



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR

.....  
(Before the Hon'ble Information Commissioner Mr Dani Gamboo)

AN APPEAL UNDER SECTION 19 (3) OF RTI ACT, 2005.

APIC-No. 1052/2023(Appeal)

Shri Ninya Angu  
C/o Talem Nyitan, GTC, Pasighat  
Near Footbal ground, A.P  
East Siang District  
Pin: 791102  
(M) 9862686160/9863477139

Appellant

Versus

1. The PIO cum DPO  
O/o the Deputy Commissioner  
Likabali, Lower Siang District AP  
Pin: 791125

Respondents

2. The FAA cum DC (Deputy Commissioner)  
Likabali, Lower Siang District AP  
Pin: 791125

Date 09.08.2024

JUDGEMENT / ORDER

This is an appeal filed under sub-section (3) of the Section 19 of the RTI Act. 2005. Brief fact of the case is that the appellant Shri Ninya Angu on 21.07.2023 filed an RTI application in Form-A to the PIO cum DPO O/o the Deputy Commissioner Likabali, Lower Siang District AP, whereby, seeking various information as quoted in Form-A application.

Appellant being not received information from the PIO, filed the First Appeal before the First Appellate Authority cum DC (Deputy Commissioner) Likabali, Lower Siang District AP on 29.09.2023.

Appellant again having not received the required information and decision from FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on 15.11.2023.

The Registry of the Commission (APIC), on receipt of the appeal, registered it as APIC-No.1052/2023 (Appeal) and processed the same for its hearing and disposal.

Notice of hearing dated 21.06.2024 were served to FAA, PIO and the Appellant. Accordingly, this matter came up for first hearing before the Commission Court today on 09.08.2024.

In this hearing of the appeal on 09.08.2024 the PIO, FAA and Appellant did not appear. The appellant has filed a written submission for refixing of hearing date stating that he is not well and is under medical treatment.

On perusal of this appeal case file it is observed that the FAA cum Deputy Commissioner, Likabali has not heard PIO and the appellant to dispose of the first appeal filed to him on 29.9.2023.

On the basis of Arunachal Pradesh Right to Information (Appeal Procedure) Rule 2005 and ... *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 21<sup>st</sup> 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.*

Therefore, the First Appellate Authority (FAA), the DC (Deputy Commissioner) Likabali, Lower Siang District AP, 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. Therefore, this appeal is remanded to the First Appellate Authority (FAA).

In view of the above facts and circumstances I find this appeal is fit to be disposed of and closed at Commission. And, accordingly, this appeal stands disposed of and closed once for all.

Judgement / Order pronounced in the Open Court of this Commission today the 9<sup>th</sup> day of August 2024. Each copy of the Judgement / Order be furnished to the parties.

Given under my hand and seal of this Commission / Court on this 9<sup>th</sup> day of August' 2024.

Sd/-  
(Dani Gamboo)  
State Information Commissioner  
APIC, Itanagar

Memo No.APIC-1052/2023/ 240

Dated Itanagar the 16<sup>th</sup> August' 2024.

Copy to:

1. The FAA cum DC (Deputy Commissioner) Likabali, Lower Siang District AP Pin: 791125
2. The PIO cum DPO O/o the Deputy Commissioner Likabali, Lower Siang District AP Pin: 791125
3. Shri Ninya Angu C/o Talem Nyitan, GTC, Pasighat Near Footbal ground, A.P East Siang District Pin: 791102 (M) 9862686160/9863477139
4. Computer Programmer, Itanagar, APIC to upload in APIC website and mailed to concerned department email.
5. Office copy

Registrar / Dy.Registrar  
APIC, Itanagar  
Registrar  
Arunachal Pradesh Information Commission  
Itanagar