



सूचना का
अधिकार
RIGHT TO
INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-No.735/2023 (Appeal)

Shri Dugi Sakam

Village Yorkum PO:PS Boasimla
Raga Kamle District A.P
(M) 8798049037.
Pin: 791120.

Appellant

Versus

**PIO,
DHO, Raga Kamle District**

Govt. of AP.
Pin: 791120.

Respondents

**FAA,
DC, Raga, Kamle District**

Govt. of AP.
Pin: 791120.

Date of Hearing: 23.09.2024

Date of Decision: 23.09.2024

INFORMATION COMMISSIONER : Dani Gamboo

Relevant facts emerging from appeal

RTI application filed on : 21.02.2023
SPIO replied on : Not on record
First appeal filed on : 04.04.2023
First Appellate Authority's Order : Not on record
Second Appeal filed on : 07.08.2023

Information sought:

The appellant filed an RTI application dated 21.02.2023 seeking following information:

Regarding expenditure & implementation under SADA/ ADA/ SIDF/ RIDF/ RE/ MIDH/ PMKSY of entire Kamle district.

1. Furnish NIT copy and Tender participants detail list copies
2. UC copies
3. Photographs & Geo Tagg copies
4. Work order copies
5. Administrative approval sanctioned order copies
6. Work progress report copies
7. Work executed EE/AE/JE/DDSE detail name list copies
8. Cheque receipt and PFMS xerox copies
9. First and final bill copies and money receipt copies
10. Advertisement and local newspaper copies
11. Technical bid and price bid copies
12. Site inspection report copies
13. Trading licence and proprietor name list copies
14. Bank guarantee certificate copies
15. GST and return file copies
16. Firm registration certificate and bank solvency certificate copies
17. Contractor and department agreement copies
18. DPR copies
19. Detail of payment made to contractor with amount payment
20. Photograph of completed work copies
21. MLA note sheet copies
22. Work order copies
23. Cheque receipt copies
24. Beneficiary list copies
25. Beneficiary account number xerox copy

Period: from 2017 to till date

Relevant facts emerged during hearing:

The following were present.

Appellant	:	Absent
Respondent PIO	:	Absent
FAA	:	Absent

Statement of Appellant	-	Not available
Statement of PIO	-	Not available
Statement of FAA	-	Not available

Decision:

The Commission after adverting to the facts and circumstances of the case, 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 parties as made known 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 – DC, Raga, Kamle District, 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 with a liberty to the appellant to file second appeal afresh if not satisfy with the decision of FAA and non-implementation of FAA's order by the PIO. In such case the fee for second appeal afresh is exempted.

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

Sd/-
Dani Gamboo
Information Commissioner

Authenticated true copy

Registrar / Dy. Registrar
APIC
Date: 
Arunachal Pradesh Information Commission
Itanagar

Memo No. APIC-735/2023/ 348 Dated Itanagar the 26th Sept, 2024.

Copy to:

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