



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. 376/2023(Appeal)

Shri Tania June C/o Hotel Chandni
E-Sector Naharlagun
Papumpare Dist. A.P
Pin: 791110
(M) 8131848230,

Appellant

Versus

- 1) The PIO cum BDO CD Block Basar
Lepa Rada District
Arunachal Pradesh.
Pin: 791101
- 2) The FAA cum Director
Department of Rural Development
Govt. of Arunachal Pradesh, Itanagar
Pin: 791111

Respondent

Date of Hearing: 01/04/2024

Respondent PIO cum BDO Bassar CD Block, Leparada District, sought exemption from personal appearance due to election duty, did not appear. FAA cum Director Rural Development GoAP was represented by Ms Tongyang Annu APIO (RTI) o/o Director Rural Development. Appellant Shri Tania June absent.

Heard the parties present.

The appellant filed an RTI application dated 20.01.2023 seeking information regarding: "Expenditure and implementation under MGNREGA / supply work / pending work / new work/ sanction order / complete work."

The appellant then filed first appeal on 29.3.2023 to the FAA cum Director, Rural Development Department.

Feeling aggrieved for not furnishing the information in time the appellant approached the commission with this instant second appeal dated 8.5.2023

The representative of the FAA was not aware of this appeal case against PIO cum BDO Bassar. She has come with a similar case filed to the PIO of Directorate office of Rural Development Dett.

It is also observed that the appellant has filed the 2nd appeal to the commission without waiting 90 days from the date of filing first appeal. There is no response to the applicant on record to the RTI application in form "A". No response to the first appeal from FAA either. The commission is of the opinion that the FAA be given one time opportunity to hear and decide this appeal case. This appeal case is remanded to FAA. Furnish copy of application in form "A" and first appeal in form "E" to the FAA.

First Appellate Authority (FAA) cum Director of Rural Development GoAP Itanagar is directed to conduct hearing by summoning both PIO cum BDO Bassar and the Appellant. Pass an appropriate order in the form of **speaking order** within 45 days from the date of issue of this order to dispose of the case as required at serial no. 38 of the guide for FAA under sub sections (4) and (5) of section 5 of the Right to Information Act 2005 clarified by memorandum No. AR-111/2008 dated 21.08.2008, Deptt. of AR, GoAP.

In any case the PIO does not implement the order passed by the appellate authority, he should bring the matter to the notice of the officer in the public authority competent to take action against the concerned PIO.

This appeal case is closed in the commission with liberty of the appellant to file afresh an appeal if aggrieved by the decision of FAA.

Furnish copies to the parties.

Sd/-
(Dani Gamboo)
Information Commissioner

Memo No.APIC-376/2023/1004
Copy to:

Dated Itanagar the 9th April 2024

1. The FAA cum Director, Department of Rural Development Itanagar, Govt. of Arunachal Pradesh. Pin: 791111
2. The PIO cum BDO Basar CD Block, Lepa Rada District, Arunachal Pradesh. Pin: 791101
3. Shri Tania June C/o Hotel Chandini, E-Sector Naharlagun, Papumpare Dist. A.P (M) 8131848230, Pin: 791110
4. Computer Programmer, Itanagar, APIC, to upload in APIC, website.
5. Office copy.

Registrar
APIC, Itanagar
Arunachal Pradesh Information Commission
Itanagar.