



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 14(fourteen) point information on recruitment and appointment of Work Charge Staff 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:

This appeal was listed and heard on 20.03.2026, 13.05.26 and 10.06.26.

This Commission, after hearing the parties, had passed, in the interim, the following directions on 20.03.2026:

“This Commission, after hearing the parties and perusing the PIO’s letter dt.20.03.2026 by which the replies were furnished to the appellant, notice 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."

On 13.05.2026, both the PIO and the appellant were absent but the appellant had informed vide his letter dt.13.05.2026 that the PIO had furnished the requested information as per his RTI application but he is not satisfied with the copy of the Recruitment Rule (Sl. No. 9) as the same is not approved by the AR department, Govt. of A.P. As prayed by the appellant, the appeal was, therefore, again listed for today on 10.06.2026.

Today on 10.06.26 both the parties (the appellant and Shri Techhi Paka, UDC, the representative of the PIO) are present through VC.

The appellant, reiterating his submission made in his letter dt.13.05.2026, pleaded for penal action against the PIO for not furnishing the copy of R/Rs (Sl.No.9) despite this Commission's order. The representative of the PIO, on the other hand, submitted that the matter regarding the furnishing of the replies as per this Commission's direction contained in order dt.20.03.26 is under submission to the competent authorities which, as and when approved, shall be complied with. The representative, has, hence pleaded for some time to furnish the replies.

This Commission, considered the request of the representative of the PIO and allows 2(two) weeks time from today to furnish the replies as directed so as not to attract the penal action under section 20 of the RTI Act, 2005.

Given under my hand seal of this Commission on this 10th June, 2026.

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

Memo No. APIC- 837/2025 / 889

Dated Itanagar, the 12 June, 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. Rajiv Kumar
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar