



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR

File No. APIC-243/2025(Appeal)

**Shri Vijay Pertin**

Village Ithili, PO / PS: Roing  
Lower Dibang Valley  
Dist. A.P.  
(M) 7085172418  
Pin: 792110

**Appellant**

versus

**1. PIO,  
O/o the Deputy Commissioner (DC)**  
Roing, Lower Dibang Valley District A.P.  
Pin Code: 792110.

**Respondents**

**2. FAA  
Deputy Commissioner (DC)**  
Roing Lower Dibang Valley  
District AP, Pin Code: 792110

**ORDER**

Date of Hearing: 11.08.2025  
Date of Decision: 11.08.2025

**INFORMATION COMMISSIONER** : Dani Gamboo  
**Relevant facts emerging from appeal.**

RTI application filed on	:	04.10.2024
SPIO replied on	:	Not on record
First appeal filed on	:	23.12.2024
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	06.03.2025

**Information sought:**

The appellant filed an RTI application dated 14.10.2024 seeking following information regarding ST & PRC of Shri Rahul Michichi and Shri Perkom Linggi.

Details of sought information against Shri. Rahul Michichi, Bhismaknagar village and Shri. Perkom Linggi, Kapang village. (Please furnish all sought documents in certified copies)

1. Furnish copy of Scheduled Tribe certificates and PRC of Shri. Rahul Michichi (working as Data operator in BDO, office Roing) Bhismaknagar and Shri Perkom Linggi, residing in Kapang village near Dambuk, if ST and PRC certificates issued to them by the concerned public authorities.

2. Furnish copy of the name of father and mother of Shri. Rahul Michichi, Bhismaknagar and Shri. Perkom Linggi, Kapang village.

3. Furnish copy of name of the Deputy Commissioner or Additional Deputy Commissioner, Roing or SDO, Dambuk who issued ST and PRC certificates to the said two suspected non-APST offsprings.

The following were present.

**Appellant** : Present through VC. He states that the First Appellate Authority - Deputy Commissioner, Roing has issued a hearing notice of the first appeal but hearing was conducted by the ADC, Roing on 17.4.25, till now no judgement order received and the first appeal is not yet disposed off.

**Respondent PIO** : Absent. Shri Talo Moyong, Circle Officer has represented the PIO. He states that the information was denied citing exemption under RTI Act, 2005 Section 8(1) (j).

**F A A** : Absent.

#### **Decision:**

The Commission after adverting to the facts and circumstances of the case, hearing the parties 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. A hearing on first appeal is said to have been heard by the ADC, Roing and judgement order not yet issued. The first appellate authority cannot delegate his function as FAA to his junior unless one is specifically appointed by the competent authority. So, this appeal case is decided and determined in the absence of FAA as made known to him 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 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.*

Therefore, the instant appeal case is remanded to First Appellate Authority. Therefore, the **FAA – Deputy Commissioner, Roing, Govt. of AP.**, 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 two weeks from the date of receipt of this order i.e. **on or before 25.08.2025.**

The appellant is at liberty to file 2<sup>nd</sup> appeal afresh:

1. If the Appellant is not satisfied with the information furnished to him by PIO based on the judgement order passed by the FAA.
2. If the FAA has denied the requested information based on specific exemptions/ grounds provided under the RTI Act, 2005.

Fee for such 2<sup>nd</sup> appeal, if done, shall be exempted.

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

Authenticated true copy

*P. K. Singh*  
Registrar / Dy. Registrar  
APIC

Memo No. APIC-243/2025/ *573* Dated Itanagar the *12* August' 2025.  
Copy to:

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

*P. K. Singh*  
Registrar / Dy. Registrar  
APIC, Itanagar  
Deputy Registrar  
Arunachal Pradesh Information Commission  
Itanagar