



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR

.....

File No.APIC-58/2024(Appeal)

**Miss Bengia Mama**

Dariya Hill Colony  
P/Pare District A.P. PO/PS: Itanagar  
Pin: 791111 (M) 8131048898

**Appellant**

Versus

**PIO,**

**o/o APB & OCWWB**

Itanagar Papumpare District AP.  
Pin: 791111.

**Respondents**

**FAA,**

**Secretary APB & OCWWB Itanagar**

Papumpare District AP.  
Pin: 791111.

Date of Hearing: 17.10.2024

Date of Decision: 17.10.2024

**INFORMATION COMMISSIONER** : Dani Gamboo

**Relevant facts emerging from appeal:**

RTI application filed on : 09.11.2023  
SPIO replied on : Not on record  
First appeal filed on : 18.12.2023  
First Appellate Authority's Order : Not on record  
Second Appeal filed on : 23.01.2024

**Information sought:**

The appellant filed an RTI application dated 09.11.2023 seeking following information:

Information Regarding under Section 6 (I) of RTI ACT, 2005.

**Details of Information required:**

1. Produce a copy of first appointment order in respect of Shri Tadung Rigia (Dokum), OSD of the Board.

2. Produce a copy of Government Notification for Appointment of OSD in the Board.
3. Produce a copy of supply order along with the bills whom to awarded the supply work by the board of the following items- Mask, Sanitizer, Tiffin, Bags, Filter etc. for the year 2019-20, 2020-21, 2021-22, 2022-23 & 2023-24 in separate sheets.
4. Produce a copy of Distribution List of Welfare Kids to all RO's of the entire district of Arunachal Pradesh in the year 2019-20, 2020-21, 2021-22,2022-23 & 2023-24 in separate sheets.
5. Produce a copy of sanction order against the allocation of fund to all districts RO's of Arunachal Pradesh in the year 2021-22, 2022-23 & 2023-24.
6. Produce total Input GST payment made to be paid by supplier against the procurement of welfare kids by the board from the year 2019-20, 2020-21, 2021-22,2022-23 & 2023-24 in separate sheets.

**Relevant facts emerged during hearing.**

The following were present.

**Appellant** : Represented by Adv. Dope Ori.  
**Respondent PIO** : Present.  
**FAA** : Represented by Shri Konu Pordung, RO.

**Statement of Appellant** : States that neither the PIO has furnished the information nor the FAA has heard the first appeal within time period prescribed in the RTI Act,2005.

**Statement of PIO** : States that the information could not be furnished in time due to coterminous appointment of dealing assistant and OSD. Now the information is being made ready.

**Statement of FAA** : The representative of the FAA states that due to busy in the core departmental office works, the hearing on first appeal was not conducted.

**Decision:**

The Commission after adverting to the facts and circumstances of the case, hearing 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.

*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.*

The instant appeal case is remanded to First Appellate Authority (FAA). Therefore, the FAA - **Secretary APB & OCWWB Itanagar**, 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 two weeks i.e on or before 31<sup>st</sup> Oct'2024 from the date of receipt of this order. While doing so the order should contain for providing the information free of cost.

Liberty is given to the appellant to file 2<sup>nd</sup> appeal afresh if not satisfy with the decision of the FAA / or PIO has not provided satisfactory information. Fee for such 2<sup>nd</sup> appeal is exempted.

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

**Sd/-  
Dani Gamboo  
Information Commissioner**

Authenticated true copy

Registrar/Dy. Registrar  
APIC


Date:

Memo No. APIC-58/2024/ 262

Dated Itanagar the 27 October, 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  
Deputy Registrar  
Arunachal Pradesh Information Commission  
Itanagar