



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR**

**BEFORE THE COURT OF GENOM TEKSENG, STATE INFORMATION
COMMISSIONER**

No.APIC-12/2021(APPEAL)

Dated,Itanagar the 27th August, 2021.

Under Section 19(3) RTI Act, 2005

Appellant

**Shri Doge Riba
C/o-D.D Studio Building,Vivek
Vihar,College Road,Itanagar,Papum
Pare Distt.(AP).**

Vs

Respondent

**Shri Likha Tatam
PIO-Cum-Admin Officer
Arunachal Pradesh Development
agency(APEDA) Urja
Bhawan,Tadar Tang Marg,Itanagar
Arunachal Pradesh**

ORDER

The appellant Shri Doge Riba filed an application dated **15th October, 2020** before the PIO-Administrative Officer, APEDA, Itanagar seeking information on **3(three)** points as contained therein. The PIO vide its response dated **13th November, 2020** furnished the information sought in Sl.no **(2) & (3)** of the application, but declined to furnish the information sought in Sl.no **(1)** stating that information is exempted under section **8 (1) (j)** of the Act. On **27th November, 2020** the appellant filed an appeal to the Director cum First Appellate Authority, APEDA, Itanagar. The First Appellate Authority did not take up the case for disposal. Hence, a second appeal before this commission.

On **23rd April, 2021** the commission directed the PIO to take a decision about the disclosure of information after following the third party procedure. The case was to be heard again on **4th June, 2021**, but the case could not be taken up for its disposal on scheduled date due to pandemic etc. Accordingly, hearing was adjourned to **27th August, 2021**.

During course of hearing today, the appellant has submitted that the PIO has supplied copy of the answer sheet of the appellant only and he has refused to

furnish copies of answer sheets of the other candidates who have qualified the written exam for the post of JE (civil). No response has been received from the PIO. The PIO is absent today.

After hearing the appellant and perusing the case file, the commission observes that the information sought by the appellant will not fall under any of the exempted categories of information in section 8 of the Act. In furnishing copy of the answer sheets of all the candidates who have qualified the written exam for the post of JE (civil), there shall be no question of breach of **confidentiality, privacy or secrecy**. Further the Department/Examining body does not hold the answer sheets in a fiduciary relationship either with the candidates or the Board Members who have evaluated the answer sheet. Therefore, the PIO is directed to furnish the copy of the answer sheets of all the candidates who have qualified the written exam for the post of JE before **17th September, 2021** free of cost. But the name and identity of Board Members may not be disclosed.

The case is adjourned to **17th September, 2021**. Copy of this order be provided to both the parties.

Sd/-

(Genom Tekseng)

State Information Commissioner
Arunachal Pradesh Information Commission
Itanagar

Memo No.APIC-12/2021 / 625

Dated, Itanagar the 01.....September, 2021.

Copy to:

1. Shri Likha Tatam, PIO-Cum-Admin Office, Arunachal Pradesh Development agency (APEDA) Urja Bhawan, Tadar Tang Marg, Itanagar Arunachal Pradesh, (AP).
2. Shri Shri Doge Riba, C/o-D.D Studio Building, Vivek Vihar, College Road, Itnagar, Papum Pare Distt. (AP).
3. Computer Programmer, APIC, Itanagar, to upload in APIC Website,
4. Case file.

Registrar/By Registrar
Arunachal Pradesh Information Commission
Itanagar