



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

.....
File No. APIC-1186/2023(Appeal)

Shri Kon Teli

Balijan, PO:PS Balijan,
Papumpare District A.P
Pin: 791123(M) 9707281364

Appellant

Versus

PIO,

Block Development Officer
CD Block Balijan,
Papumpare District Govt. of AP.
Pin: 791123.

Respondents

FAA,

Project Director DRDA, Yupia
Papumpare District Govt. of AP.
Pin: 791110.

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 : 09.10.2023
SPIO replied on : Not on record
First appeal filed on : 20.11.2023
First Appellate Authority's Order : Not on record
Second Appeal filed on : 10.12.2023

Information sought:

The appellant filed an RTI application dated 09.10.2023 seeking following information.

Particulars of the information required:- MGNREGA NON Wages

1. Furnish date of tender invite notification and Published on which web site and News Paper.
2. Furnish Beneficiaries Receipt of aggregate, Course sand, Cement, Spade, Dao, Barbed wire, Jumper, Shovel, Dig Bar and Signboard.
3. Furnish Beneficiaries money receipt of areca nut plant Supply with proper name with signature.

Period: from 2022 to 2024.

Relevant facts emerged during hearing:

The following were present.

Appellant : Present.
Respondent PIO : Absent.
FAA : Absent.

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

Statement of PIO : Appellant has produced RTI application reply letter dated 23.9.2024 addressed to the appellant and copy endorsed to commission.

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.

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.

Therefore, the instant appeal case is remanded to First Appellate Authority. The **FAA- Project Director, DRDA, Yupia**, 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

Registrar / Dy. Registrar
APIC, Itanagar

Date:

Memo No. APIC-1186/2023/ 358

Dated Itanagar the 30th 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

Information Commissioner