



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. 921/2023(Appeal)

Shri Buli Bhai  
G-Sector  
PO/PS: Naharlagun  
P/Pare District A.P  
Pin: 791110  
(M) 7085775809

Appellant

Versus

1.The PIO cum EE, RWD Raga Division  
Kamle District A.P.  
Pin: 791120

Respondents

2. The FAA cum CE (WZ)  
Deptt. of RWD Itanagar  
Govt. of A.P  
Pin: 791111

Date of hearing: 17.06.2024

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 Buli Bhai on 06.07.2023 filed an RTI application in Form-A to the PIO cum EE, RWD Raga Division Kamle District A.P, 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 the CE (WZ) RWD Itanagar Govt. of A.P on 10.08.2023.

Appellant again having not received the required information and decision from FAA, filed the Second Appeal before the Arunachal Pradesh information

Commission on 19.09.2023. The appellant has not attached any order of decision or response from the FAA against which appeal is preferred.

The Registry of the Commission (APIC), on receipt of the appeal, registered it as APIC-No.921/2023 (Appeal) and processed the same for its hearing and disposal.

Accordingly, this matter came up for hearing before the Commission Court today on 21.06.2024. Notice of hearing dated 22.05.2024 were served to FAA, PIO and the Appellant.

In this hearing of the appeal on 21.06.2024 the respondents PIO cum EE, RWD Raga Division Kamle District A.P is absent. However, the representative of PIO Shri Taba Riba AE RWD Sub-Division Raga appeared. The appellant Shri Buli Bhai did not appear. FAA & CE (WZ) RWD Itanagar Govt. of A.P did not appear

Heard the PIO's representative.

He has stated that pertaining information documents were submitted to the Chief Engineer (WZ) RWD Itanagar.

On perusal of the case file, it is observed that there is no action on record taken by the FAA on the first appeal filed preferred to him. No formal hearing to respondent PIO and Appellant is done by FAA to dispose of the appeal.

*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) and the CE (WZ) RWD Itanagar Govt. of A.P, 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. Hence, this appeal is remanded to the First Appellate Authority (FAA), the CE (WZ) RWD, Govt. of A.P. Itanagar.

In view of the above facts and circumstances I find this appeal is fit to be disposed of and closed at commission with liberty to the appellant to file appeal afresh if aggrieved by the decision of the FAA. And, accordingly, this appeal stands disposed of and closed once for all.

Judgement / Order pronounced in the Open Court of this Commission today this 21<sup>st</sup> day of June 2024. Each copy of the Judgement / Order be furnished to the parties.

Given under my hand and seal of this Commission / Court on this 21<sup>st</sup> day of June' 2024.


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

Memo No.APIC-921/2023/  
Copy to:

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Dated Itanagar the 21<sup>st</sup> June' 2024.

1. The FAA cum CE RWD Itanagar Govt. of A.P Pin: 791111.
2. The PIO cum EE, RWD Raga Division Kamle District A.P.Pin: 791120
3. Shri Buli Bhai, G-Sector PO/PS: Naharlagun P/Pare District A.P Pin: 791110  
(M) 7085775809
4. Computer Programmer, Itanagar, APIC to upload in APIC website and mailed to concerned department email.
5. Office copy

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