



सूचना का
अधिकार
RIGHT TO
INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

APIC-No.1129/2023(Appeal)

Shri Tania June

E Sector, Naharlagun, PO:PSNaharlagun
Papumpare District A.P
Pin: 791110. (M) 8131848230

Appellant

Versus

PIO,

Office of the Director (Horticulture)

Itanagar, Papumpare District
Pin: 791111.

Respondents

FAA,

Director, Horticulture

Itanagar, Chimpupapumpare District
Pin: 791111.

Date of Hearing: 12.09.2024

Date of Decision: 12.09.2024

INFORMATION COMMISSIONER:

Dani Gamboo

Relevant facts emerge from appeal:

RTI application filed on	:	19.08.2023
SPIO replied on	:	Not on record
First appeal filed on	:	30.10.2023
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	05.12.2023

Information sought:

Regarding expenditure and implementation of under non-plan fund/maintenance work etc/repairing work/ road and bridge of entire district.

1. Administrative approval and sanction order copies.

2. Furnish NIT copies
3. Work order copies
4. Photograph & GIO tag copies
5. First and final bill copies
6. DBT/PFMS xerox copy and detail list of name copies
7. GST & return fill copies
8. Money receipt copy and cheque receipt copies
9. Trading licence and proprietor details name list copies
10. Copy of NOC from Forest department
11. Work progress report
12. Site inspection copies
13. Utilization certificate copies
14. Detail name list of EE/AE/JE
15. DPR copies
16. Advertisement & local newspaper copies
17. Department and contractor agreement copy
18. Payment detail name list copy
19. Tender participate details copies
20. Land donated copies
21. Sketch map copies
22. Firm registration certificate copies
23. Firm work express certificate copies
Period from 2014 to till date

Relevant facts emerging during hearing:

The following were present -

Appellant : Present

Respondent PIO : Absent

Respondent FAA : Absent

The appellant submits that neither the PIO O/o Director (Horticulture) has provided the information nor the FAA – Director, Horticulture, Itanagar has heard his first appeal filed to him within time frame prescribed in RTI Act, 2005. So, he has filed second appeal to this court.

Decision:

The commission after adverting to the facts and circumstance of the case, hearing the party ex-parte and perusal of the records, observes that FAA has not disposed of the first appeal filed to him.


As laid down at para-38 of the Guidelines for the FAA issued by the GoI and the State Govt. OM No. AR-111/2008 Dated 21st August, 2008,. adjudication on the appeals under RTI Act is a quasi-judicial function. It is, therefore, necessary that the Appellate Authority should see to it that the justice is not only done but it should also appear to have been done. In order to do so, the order passed by the appellate authority should be a speaking order giving justification for the decision arrived at.

The instant appeal case is remanded to First Appellate Authority -Director, Horticulture, Govt. of Arunachal Pradesh, Itanagar following the principle of natural justice, shall conduct hearing giving fair and equal opportunity to both the appellant and the PIO and thereafter pass reasoned and speaking order on merit within three weeks from the date of receipt of this order.

The appeal is disposed of accordingly at commission.

**Sd/-
(Dani Gamboo)
Information Commission**

Authenticated true copy

Registrar / Dy. Registrar, APIC
Date: 
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar

Memo No. APIC-1129/2024/320

Dated Itanagar the 16th Sept, 2024.

Copy to:

1. Computer Programmer Itanagar APIC to upload in APIC website and mailed to concerned department email.
2. Office copy.