



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR

File No. APIC-No.38/2024(Appeal)

**Shri Lebe Lamnio**

Polo Colony Naharlagun  
PO:PS Naharlagun  
P/Pare District A.P  
(M) 7629824612.  
Pin: 791110.

**Appellant**

Versus

**PIO,  
EE PHE & WS Division Seppa**

East Kameng District AP.  
Pin: 790102.

**Respondents**

**FAA,  
SE, PHE & WS Rupa Circle**

West Kameng District AP.  
Pin: 790003.

Date of Hearing: 17.10.2024  
Date of Decision: 17.10.2024

**INFORMATION COMMISSIONER:** Dani Gamboo

Relevant facts emerge from appeal:

RTI application filed on	:	20.10.2023
SPIO replied on	:	Not on record
First appeal filed on	:	26.12.2023
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	18.01.2024

**Information sought:**

Regarding Augmentation & Retrofitting of water supply Jal Jeevan Mission at Tapin under Chayang Tajo Block East Kameng District AP.

1. Sanction order of Augmentation & Retrofitting of water supply Jal Jeevan Mission at Tapin under Chayang Tajo Block East Kameng District AP.
2. The copy two local news paper along with name of News paper published an NIT and date of publication of NIT Newspaper of Jal Jeevan Mission at Tapin.
3. The copy of all the tender documents with list of tender participants of Augmentation & Retrofitting of water supply Jal Jeevan Mission at Tapin.
4. A copy of Geo-tag map with colour photo of before, during and after construction of Augmentation & Retrofitting of water supply Jal Jeevan Mission at Tapin.
5. Detail Project Report of of Augmentation & Retrofitting of water supply Jal Jeevan Mission at Tapin.
6. Completion certificate of Augmentation & Retrofitting of water supply Jal Jeevan Mission at Tapin.
7. Documents of payment details of Augmentation & Retrofitting of water supply Jal Jeevan Mission at Tapin.

Period from financial year 2019 to 2023

**Relevant facts emerging during hearing:**

The following were present -

**Appellant** : Shri Pretam Lamnio represented Appellant

**Respondent PIO** : Present through VC

**Respondent FAA** : Present through VC

Statement of Appellant : Representative of the appellant states that the information is not furnished by the PIO. He was not aware whether any hearing on first appeal was done or not.

Statement of PIO : States that information pertaining to Tapin under Chayangtajo block shall be kept ready. Earlier the information was not furnished because of similar information was clubbed in furnishing information in other appeal cases.

Statement of FAA : States that he shall conduct the hearing of the appeal to dispose of at his level.

**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 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.*

The instant appeal case is remanded to First Appellate Authority (FAA). Therefore, the FAA - **SE, PHE & WS Rupa Circle**, 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.

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

**Sd/-  
(Dani Gamboo)  
Information Commissioner**

Authenticated true copy

Registrar / Dy. Registrar, APIC


Date:

Memo No. APIC-38/2024/ 264

Dated Itanagar the 21<sup>st</sup> Oct, 2024.

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1. Computer Programmer Itanagar APIC to upload in APIC website and mailed to concerned department email.
2. Office copy.

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