



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. 615/2023(Appeal)

Shri Neelam Talum  
Emchi Village PO/PS  
Doimukh Papumpare  
District A.P  
Pin: 791112.  
(M) 8413940806 / 9366451592

Appellant

Versus

1.The PIO cum EE PWD  
Doimukh Division GoAP  
Itanagar Papumpare District AP  
Pin: 791112.

Respondents

2. The FAA cum SE PWD  
W/Z GoAP Itanagar Papumpare  
District AP. Pin: 791111.

Date 17.06.2024

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 Neelam Talum on 03.04.2023 filed an RTI application in Form-A to the PIO cum EE PWD Doimukh Division GoAP 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 PWD W/Z GoAP Itanagar on 25.05.2023.

Appellant again having not received the required information and decision from FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on 05.07.2023. 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.615/2023 (Appeal) and processed the same for its hearing and disposal.

Accordingly, this matter came up for hearing before the Commission Court today on 17.06.2024. Notice of hearing dated 22.05.2024 were served to FAA, PIO and the Appellant.

In this hearing of the appeal on 17.06.2024 the respondents PIO Shri Tech Ramda, EE PWD Doimukh Division, Doimukh is present. The appellant Shri Neelam Talum appeared. The Chief Engineer Western Zone PWD has delegated vide letter no. CEAP (WZ)/GE-103/RTI/2024-25 dated 7.6.2024 as FAA to SE PWD Capital Circle Itanagar who did not appear himself but represented by Shri Kumar Panggam, EE o/o SE PWD Capital Circle Itanagar.

Heard the parties present.

The appellant states that neither information document has been furnished to him by the PIO nor FAA has heard his appeal to dispose of the case at his level. So, he filed 2<sup>nd</sup> appeal to the Arunachal Pradesh Information Commission and prayed for necessary action as deemed fit.

The PIO states that the information document is ready but no intimation about in writing is given to the RTI applicant. The representative of the FAA states that no hearing of the PIO and the Appellant to dispose of the appeal has been done.

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 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 First Appellate Authority (FAA), the SE PWD Capital Circle PWD 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 SE PWD Capital Circle PWD Itanagar for disposal.

In view of the above facts and circumstances I find this appeal is fit to be disposed of and closed at commission with liberty to the appellant to file appeal afresh if aggrieved by the decision of the FAA. And, accordingly, this appeal stands disposed of and closed once for all.

Judgement / Order pronounced in the Open Court of this Commission today this 17<sup>th</sup> 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 17<sup>th</sup> day of June' 2024.

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

Memo No.APIC-615/2023/ 84  
Copy to:

Dated Itanagar the ... 17<sup>th</sup> June' 2024.

1. The FAA cum SE PWD Capital Circle Itanaga AP - 791111
2. PIO cum EE PWD Doimukh Division, Doimukh Papumpare District AP. 791111
3. Shri Neelam Talum Emchi Village PO/PS Doimukh Papumpare District A.P Pin: 791112. (M) 8413940806 / 9366451592
4. Computer Programmer, APIC Itanagar with request to upload in APIC website and mail it to all concern in their official email id.
5. Office copy.

  
Registrar / Dy.Registrar  
APIC, Itanagar  
Deputy Registrar  
Arunachal Pradesh Information Commission  
Itanagar