



**ARUNACHAL PRADESH INFORMATION COMMISSION, (APIC)**  
**TANAGAR.**

**An Appeal Case U/S 19(3) of RTI Act, 2005**  
**Vide Case No. APIC- 1092/2023.**

**(Or.5, R.3 of CPC)**

**Shri Nabam Sonu & Ors**  
**c/o Smt. Teli Lina near Govt. Middle School Lekhi,**  
**Naharlagun, Papum Pare Dist, (A.P)**  
**PIN: 791110**

..... **APPELLANT**

**Vs**

**The PIO, o/o the Executive Engineer**  
**Department of P.H.E & W.S Raga Division,**  
**Kamle District, A.P**

..... **RESPONDENT**

**ORDER**

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Nabam Sonu for non-furnishing of information by the PIO, o/o the Executive Engineer, Department of P.H.E & W.S Raga Division, Kamle District, (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 02/05/23.

This appeal was listed for hearing on 16/10/24 but neither the Applicant/Appellant nor the PIO, o/o the E.E (PHE&WS) Raga, Kamle District, (A.P) appeared.

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 has not been adjudicated by the F.A.A, this Commission finds this appeal fit to be remanded to the F.A.A, the Chief Engineer (P.H.E & WS), Itanagar, Papum Pare District, (A.P) 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 Chief Engineer (P.H.E & WS), Itanagar, Papum Pare District, (A.P) for adjudication within 30(thirty) days from the date of receipt of this order.

Further the Applicant/Appellant, Shri Nabam Sonu and the PIO are 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 17<sup>th</sup> October 2024.**

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

Memo No. APIC-1092/2023/ 269

Dated Itanagar, the 18 Oct, 2024

Copy to:-

1. The Chief Engineer (P.H.E & WS), Itanagar, Papum Pare District, Govt. of (A.P) Cum-First Appellate Authority for information and necessary compliance.
2. The PIO, o/o the E.E (P.H.E & WS), Raga Division, Kamle District, Govt. of A.P, PIN: 791001 for information & compliance.
3. Shri Nabam Sonu & Ors c/o Smt.Teli Lina near Govt. Middle School Lekhi,Naharlagun 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