



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-621/2025.

APPELLANT : Shri Ashok Sangbia, Model vill. Seppa.

RESPONDENT : The PIO, o/o the Executive Engineer (PWD), Seppa Division, East Kameng 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), Seppa Division, East Kameng District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 27.05.2025

A) Details of information:

- Category of work charge (W/C) serving under your division and sub-division.
 - Appointment letter of all the W/C staff serving under your division and sub-division.
 - Place of posting of all the W/C staff serving under your division and sub-division.
 - Approval from competent Authority CE or SE, advertised details, interview or viva voice detail, videography during written exam conducted, along with board formed then details of all the W/C staff recruited under your division and sub-division.
 - Present strength of W/C staff under your division and sub-division.
 - New strength of or against retirement or vacate of W/C staff under your division and sub-division.
 - Total sanction strength of W/C staff under your division and sub-division.
 - Recruitment rule (RR) of W/C staff serving under your division and sub-division.
- B) Periods for which information asked for: 2018 to till date**

Facts emerging from the appeal :

Records emerging from the appeal disclose that the Appellant, Shri Ashok Sangbia had requested the PIO for the aforementioned information / documents in response to which the o/o the PIO, vide letter dt.19.06.2025, signed by the APIO-cum-ASW, furnished the information/documents to the appellant. However, the appellant filed his 1st appeal before the CE (PWD) Govt. of A.P Western Zone, Itanagar, the First Appellate Authority under Section 19 (1) of RTI Act, 2005 vide his Memo of Appeal dated 30.06.2025 and also preferred his 2nd appeal before this Commission under Section 19 (3) of the RTI Act. 2005 vide his Memo of Appeal dated 08.08.2025.

The appeal is, accordingly, listed and heard today on 15.10.2025 wherein the appellant, Shri Ashok Sangbia is present in person and Er. Shri Hinda Rimo, AE -cum-APIO appeared through VC.

Heard the parties.

The appellant submitted that the PIO did not furnish the sought for information satisfactorily and pleaded for appropriate direction to the PIO. The APIO, on the other hand, submitted that the information/documents requested by the appellant has been furnished to him vide his letter dt. 19.06.2025.

This Commission, perused the information/replies furnished by the PIO as contained in the Annexure-A to his aforesaid letter dt.19.06.2025 and noticed that the appellant has, in fact, been furnished the requested information point-wise. However, against Sl.No.(d)(Approval from competent Authority) and Sl.No.(h)(Recruitment Rules of W/C staff), the relies are "N/A". When this Commission asked the APIO to explain as to whether the 'N/A' stands for 'Not available' or 'Not applicable', the APIO explained that the same stands for 'Not available' stating further that the recruitments to the said posts in question were conducted by the office of the Superintending Engineer and as such the records thereof including the R/R are not held by the o/o the PIO.

This Commission considered and accepted the submission of the APIO as justified in as much as the PIO can not be directed to generate or manufacture the information/records which he does not hold as held by the Apex Court and High Court in various judicial pronouncements. However, it is the requirement of law {section - 7(8)(i) of the RTI Act} that when an information is denied to the applicant, the reason thereof has to be communicated to the applicant to his satisfaction. And as mandated by section-18(3)(c) and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, the submission/reply of the PIO has to be declared/furnished by way of an affidavit.

The PIO is, therefore, directed to furnish the said replies to the Sl. No (d) and (h) by way of an affidavit to the appellant, with intimation to this Commission, within 2(two) weeks from the date of receipt of this order and the appellant shall, thereafter, within 1(one) week, intimate this Commission of the receipt of the replies failing which this appeal shall be disposed of and closed without further notice.

Given under my hand and seal of this Commission on this 15th Oct., 2025.

Sd/-

(S.TSERING BAPPU)

State Information Commissioner,

APIC, Itanagar

Memo No. APIC- 621/2025 1683 **Dated Itanagar, the** 17 **Oct., 2025**
Copy to:

1. The C.E (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), Seppa Division, East Kameng District (A.P) PIN : 790102 for information and compliance.
3. Shri Ashok Sangbia, Model Vill. Seppa, East Kameng District (A.P) PIN – 790102 Mobile No. 8119994490 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

Registrar/ Deputy Registrar

Registrar
Arunachal Pradesh Information Commission
Itanagar.