



सत्यमेव जयते
अधिकार
RIGHT TO
INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-397/2024(Appeal)

Shri Taro Mosing & Party

Itanagar, PO:PS Itanagar
Papumpare District A.P
(M) 7005326626 Pin: 791111.

Appellant

Versus

**PIO,
o/o the Chief Engineer PMGSY
ARRDA RWD Itanagar Papumpare
District A.P, Pin Code: 791111**

Respondents

**FFA,
Chief Engineer(CE) PMGSY
ARRDA (RWD) W/Z, Itanagar
Papumpare District A.P.
Pin Code: 791111**

ORDER

Date of Hearing : 13.02.2025
Date of Decision : 13.02.2025

INFORMATION COMMISSIONER : Dani Gamboo

Relevant facts emerging from appeal:

The following were present: -

RTI application filed on : 01.10.2024
SPIO replied on : Not on record
First appeal filed on : 04.11.2024
First Appellate Authority's Order : Not on record
Second Appeal filed on : 04.12.2024

The appellant filed an RTI application dated 01.10.2024 seeking information regarding L030 road of Lower Subansiri District to Tali Block HQ(Stage-II) Package no. AR/14/08/058.

Details of information required:

- a) Details of Technical sanction order copy.
- b) DPR copy.
- c) Details of tender copy.
- d) Hard copy of agreement between contractor and executing agency.
- e) Work progress report.
- f) Details of payment to the contractor till date.
- g) Counterfoil of cheque leaf for payment to the contractor.
- h) Time to time report of latest SQM & NQM.
- i) Utilization certificate copy.

Period for which information required: 2020 to till date.

The following were present.

Appellants : Present

Respondent PIO : Shri Punyo Tangu, EE (RWD) Tali Division represented the APIO O/o Chief Engineer, PMGSY, RWD Itanagar.

Decision:

The Commission after adverting to the facts and circumstances of the case, and perusal of the records, observes that **FAA - Chief Engineer, PMGSY (RWD) WZ, Itanagar** 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 FAA as made known 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. Therefore, **the FAA – Chief Engineer, PMGSY (RWD) W/Z, Itanagar** 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 the PIO has not implemented the order. In such case the required fee for filing 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

Date:

Memo No. APIC-397/2024/ 593

Dated Itanagar the 14 Feb, 2025.

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
Arunachal Pradesh Information Commission
Itanagar.