



सूचना का
अधिकार
RIGHT TO
INFORMATION

ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. : APIC-No.9/2024(Appeal)

Shri Dongru Tania

Near Takar Complex,
PO:PSNaharlagunPapumpare District A.P
Pin: 791110. (M) 7005481022

Appellant

Versus

**PIO,
Executive Engineer, RWD
Sagalee Division**

Papum Pare District
Pin: 791112.

Respondents

**FAA,
Chief Engineer (WZ) RWD**

Itanagar, Papumpare District
Pin: 791111.

Date of Hearing: 12.09.2024

Date of Decision: 12.09.2024

INFORMATION COMMISSIONER: Dani Gamboo

Relevant facts emerging from appeal:

RTI application filed on	:	01.09.2023
SPIO replied on	:	Not on record
First appeal filed on	:	28.10.2023
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	04.01.2024

Information sought:

The appellant filed an RTI application dated 01.09.2023 seeking following information:

Regarding expenditure and implementation under SADA/ ADA/ SIDF/ RIDF/ PMGSY/ BE/ RE/ CSS of entire Papum Pare District, Arunachal Pradesh.

Details of information required:-

- 1) Furnish NIT Copy and Tender participate details list copies.
- 2) Furnish Utilization Certificate copies.
- 3) Furnish photographs & Geo Tagg copies.
- 4) Furnish work order copies.
- 5) Furnish Administrative approval sanctioned order copies.
- 6) Furnish work progress Report copies.
- 7) Furnish work Executed EE/ AE/ JE details Name list copies.
- 8) Furnish Cheque receipt and PFMS copies.
- 9) Furnish first and final bill copy & money receipt copies.
- 10) Furnish Advertisement and local Newspaper copies.
- 11) Furnish Technical bid and price bid copies.
- 12) Furnish site inspection report copies.
- 13) Furnish Trading Licence and Proprietor Name list copies
- 14) Furnish Bank guarantee certificate copies.
- 15) Furnish GST Copy and Return file copies.
- 16) Furnish firm registration certificate and bank statement certificate copies.
- 17) Furnish Contractor and department agreement copies.
- 18) Furnish DPR copies.
- 19) Furnish details of payment made to Contractors with amount payment.
- 20) Furnish photographs of completed work copies.
- 21) Furnish Guideline copies.
- 22) Furnish the acceptance letter Xerox copies.
- 23) Furnish the last charter account report: - AG Itanagar Xerox copies.
- 24) Furnish the Cheque counter foil Xerox copies.
- 25) All documents may be attached true certified copy with proper seal and signature of concern PIO, as per the RTI Act or rules.

Relevant facts emerged during hearing:

The following were present –

Appellant	:	Present
Respondent PIO	:	Absent
Respondent FAA	:	Absent

The appellant submits that neither the PIO - EE, RWD, Sagalee Division has provided the information nor the FAA -Chief Engineer (WZ) RWD, Itanagar has heard his first appeal filed to him within time frame prescribed in RTI Act, 2005. So, he has filed second appeal to this commission.

Since the PIO and FAA are absent, the appeal is heard and determined ex-parte.

Decision:

The commission after adverting to the facts and circumstance of the case, hearing the parties and perusal of the records, observes that the appellant has sent the RTI application in form-A to PIO & Appeal letter to First Appellate Authority respectively by speed post. FAA has not disposed of the first appeal filed to him.

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 – Chief Engineer, RWD (WZ), Govt. of Arunachal Pradesh Itanagar. The FAA, 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.

Liberty to appellant for filing second appeal afresh for instant case if not satisfied with the decision of the FAA. Fee for such fresh second appeal be exempted.

The appeal is disposed of accordingly at Commission.

**Sd/-
Dani Gamboo
Information Commissioner**

Authenticated true copy



Registrar / Dy. Registrar, APIC

Date: Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar

Memo No. APIC-09/2024/ *B22*

Dated Itanagar the *17*. 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.