dr. Aruna Gyati Lod) Principal
Binni Yanga Govt. Women's College Lekhi
Naharlagun.*

Records also disclose that the FAA conducted the hearing on 11.06.2025 and vide order dt.13.06.2025, passed the following order:

“ORDER

This order shall dispose off the appeal received in this office on 28.05.2025 i.r.o RTI Appeal ID No. 162.

Hearing Notice was issued on 04.06.2025 and appearance on 11.06.2025.

On the date of hearing the appellant Shri Tam Tagam was present and PIO, Binni Yanga Government Women's College, Lekhi was exempted from appearance.

The matter was heard. On perusal of records/statements, it was found that the information sought under RTI application for providing "Bank Account Statement of the College was denied by the PIO.

However, in instant appeal for providing "Bank Account Statement of the College" is not considered in the light of section 8 (e) and section 8 (j) respectively of the RTI Act, 2005 as its disclosure does not serve any larger interest of the public. Also the said account does not warrant Section 4 (xii), (xii) as it does not have any subsidy and or concessions.

In view of the above, the appeal stands disposed off and ordered accordingly.

If the applicant is not satisfied with this order / information provided he may file an appeal before the State Information Commission, ESS Sector, Itanagar within stipulated period of time from the date of issue of this order.

Sd/-

*SDI- (Dr. Milorai Modi)
Director, H. &T Education
First Appellate Authority.”*

The appellant, apparently, aggrieved with the response of the o/o PIO and the FAA's order as above, preferred second appeal before this Commission under section 19(3) of the RTI Act vide Appeal Memo dt. 10.11.2025.

This appeal is, accordingly, listed today on 20.03.2026 wherein the appellant, Shri Tam Tagam is present in person while the PIO is absent.

Heard the appellant who submitted that the PIO and the FAA had denied the requested information to him by wrongly applying the exemption provisions of section "8(e) and (g)/(j)" and pleaded for an appropriate direction to the PIO to furnish the requested information.

On perusal of the letters of the PIO, the Principal and the FAA as above, it is seen that the requested information has, indeed, been denied as being exempted under section 8(1)(e) and (g)/(j) which have been wrongly quoted as "8(e) and (g)/(j)".

This Commission on careful examination of the provisions of section 8(e) and (g) or (j), notices that the decision of the PIO and the FAA as above can not be accepted in as much as the provisions of clause (e) which deals with the holding of information in a fiduciary relationship and that of clause (g) which deals with the information the disclosure of which would endanger the life or physical safety of person and clause (j) which relates to personal information do not cover the requested information i.e the accounts statement of the college which belongs to the college itself. It has been held by law courts in number of judicial pronouncements that the annual accounts comprising of income and expenditure, receipts and payments are to be made unrestricted accessible.

This Commission, in the light of above discussion, is not in a position to uphold the decision of the FAA and the PIO and resultantly, the PIO is directed to furnish the requested information i.e the accounts Statement comprising of the authority's Income, expenditure, receipt and payment to the appellant within 4 (four) weeks from the date of receipt of this order for further consideration of this appeal so as not to constrain this Commission to invoke the penal provisions of the RTI Act, 2005.

Given under my hand and seal of this Commission on this 20th March, 2026.

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

Memo No. APIC- 843/2025 1737 Dated Itanagar, the 23 March, 2026

Copy to:

1. The Directorate of Higher and Technical Education, Govt. of A.P, ESS Sector Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Principle, Bini Yanga Govt. Women's College, Lekhi, Naharlagun (A.P) PIN : 791110 for information and compliance.
3. Shri Tam Tagam, Yawn colony, G sector Nlg. PIN: 791110 Mobile No. 8837009156 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

P. Anand
Registrar/ Deputy Registrar
APIC, Itanagar.
Deputy Registrar
Andhra Pradesh Information Commission
Itanagar