



ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)

TANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Vide Case No. APIC- 1100/2023.

(Or.5, R.3 of CPC)

**Shri Dongru Tania, Near Takar
Complex, PO/PS Naharlagun
PIN: 791110**

..... APPELLANT

Vs

**The PIO, o/o the District Disaster Management RESPONDENT
Office (DDMO) Upper Siang District,
Yingkiong, Govt. of A.P**

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Dongru Tania for non-furnishing of information by the PIO, o/o the District Disaster Management Office (DDMO) Yingkiong, Upper Siang Govt. of A.P as sought for by the Appellant under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 21/09/23.

This appeal is heard today on 16/10/24 wherein the Appellant Shri Dongru Tania is absent but the PIO, o/o the District Disaster Management (DDMO) Officer Govt.of A.P, Upper Siang District, Yingkiong, Shri Beru Dolum attended the hearing through Video Conference.

During the hearing the PIO informed that the Appellant did not turn up for hearing in the First Appellate Authority despite notice.

As mandated under Section 19 (1) of the RTI Act,2005, an applicant aggrieved by non-furnishing of the information by the PIO, has to prefer appeal before the First Appellate Authority (FAA) and if the applicant is still aggrieved, he has the right to prefer such Appeal under Section-19(3) of RTI Act, 2005.

However, since the appeal could not be adjudicated by the F.A.A due to non-appearance of the Appellant before the F.A.A, as informed by the PIO, this Commission finds this appeal fit to be remanded to the F.A.A, the Deputy Commissioner Upper Siang District, Yingkiong for adjudication and passing an appropriate speaking order.

The First Appellate Authority, following the principle of natural justice, has to conduct hearing giving fair and equal opportunity to the Appellant and the PIO and thereafter pass a reasoned and speaking order on merit.

This appeal is accordingly, remanded to the F.A.A, the Deputy Commissioner Yingkiong, Upper Siang District, for adjudication within 30(thirty) days from the date of receipt of this order and the Applicant/Appellant, Shri Dongru Tania is directed to appear before the F.A.A for hearing when called for and thereafter, the PIO, shall comply with the order of the F.A.A within 2(two) weeks from the date of F.A.A's order with liberty to the Appellant to prefer second appeal before this Commission under section 19 (3) of the RTI Act, if he is aggrieved/ dissatisfied with the order passed by the F.A.A, or with the information furnished by the PIO for which no fee need be paid.

Given under my hand and seal of this Commission's Court on this 16th October 2024.

**Sd/-
(SANGYAL TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.**

Memo No. APIC-1100/2023/264
Copy to:-

Dated Itanagar, the 17 Oct, 2024

1. The Deputy Commissioner Upper Siang District, Yingkiong, Govt. of (A.P) Cum-First Appellate Authority for information and necessary compliance.
2. The PIO, o/o the, District Disaster Management Office (DDMO) Yingkiong, Upper Siang Govt. of A.P, PIN: 791001 for information.
3. Shri Dongru Tania near Takar Complex, Naharlagun Mobile no.7005481022 PIN: 791110 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

**Registrar/ Deputy Registrar
APIC, Itanagar**
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar