



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-32/2024 (Appeal)

Shri Mamu Sono (Avd) & Shri Tania Dongr
Sood Village Naharlagun, PO/PS: Naharlagun,
P/Pare Dist. AP. Pin: 791110. (M) 9436215521.

Appellant

Versus

PIO,
o/o Superintendent Engineer
Coordination & Training, PWD (W/Z)
Govt of A.P, Itanagar Papumpare District
Pin: 791111.

Respondents

FAA,
Superintendent Engineer, Coordination
& Training, PWD (W/Z)
Govt of A.P, Itanagar Papumpare District
Pin: 791111

Date of Hearing: 03.10.2024
Date of Decision: 03.10.2024

INFORMATION COMMISSIONER : Dani Gamboo

Relevant facts emerging from appeal:

RTI application filed on : 13.11.2023
SPIO replied on : Not on record
First appeal filed on : 04.12.2023
First Appellate Authority's Order : Not on record
Second Appeal filed on : 16.01.2024

Information sought:

The appellant filed an RTI application dated 13.11.2023 seeking following information:

Information Regarding the appointment of Jr. Engineer (JE) Civil, since 2015 to 2019.

Details of Information required:

- a. Furnish the copies of total nos. of appointed JE (Civil) with name and designation.
- b. Furnish the copies of appointment order letter above mentioned employees.
- c. Furnish the copies of RR, Govt. norms & rules for the appointment of above-mentioned employees.
- d. Furnish the copies of mode of appointment, furnish column wise as like (a) Designation (b) Mode of appointment (c) date of Joining (d) date of Appointment.
- e. Furnish the copies of news paper cutting with front page which agency were published on any local or national News Paper agencies, appointments norms of guidelines and advertisement order no.
- f. Furnish the copies of Education Qualification of the mentioned above employees during the time of appointment made.
- g. Furnish the copies of employees applied for further study.
- h. Furnish the copies of Govt. order No. regarding in the constituting a committee to regularize the service or appointment/ posts of the JE (Civil).
- i. Furnish the copies of file noting of appointment made etc.
- j. Furnish the copies of writing and viva voice test.
- k. Furnish the copies of note sheets of Minister, MLA by against the appointment made etc.
- l. Furnish the copies of sports certificates submitted by the candidates at the time of appointment made with institutions name if any so far.
- m. Furnish the copies of DPC with seal and sign of all the board member to constitute a committee for appoint and promotion as a regular JE (Civil).

Period: 2015 to 2019.

Relevant facts emerged during hearing.

The following were present.

| | | |
|-----------------------|---|---------|
| Appellant | : | Present |
| Respondent PIO | : | Absent |
| FAA | : | Absent |

Statement of Appellant : Appellant states that neither PIO has furnished the information sought nor the First Appellate Authority has heard the first appeal and passed any order within prescribed time period as per RTI Act, 2005.

| | | |
|-------------------------|---|---------------|
| Statement of PIO | : | Not available |
| Statement of FAA | : | Not available |

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. So, this appeal case is decided and determined in the absence of the PIO & FAA 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 - **Superintendent Engineer, Coordination & Training, PWD (W/Z)** Govt of A.P, 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.

The appeal is disposed of accordingly at Commission.

**Sd/-
Dani Gamboo
Information Commissioner**

Authenticated true copy


Registrar / Dy. Registrar
APIC

Date:

Memo No. APIC-32/2024/ 374
Copy to:

Dated Itanagar the 6th October, 2024.

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