



सूचना का
अधिकार
RIGHT TO
INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No.: APIC-No.3/2024(Appeal)

Shri Rohita Mele

Baka Pulu Building, near petrol Pump
Chandranagar, Itanagar, Papumpare District
A.P (M) 7629999284
Pin: 791111.

Appellant

Versus

PIO,
Office of the Director Land
Management Department
Itanagar
Pin: 791111.

Respondents

FAA,
Secretary
Land Management Department
Govt. of Arunachal Pradesh
Itanagar
Pin: 791111.

Date of Hearing: 12.09.2024

Date of Decision: 12.09.2024

INFORMATION COMMISSIONER: Dani Gamboo

Relevant facts emerging from appeal:

RTI application filed on	:	19.10.2023
SPIO replied on	:	09.11.2023
First appeal filed on	:	21.11.2023
First Appellate Authority's Order	:	Not on record

Second Appeal filed on : 26.12.2023

Information sought:

The appellant filed an RTI application dated 19.10.2023 seeking following information:

Regarding Information pertaining to two plots of land measuring 318.30 acres and 41 acres of land under the occupation of ITBP at Tezu, Lohit District, A.P.

- a) Furnish the details whether one time revenue/premium has been paid or not. If yes, furnish the details.
- b) Furnish the details whether the land has been allotted to ITBP or not, If yes, furnish the land allotment details.

Relevant facts emerged during hearing:

The following were present –

Appellant : Absent

Respondent PIO : Absent

Respondent FAA : Absent

Decision:

The Commission after adverting to the facts and circumstances of the case, hearing the appeal ex-parte and perusal of the records, observes that PIO has furnished the information to the applicant on 9.11.2023. But the applicant not satisfied with the information furnished to him filed first appeal to the First Appellant Authority on 21.11.2023 citing the reason that the information furnished to him by PIO is vague nature. 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.

Therefore, the instant appeal case is remanded to First Appellate Authority – Secretary, Land Management Department, Govt. of Arunachal Pradesh Itanagar. The FAA, 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
Date: Arunachal Pradesh Information Commission
Itanagar

Memo No. APIC-03/2024/521

Dated Itanagar the 17. Sept, 2024.

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