



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-No.736/2023(Appeal)

Shri Ram Rimo & Shri Rapung Lamgu
Chimpu-I PO:PS Itanagar
Papumpare District A.P Pin: 791111.
(M) 9774693749/7085800638.

Appellant

Versus

PIO,
Office of the Chief Engineer (Co-ord),
RWD Itanagar Papumpare District
Govt. of AP. Itanagar Pin: 791111.

Respondents

FAA,
CE (Co-ord), RWD Itanagar
Papumpare District
Govt. of AP. Itanagar
Pin: 791111.

Date of Hearing: 23.09.2024
Date of Decision: 23.09.2024

INFORMATION COMMISSIONER : Dani Gamboo

Relevant facts emerging from appeal:

RTI application filed on : 06.02.2023
SPIO replied on : Not on record
First appeal filed on : 22.03.2023
First Appellate Authority's Order : Not on record
Second Appeal filed on : 04.08.2023

Information sought:

The appellant filed an RTI application dated 06.02.2023 seeking following information:

The Commission after adverting to the facts and circumstances and perusal of the records, observes that FAA has not disposed of the first appeal filed to him by following statutory procedure laid down in the Arunachal Pradesh Right to Information (Appeal Procedure) Rules, 2005. So, this appeal case is decided and determined in the absence of the parties as made known to them in the hearing notice.

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 (FAA). Therefore, the FAA – CE (Co-ord.) RWD, Itanagar, following the principle of natural justice, shall conduct hearing giving fair and equal opportunity to both the appellant and the PIO. Thereafter pass reasoned and speaking order on merit within three weeks from the date of receipt of this order with a liberty to appellant for filing a second appeal afresh if not satisfy with the decision of the FAA and non-implementation of the order of FAA by the PIO. In such case the fee for filing second appeal afresh shall be exempted.

The appeal is **disposed of** accordingly at Commission.

Sd/-
Dani Gamboo
Information Commissioner

Authenticated true copy

Registrar / Dy. Registrar
APIC Deputy Registrar
Uttarakhand Pradesh Information Commission
Itanagar

Date:

Memo No. APIC-736/2023/ 346

Dated Itanagar the 24, Sept, 2024.

Copy to:

1. The Computer Programmer, APIC Itanagar with request to upload in APIC website and mail to concerned departmental email id.
2. Office copy.

Registrar / Dy. Registrar
APIC Itanagar