



सूचना का
अधिकार
RIGHT TO
INFORMATION



सत्यमेव जयते

ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-228/2023(Appeal)

Shri Bishnu Pada Chowdhury

near Dr. Ambedkar Sports Club

Netaji Para Ward No. 36

PO: Ghugu Mali, Siliguri West Bengal.

(M) 9436225403 / 7005442562

Pin: 734006.

Appellant

versus

The PIO-O/o the Secretary

(G & M) cum-Managing Director

(APMDTCL), Civil Secretariat Itanagar,

Block No. 01- 3rdFloor, Papumpare District

AP. Pin: 791111.

Respondent

ORDER

Date of Hearing: 05.09.2025

Date of Decision: 05.09.2025

INFORMATION COMMISSIONER : Dani Gamboo

Relevant facts emerging from appeal.

RTI application filed on	:	12.10.2022
SPIO replied on	:	Not on record
First appeal filed on	:	12.11.2022
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	13.03.2023

The appellant filed an RTI application dated 12.10.2022 seeking following information i.e. settlement / adjustment of advance pending for last 7 years and other contingent/POL/ maintenance, reimbursement and adjustment of Final TE bill and other advances payment thereof by Board of Directors of APMDTCL.

Period for: 2017-2018, 2018-2019, 2019-2020 & 2000-2002.

Detail information required:

- Non regularization/payment of my salary.
- Non-Reimbursement of expenditures.
- Non providing information on of advances pending with the organization and final payment thereof.

- iv) Non-payment of House rent suddenly stopped reason thereof reason not known.
- v) Non-Fixation of salary as per 7th pay commission whereas all staff got their revised salary.
- vi) Non deduction of TDS from salary reason thereof.
- vii) Non-payment of medical allowances.
- viii) Non providing information on status of all vehicles of APMDTCL.
- ix) Non providing information on Enforcement Directors Ranchi of Enquiry of Money Laundering case of APMDTCL Itanagar.
- x) Non providing information on account of Corporation.
- xi) Non providing information on Missing vehicle.
- xii) Payment of House rent to only 2(two) employees whereas it was ban by BOD reason and approval of BOD/authority for payment thereof.

Relevant facts emerged during hearing:

Previous Hearing:

First	:	22.09.2023
Second	:	30.11.2023
Third	:	26.08.2024

Order of the 3rd hearing- *"The Commission has directed the appellant to collect the copy of information said to be furnished vide above mentioned letter addressed to himself and to this commission from the PIO. He shall file a written submission stating clearly and specifically about **shortcomings** if any in the information furnished to him without deviation from the content in the original RTI application in Form 'A'. Upon receipt of such written submission the PIO shall furnish complete and correct information to the appellant within two weeks from the date of receipt of such written submission.*

The following were present:

Appellant : Present. He states that he has approached the PIO's office on 26.08.2024 evening but could not find any body to obtain the information. He has made a written submission to the PIO on 28.09.2024.

Respondent PIO : Absent.

Decision:

The commission after adverting to the facts and circumstance of the case, hearing the appellant observes that the PIO has responded by three letters dated 04.12.2023, 23.01.2024 and 19.06.2024 but the appellant has not contested on this in the context of the query in the RTI application in form -A. The FAA – Secretary (G&M)-cum- Managing Director has not heard the 1st appeal filed to him. The RTI query made in this RTI application is mostly service benefit matters.

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. Therefore, the **FAA – Secretary (G & M), APMDTCL 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 three weeks from the date of receipt of this order i.e **on or before 26.09.2025.**

The appellant is at liberty to file 2nd 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 2nd appeal, if done, shall be exempted.

**Sd/-
Dani Gamboo
Information Commissioner**

Authenticated true copy

P. Rao
Registrar / Dy. Registrar, APIC

Date:

Memo No. APIC- 228/2023/ *494* Dated Itanagar the *18* September' 2025.

Copy to:

1. The FAA – Secretary (G & M), APMDTCL Govt. of AP. Block No. 01, 3rd Floor, Civil Secretariat Complex, Itanagar.
2. Computer Programmer Itanagar APIC to upload in APIC website and mailed to concerned department email.
3. Office copy.

P. Rao
Registrar / Dy. Registrar
APIC, Itanagar
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar