



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Case No. APIC-837/2025.

APPELLANT :Shri Ashok Sangbia, Prem Nagar, Nlg.
RESPONDENT :The PIO, o/o the Executive Engineer (PWD), Naharlagun Division, Papum Pare District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ashok Sangbia for non-furnishing of below mentioned information by the PIO, o/o the Executive Engineer (PWD), Naharlagun Division, Papum Pare District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 03.09.2025:

A. Details of information:

1. Certified copy of Category of all the work charged (W/C) staff serving under your division and sub-division
2. Certified Copy of Appointment letter of all the W/C staff serving under your Division and Sub-Division.
3. Certified Copy of Place of posting of all the W/C staffs serving under your Division and Sub-Division.
4. Certified copy of DPC Board member officers name & design of all the W/C staffs, along with trade test (TT) marks details of all the W/C staff recruited serving under your Division and Sub-Division.
5. Certified copy of approval from competent authority CE/SE of all the W/C Staff recruited/Advertised under your division & sub-division.
6. Certified Copy of present strength of W/C staff under serving your Division and Sub-Division.
7. Certified Copy of new strength of or against retirement or vacate of W/C staff serving under your division and sub-division.
8. Certified Copy of total sanction strength of W/C staff serving under your division and sub-division.
9. Certified copy of Recruitments rule (RR) of W/C staffs' approval from Administrative Reforms (AR) Department Govt. of (A.P).
10. Certified copy of attendance register of all the W/C Staffs serving under your division & sub division.
11. Certified Copy of Service identity card sign & seal of competent authority along with active contacts No. of all the W/C staff serving under your division and sub-division.
12. Certified copy of name & active contact No. along with service identity card, Superintending Engineer who appointed to the W/C Staff serving under your division & sub-division.
13. Certified copy of E-Data of all the W/C staff serving under your division and sub-division.
14. Certified copy of Joining Report/letter of all the W/C staff serving under your division and sub-division.

B. Periods for which information asked for: 2016 to till date

Brief facts emerging from the appeal:

Records in the appeal reveal that the appellant had requested the PIO for the aforementioned information but failed to obtain the same within the statutory period of one month which prompted him to file 1st appeal before the First Appellate Authority (FAA), the Chief Engineer (PWD), Govt. of A.P, Western Zone under section 19(1) of the RTI Act vide Memo of Appeal dt. 06.10.2025. But having failed yet again to obtain the information, he preferred his 2nd 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 Ashok Sangbia is present in person while the PIO is represented by Shri Techi Paka, UDC, o/o the EE (PWD) Naharlagun Division with replies to some of the queries/requested documents.

Hearing and decision:

Heard the parties.

The appellant, reiterating his demand for the requested information/documents from the PIO, pleaded for an appropriate direction to the PIO to furnish the same. The representative of the PIO, on the other hand, submitted that the information / documents to the queries at Sl. Nos. 1,2,3,6,8,13 and 14 are being furnished to the appellant today. However, the replies/information against queries at Sl. Nos.4,5,7,9,11 and 12 are not held by the o/o the PIO but by the o/o the Superintending Engineer (Capital) Circle, Itanagar. As against query No.10 (Attendance Register of all WC staff under the Naharlagun Division), it has been replied that the information is under collection. The replies so furnished by the PIO vide his letter dt.20.03.26 is extracted hereunder:

“While referring to your RTI application, the information as sought for is furnished and enclosed herewith. It may kindly be acknowledge the receipt of the same please

Sl.No.	Particulars	Remarks
1	<i>Certified copy of Category of all the WC staff under your Division & Sub-Division</i>	<i>Furnished</i>
2	<i>Certified copy of appointment letter of all WC staff serving under your Division and Sub-Division</i>	<i>Furnished</i>
3.	<i>Certified copy of place of posting of all the WC staff serving under your Division and Sub-Division</i>	<i>Furnished</i>
4.	<i>Certified copy of DPC Board member officers name & design off all WC staff along with trade test marks details of all WC staff recruited serving under your Division and Sub-Division.</i>	<i>To be obtain from Higher Authority</i>
5.	<i>Certified copy of approval from competent authority CE/SE of all WC staff recruited/advertised under your division and Sub-Division.</i>	<i>To be obtain from Higher Authority.</i>
6.	<i>Certified copy of present strength of WC staff under serving your Division and Sub-Division</i>	237
7.	<i>Certified copy of new strength of or against retirement or vacate of WC staff serving under your Division and Sub-Division</i>	<i>To be obtain from Higher Authority</i>

