



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR

File No. APIC-1173/2023(Appeal)

**Shri Buli Bhai**

'G' Sector, BSNL Complex  
PO:PS Naharlagun,  
Papumpare District A.P  
(M) 7085775809 Pin: 791110.

**Appellant**

Versus

**PIO,**

**O/o the Deputy Commissioner, Raga**

Kamle District Govt. of AP Pin: 791120.

**Respondents**

FAA,

**Deputy Commissioner, Raga**

Kamle District Govt. of AP  
Pin: 791120.

Date of Hearing: 26.09.2024

Date of Decision: 26.09.2024

**INFORMATION COMMISSIONER** : Dani Gamboo

**Relevant facts emerging from appeal:**

RTI application filed on : 27.09.2023  
SPIO replied on : Not on record.  
PIO- O/o the DC, Raga transferred the RTI application to the District Planning Officer, Raga.  
First appeal filed on : 06.11.2023  
First Appellate Authority's Order : Not on record  
Second Appeal filed on : 19.12.2023

**Information sought:**

The appellant filed an RTI application dated 27.09.2023 seeking following information:

REGARDING: EXPENDITURE AND IMPLEMENTATION OF UNDER UNTIED FUND  
KAMLE DISTRICT AP.

- (i) Details of information required:
- a. Furnish NIT copy and Tender participate details list copies.
  - b. Furnish Utilization certificate copies
  - c. Furnish photograph & Geo-tagging copies.
  - d. Furnish work order copies.
  - e. Furnish Administration approval sanctioned order copies.
  - f. Furnish work progress Report copies.
  - g. Furnish work executed EE/AE/JE details name list copies.
  - h. Furnish advertisement and Local Newspaper copies.
  - i. Furnish first and final Bill copy and Money receipt copies.
  - j. Furnish Technical Bid and price Bid copies.
  - k. Furnish site inspection report copies.
  - l. Furnish Trading License and proprietor name list copies.
  - m. Furnish bank guarantee certificate copies.
  - n. Furnish GST copies and return file copies.
  - o. Furnish firms registration certificate and bank solvency certificate copies.
  - p. Furnish contractor and department agreement copies.
  - q. Furnish DPR copies.
  - r. Furnish details of payment made to contractors with amount payment.
  - s. Furnish photographs of completed work copies.
  - t. Furnish DC untied fund guideline copies.

Period: 2015 to till date.

**Relevant facts emerged during hearing:**

The following were present.

<b>Appellant</b>	:	Present
<b>Respondent PIO</b>	:	Present (DPO)
<b>Respondent FAA</b>	:	Absent.

Statement of Appellant : States that the PIO has not furnished information and FAA has not heard his first appeal.

Statement of PIO : States that he has written intimation letter dated 4.12.2023 (copy produced) for deposit of fee for collection of information document. But the applicant did not turn up.

On interjection, the appellant further states that he has not received the said intimation letter.

Statement of FAA : .....

### **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.*

Therefore, the instant appeal case is remanded to First Appellate Authority. The FAA – **Deputy Commissioner, Raga**, following the principle of natural justice, shall conduct hearing giving fair and equal opportunity to both the appellant and the PIO. Thereafter pass reasoned and speaking order on merit within three weeks from the date of receipt of this order.

Liberty is given to the appellant to file second appeal afresh if not satisfied with the decision of the FAA / or PIO has not implemented the order. In such case the required fee for second appeal afresh shall be exempted.

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

**Sd/-  
Dani Gamboo  
Information Commissioner**

Authenticated true copy

Authenticated true copy

Registrar / Dy. Registrar  
APIC, Itanagar

Date:

Memo No. APIC-1173/2023/ 357

Dated Itanagar the 30 Sept, 2024.

Copy to:

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

Registrar / Dy. Registrar  
APIC, Itanagar

Registrar  
Information Commission  
Itanagar