



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. 753/2023(Appeal)

Shri Ram Rimo & Shri Rapung Lamgu
Chimpu 1
PO/PS: Itanagar
P/Pare District, A.P
Pin: 791111
(M) 9774693749/7085800638

Appellant

Versus

1. Shri Pugi Kamboo
PIO O/o Chief Engineer (Co-ordination) RWD
Govt. of AP, Itanagar
P/Pare District A.P
Pin: 791111

Respondents

2. Shri T.K Tagin
FAA O/o Chief Engineer (Co-ordination) RWD
Govt. of AP, Itanagar
P/Pare District A.P
Pin: 791111

Date 21.06.2024

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 Ram Rimo & Shri Rapung Lamgu on 06.02.2023 filed an RTI application in Form-A to the PIO Shri Pugi Kamboo O/o Chief Engineer (Co-ordination) RWD Govt. of AP, Itanagar, 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 Chief Engineer (Co-ordination) RWD Govt. of AP, Itanagar on 28.03.2023.

Appellant again having not received the required information and decision from FAA, filed the Second Appeal before the Arunachal Pradesh information Commission on 09.08.2023. 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.753/2023 (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 Shri Pugi Kamboo AE O/o Chief Engineer (Co-ordination) RWD Govt. of AP, Itanagar is present. The appellant Shri Ram Rimo & Shri Rapung Lamgu did not appear. FAA the Chief Engineer (Co-ordination) RWD Govt. of AP, Itanagar did not appear.

Heard the PIO.

The PIO States that the information document is ready to deliver to the appellant. He further states that FAA has not heard the appeal.

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 by the appellant.

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 First Appellate Authority (FAA) cum Chief Engineer (Co-ordination) RWD Govt. of AP, 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 three weeks from the date of receipt of this order. As such, this appeal is remanded to the First Appellate Authority (FAA), the Chief Engineer (Co-ord.) RWD, Itanagar.

In view of the above facts and circumstances I find this appeal is fit to be disposed of and closed at Commission. And, accordingly, this appeal stands disposed of and closed once for all.

Judgement / Order pronounced in the Open Court of this Commission today this 21st 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 21st day of June' 2024

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

Memo No.APIC-753/2023/ 102
Copy to:

Dated Itanagar the 24 June' 2024.

1. The Chief Engineer (Coordination) RWD Govt. of AP, Itanagar P/Pare District A.P Pin: 791111
2. Shri Pugi Kamboo PIO O/o Chief Engineer (Co-ordination) RWD Govt. of AP, Itanagar P/Pare District A.P Pin: 791111
3. Shri Ram Rimo & Shri Rapung Lamgu, Chimpu 1, PO/PS: Itanagar P/Pare District, A.P Pin: 791111 (M) 9774693749/7085800638
- ✓ 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