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- 643/2026.
(Summon to appear in person)
(Or.5 R.3 of CPC)

APPELLANT : Shri Dakji Nayam Tamin, Vivek Vihar Itanagar.
RESPONDENT : The PIO, o/o the Director of State Project Director Samagra Shiksa (ISSE) Itanagar.

ORDER/SUMMONS

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Dakji Nayam Tamin for non-furnishing of below mentioned information by the PIO, o/o the Director of State Project Director Samagra Shiksa (ISSE) Itanagar as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 11.03.2026.

A. Particulars of information: regarding Resource Person (CWSN) under SPD (ISSE) , Education 2010-2025.

B. Details of information required:

1) Furnish the photocopies of appointment and Joining letter for the post of Resource Person (CWSN) under SPD (ISSE), Education, Govt. of Arunachal Pradesh from 2010 to 2025.
2) Furnish the photocopies of total number of Resource Person (CWSN) employed under SPD (ISSE), Education, Govt. of Arunachal Pradesh with detail Education qualification and RCI and CRR number.
3) That, previous if any Resource Person (CWSN) candidate has been resume the post through Hon'ble Gauhati High Court verdict or Govt. of Arunachal Pradesh? ***If yes*** may furnish the photocopies of name and number of candidates along with the Order copy of Government of A.P or Hon'ble Court Order copies.
4) That, after advertisement No. AR/SSA/PEDA-Misc/2025-16, Dated Itanagar the 21st January 2017, was there any new publication of advertisement for the post of Resource Person (CWSN) since 2018 to till date, ***if yes*** may furnish the advertisement detail photocopies and recruited applicant's name and appointment & joining letter of photocopies.
5) That, furnished documents should be with details index/annexure and page number. Period: 2010 to 2025.

Facts emerging from the appeal.

The facts in the appeal disclose that the appellant, vide his application dt.11.03.2026, had requested the PIO for the aforementioned information/documents but failed to obtain the same which prompted him to file his 1st appeal before the State Project Director, Samagra Shiksa (ISSE), Itanagr, the First Appellate Authority (FAA) under section 19(1) of the RTI Act, 2005.

Records, however, do not show as to the hearing of the 1st appeal by the FAA and he order, if any, passed therein. The appellant, vide his Appeal Memo dt.24.08.26 has,

however, filed his 2nd appeal before this Commission under section-19(3) of the RTI Act which has, accordingly, been listed and heard today on 11.11.2026, wherein Shri Kipa Kechak, SPO-cum-APIO, Samagra Shiksa (ISSE), Itanagr is present in person while the appellant is represented by his Ld. Counsel, Shri Niabin Soki.

Heard the parties.

The APIO submitted that the appellant has already been furnished with the requested documents/information in 229 pages vide letter dt.13.04.2026, the copy whereof is reproduced hereunder:

"To,

Shri Dakji Nayam Tamin,
Vivek Vihar, Itanagar,
Papum Pare District, Arunachal Pradesh.

Sub: Furnishing information under RTI Act.

Sir

It is to inform you that the information required by you vide your application dated on 11/03/2026, is ready for collection. The information furnished to you as on today is of 229 (Two hundred twenty nine) pages

You are requested to collect the information from this office at the earliest date.

Sd/-
State Project officer-cum-APIO
Samagra Shiksha/ ISSE
Arunachal Pradesh, Itanagar.

Detail of Information

Sl. No	*Particular information sought*	*Response*
1	*Furnish the photocopies of appointment and joining letter for the post of Resource Person-(CWSN) under SPD (ISSE), Education, Govt. of Arunachal Pradesh from 2010-25*	*1. appointment Order and Joining letter are Not available in the IE Branch* *2.enlosed year wise list of RPS/RTS/IEV from 2010 to 2025*
2	*Furnish the photocopies of total number of Resource Person (CWSN) employed under SPPD (ISSE), Education, with detail Govt. of Arunachal Pradesh Education qualification and RCI and CRR number.*	*Enclosed the list of RPs-(CWSN) with CRR Number*
3	*That, previous if any Resource Person (CWSN) candidate has been resume the post through Hon'ble Guwahati High Court verdict or Govt. of Arunachal Pradesh? If yes may furnish the photocopies of name and number of candidates along with the Order copy of Government of A.P or Hon'ble Court Order copies.*	*Enclosed Order copy of Ho'nble High Court with name of candidates*

4	*That, after advertisement No. AR/SSA.PEDA-Misc/2025-16, Dated Itanagar the 21st January 2017, was there any new publication of advertisement for the post of Resource Person (CWSN) since 2018 to till date, if yes may furnish the advertisement detail photocopies and recruited applicant's name and appointment & joining letter of photocopies.*	*Not available in the IE Branch*

The APIO further submitted that the information pertaining to the appointment orders and Joining reports were not furnished as the records of the same are not available and that as regards the educational certificates, the same being personal information are exempted from disclosure under section-8(1)(j) of the RTI Act, 2005.