8.	<i>Certified copy of total sanction strength of WC staff serving under your Division and Sub-Division</i>	237
9.	<i>Certified copy of Recruitments Rule (RR) of WC staff approval from Administrative Reforms (AR) Department, Govt. of AP</i>	<i>To be obtain from Higher Authority</i>
10.	<i>Certified copy of attendance register of all the WC staff serving under your Division and Sub-Division</i>	<i>Under Collection</i>
11.	<i>Certified copy of service identity card sign & seal of competent authority along with active contact No. of all WC staff serving under your Division and Sub-Division.</i>	<i>To be obtain from Higher Authority</i>
12.	<i>Certified copy of name & active contact No, along with service identity card, Superintending Engineer who appointed to the WC staff serving under your Division and Sub-Division</i>	<i>To be obtain from Higher Authority</i>
13.	<i>Certified copy of E-Data of all the WC staff serving under your Division and Sub-Division</i>	<i>Furnished</i>
14.	<i>Certified copy of joining Report/letter of all the WC staff serving under your Division and Sub-Division</i>	<i>Furnished</i>

Sd/-

*Executive Engineer
Naharlagun Division
PWD: AP: Naharlagun*

This Commission, after hearing the parties and perusing the PIO's letter dt.20.03.2026 by which the replies have been furnished to the appellant, notices that the replies to most of the queries have, in deed, been found as, "to be obtained from the higher authority". Such replies are not in consonance with the requirement of the RTI Act. In this regard, the attention of the PIO is drawn towards the provisions of section 5(4) and (5) of the RTI Act, 2005 which provides as under:

"5(1)....

(2).....

(3).....

(4) *The Central Public Information or State Public Information Officer, as the case may be, may seek the assistance of any officer as he or she considers it necessary for the proper discharge of his or her duties.*

(5) *Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be."*

The sub-sections (4) and (5) of section 5 of the RTI Act provide that a Public Information Officer (PIO) may seek the assistance of other officer for proper discharge of his/her duties. The officer, whose assistance is sought, shall render all assistance to the PIO and shall be treated as a PIO for the purpose of contravention of the provisions of the Act.

The implication of the provisions of the above sub-sections is that on being requested by the PIO for the assistance of an officer for providing the documents requested by an RTI applicant, the said officer is bound to provide the requested

documents/information and in the event of failure to provide the documents/information, such officer can be proceeded against as a PIO.

In view of the provisions of law as above, the PIO, o/o the EE (PWD), Naharlagun Division is directed to collect the requested documents from the o/o the SE (PWD), Capital Circle, Itanagar and provide to the appellant within 1(one) month from the date of receipt of this order. It is, however, made clear that if the o/o the PIO does not hold any of the requested information/documents, then as mandated under section - 7(8)(i) of the RTI Act the reason for denial of the information has to be communicated to the applicant to his satisfaction. And as mandated by section-18(3)(c) of the RTI Act, 2005 and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, the submission/reply of the PIO has to be declared/supported by way of an affidavit. The appellant may also visit the o/o the PIO and inspect the documents as entitle to under section2((j)(i) of the RTI Act, 2005 and intimate this Commission within 1(one) week of the receipt of the documents from the PIO failing which this appeal shall stand closed without further notice.

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- 837/2025 / 235 Dated Itanagar, the 23 March, 2026

Copy to:

1. The Chief Engineer (PWD), Govt. of A.P, Western Zone Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer (PWD), Naharlagun Division, Papum Pare District (A.P) PIN : 791110 for information and compliance.
3. The Superintending Engineer (PWD), Capital Circle, Itanagar for information and compliance.
4. Shri Ashok Sangbia, Prem Nagar Naharlagun Papum Pare District (A.P) PIN: 791110 Mobile No. 8119994490 for information.
5. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
6. Office copy.
7. S/Copy.

P. Raj 23/03/26
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar