सूचना का
अधिकार
RIGHT TO
INFORMATION

सत्यमेव जयते

ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-282/2025(Appeal)

Shri Tai Ganga **Appellant**
Kacha Pahar, Gophur
Road NH-413 Itannagar
Papumapre Dist. A.P.
Pin: 791111(M) 8730944747

Versus

1.PIO, **Respondents**
O/o the Chief Engineer RWD (Coord)
Govt. of AP Itanagar, Papumpare District A.P.
Pin Code: 791111.

2. FAA
Chief Engineer (Coord) RWD
Govt. of A.P Itanagar, Papumpare District AP.
Pin Code: 791111

ORDER

Date of Hearing: 10.07.2025
Date of Decision: 10.07.2025

INFORMATION COMMISSIONER : Dani Gamboo
Relevant facts emerging from appeal.

RTI application filed on	:	09.10.2024
SPIO replied on	:	Not on record
First appeal filed on	:	29.11.2024
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	26.03.2025

Information sought:

The appellant filed an RTI application dated 09.10.2024 seeking following information regarding Junior Engineers Under Jamin Division RWD.

1. Appointment Orders.
2. Copy of Recruitment Notices for appointments
3. Credentials attached for appointment.
4. Posting order/Transfer to Jamin Division RWD.
5. Promotion orders/Regularization orders (if any)

6. Copy of Transfer/posting Rules for RWD or general Rules as such.

Period: As Concerned.

The following were present.

Appellant : Present
He states that no information is furnished to him by PIO nor the FAA has heard the first appeal case.

Respondent PIO : Smt. Nanu Nabam, Astt. attended without any authority letter.

F A A : Absent

Decision:

The Commission after adverting to the facts and circumstances of the case, 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. So, this appeal case is decided and determined in the absence of PIO and FAA as made known to them 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 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 – Chief Engineer, (Coord) RWD, 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 24th July 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

Registrar / Dy. Registrar
APIC

Memo No. APIC-282/2025/ 508 Dated Itanagar the 11.July'2025.

Copy to:

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

Registrar / Dy. Registrar
APIC, Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar