सत्यमेव जयते

सूचना का अधिकार
RIGHT TO INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

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

APPELLANT : Shri Chayo Londa and Shri Chungma Sangbia, Niya colony near Banquet Hall Itanagar.

RESPONDENT : The PIO, o/o the Director, Health services Govt. of A.P Nlg.

ORDER

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 them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 12.03.2026.

A)Particular of information : regarding Shri Techi 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.

Hearing and decision:

This appeal was, accordingly, listed on 12.08.2026, wherein Shri Chayo Londa, 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 Techi Sonu to the post of MI/MSI, the documents furnished by the PIO, indeed, pertains to recruitment and appointment of Shri Techi Sonu tom 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 Techi 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 appellants' 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 appellants' complaint so as not to constrain this Commission to invoke the penal provisions of RTI Act, 2026."

On 09.09.2026, Shri Chungma Sangbia, one of the appellants, was present in person and the PIO, Dr. Shri K.T. Mulung, Dy. DHS-cum-PIO was 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 Techi Sonu	Annexure-J
5	Submission of RTI reply	Annexure-K

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 also produced the copies of his notice dt.10.04.2026 to the 3rd party concerned, Shri Techi Sonu under section 11 of the RTI Act and the reply dt. 12.06.26 from the 3rd party objecting to the proposed disclosure.

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 was noticed, following the procedure prescribed under Section-11 as above, had denied the educational qualification including the appointment order to the appellant and it was also seen in the 3rd party's response letter dt. 12.06.2026, that 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 adverting 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, it is pertinent to refer to the provisions 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 deemed it appropriate to hear the 3rd party concerned, Shri Techi Sonu and accordingly, summoned him on 14.10.2026 and in the meanwhile, the PIO was also directed to furnish to the appellant the copy of promotion order in respect of Shri Techi Sonu from the post of MTS to the post of MSI, issued on the recommendation of the DPC meeting held on 28.03.23.

Today on 14.10.2026, the 3rd party concerned, Shri Techi Sonu is present in person with the PIO. The appellants are also present in person.

Heard Shri Techi Sonu who submitted that there was no illegality or irregularity in his promotion to the post of MSI. He also brought in the copies of his educational qualification viz. Class-X and XII pass certificates. The PIO also, as directed, brought in the copy of promotion order dt.28.03.2023 in respect of Shri Techi Sonu from the post of MTS to the post of MSI issued on the recommendation of the DPC.

The documents/information are handed over to the appellants who expressed their satisfaction therewith and pleaded for disposal of the appeal accordingly.

In the premises as above, this appeal no longer warrants further adjudication in this Commission and resultantly, it is disposed of and closed.

Given under my hand and seal of this Commission on this 14th Oct., 2026.

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

Memo No. APIC- 373/2026 /169 **Dated Itanagar, the** 22 **Oct., 2026**

Copy to:-

1. The Director of Health Services Govt. of A.P Nlg., the First Appellate Authority (FAA) for information.
2. The PIO, o/o the Director, Health Services Govt. of A.P Nlg. PIN: 791110 for information.
3. Shri Techi Sonu, NVBDCP Branch, Directorate of Health Services Govt. of A.P Naharlagun. PIN: 791110 for information.
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.

Registrar/ Deputy Registrar
APIC, Itanagar.

Registrar
Arunachal Pradesh Information Commission
Itanagar