



सूचना का
अधिकार
RIGHT TO
INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

.....
F No. APIC-No.1141/2023(Appeal)

Shri Tania June

C/o Post Office Naharlagun
Papumpare District A.P
Pin: 791110. (M) 8131848230

Appellant

Versus

**PIO,
EE, PHE Basar Division**

Leparada District Govt.
of AP. Pin: 791101.

Respondents

**FAA,
CE (WZ), PHE Itanagar**

Papumpare District Govt.
of AP. Pin: 791111.

Date of Hearing: 19.09.2024

Date of Decision: 19.09.2024

INFORMATION COMMISSIONER : Dani Gamboo

Relevant facts emerging from appeal:

RTI application filed on : 11.08.2023
SPIO replied on : Not on record
First appeal filed on : 19.10.2023
First Appellate Authority's Order : Not on record
Second Appeal filed on : 06.12.2023

Information sought:

Regarding appointment letter copies and education qualification certificate copies of UDC/LDC/PEON/DRIVER/WC T/WC R/all MTS post of entire Lepa Rada district.

1. Appointment order copies.

2. Class X passed certificate copies
 3. Joining report copies
 4. DPC copies
 5. Advertisement and local newspaper copies
 6. Class XII passed certificate copies
 7. Seniority list copies
- Period from 2017 to till date

Relevant facts emerged during hearing:

The following were present.

Appellant : Absent.
Submitted an application informing about his inability to attend today's hearing.

Respondent PIO : PIO represented by APIO- Shri TokoTaje, JE.

FAA : FAA represented by Shri OmoTage, UDC.

Statement of Appellant - -

Statement of PIO - States that the appellant was informed by writing on 11.9.2023 for collection of the information. Since the appellant did not turn up, the same was sent by post. But there is no acknowledgement proof from the appellant.

Statement of FAA - Representative of the FAA states that Bassar PHE Division falls under Chief Engineer (EZ) PHED.

Decision:

The Commission after adverting to the facts and circumstances of the case, hearing the parties and perusal of the records, observes that FAA has not disposed of the first appeal filed to him procedurally following Arunachal Pradesh Right to Information (Appeal Procedure) Rules, 2005. So, this appeal case is decided and determined ex-parte.

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. Therefore, the FAA – Chief Engineer PHE (W/Z), 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 Commissioner**

Authenticated true copy

Registrar / Dy. Registrar

APIC

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar

Date:

Memo No. APIC-1141/2024/ 337
Copy to:

Dated Itanagar the 23. Sept, 2024.

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

Registrar / Dy. Registrar
APIC, Itanagar