The Ld. Counsel for the appellant, on the other hand, contested the APIO's submission by saying that the Resources Persons in question having been appointed for public service, the educational qualifications submitted by them for such public employment can not be denied as personal information of third parties. The Ld. Counsel also complained that the PIO did not furnish the copies of the certificate of RCI and CRR.

This Commission, after patient hearing of both the parties and upon perusal of the appellant's queries in his RTI application dt.11.03.2026 vis-à-vis the replies furnished by the o/o the PIO vide letter dt. 13.04.2026 as well as the relevant provisions of RTI Act, observes and concludes as under:

(a) the denial of appointment Order and Joining letter merely stating that these documents are *"Not available in the IE Branch"* can not be accepted under the RTI Act as the provision of ***Sub*-Section-(8)(i) of Section-7 of RTI Act, 2005,** which is extracted below, clearly mandates the PIO to furnish reasons for denial of an information to the applicant.

"(8) Where a request has been rejected under sub-section(1), the Central Public Information Officer or State Public Information Office, as the case may be, shall communicate to the person making the request:-

(i) the reasons for such rejection

(ii) ……

(iii) ……"

(b) the denial of educational qualification of the Resource Persons (CWSN) as being exempted as personal information of third party under section-8(1)(j) of the RTI Act, 2005 is also not acceptable. In this regard the Apex Court and the High Courts, in a catena of judicial pronouncements, had held that Section 8(1)(j) exempts personal information that has no relationship to any public activity or interest, or which would cause unwarranted invasion of privacy, unless larger public interest justifies disclosure. But information on Government job appointment and educational qualifications do not qualify for exemption in terms of the provisions of sub-section(2) of section-8 of the RTI Act.

In the instant case, though the education qualifications is undisputedly a personal information, it can not escape from the disclosure as the same have been submitted to the Public Authority for obtaining public/ Govt. employment as held by the judicial courts.

(c) as regards the Ld. Counsel's demand for the copies of the certificate of RCI and CRR of the Resource Persons (CWSN), this Commission endorses the submission of the APIO that since the appellant has not requested for the copies of Certificates but asked for the *RCI and CRR numbers*, the question of furnishing the copies of the certificate does not arise. The PIO, however, advised the Ld. Counsel to file fresh RTI application seeking specifically the *'copies of RCI and CRR Certificate'* if the appellant so desires.

This Commission, upon careful perusal of the copy of appellant's RTI application, indeed finds that the appellant in his query at Sl.No.2, did not specifically ask for the copies of certificate but for the numbers which were duly furnished by the PIO. As such this Commission endorses this submission of the APIO as well.

(d) as regards rest two queries at Sl.Nos.3 and 4 of the RTI application, the replies need to be given in the affirmative or in the negative (i.e Yes or No) based on factual records.

In view of the observation and the position of law as above, this Commission directs the PIO as under:

a) the PIO shall furnish an appropriate replies/reasons to the queries at Sl.No.1;
b) shall furnish the qualification of the Resource Persons (CWSN) (SL. No.2);
c) shall furnish the replies to the queries at Sl Nos 3 & 4 in the affirmative or in negative.

The PIO is directed to comply with the above direction in right earnest and report the compliance thereof on 08.01.2027, the next date of hearing.

The appellant shall file fresh RTI application before the PIO seeking specifically for the copies of *RCI and CRR Certificate'* and proceed further following due process of law under the RTI Act, 2005.

Given under my hand seal of this Commission on this 11th November, 2026.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC in person on 8th Jan., 2027 (Friday) at 2 p.m** to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defense.

Take notice that, in default of your appearance, on the day above- mentioned, the matter will be heard and determined, including closure of the appeal, in your absence.

To avail online hearing please at least notify or get in touch one day prior to the hearing, download "**WEBEX MEETING APP"** from Google Play store. For further technical assistance Shri HimanshuVerma, IT Consultant (Mobile no. 8319014957) maybe contacted.

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

Memo No. APIC-643/2026/994 Dated Itanagar, the 16 Nov., 2026

Copy to:

1. The Commissioner (Education), Govt. Of A.P, Itanagar for information.
2. The Secretary (Education), Govt. of A.P, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO concerned.
3. The PIO, o/o the State Project Director, Samagra Shiksa (ISSE) Itanagar, PIN: 791111 for information.
4. Shri Dakji Nayam Tamin, Vivek Vihar Itanagar PIN: 791111 Mobile NO. 8731875743/ 8415910648 for information.
5. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
6. Office Copy.
7. S/Copy.

16/11/26
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar