



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

APIC-No.638 (R)/2023(Appeal)

Shri Nabam Tapak

Lekhi Village near ICONIC
Dealer Back Side PO/PS:
Naharlagun Papumpare
District A.P, Pin: 791110.
(M) 8131870684.

Appellant

versus

Respondent

PIO o/o the Deputy Commissioner

Ziro Lower Subansiri District A.P.
Pin: 791120.

ORDER

Date of Hearing: 04.08.2025
Date of Decision: 04.08.2025

INFORMATION COMMISSIONER

Relevant facts emerging from appeal:

| | | |
|-----------------------------------|---|----------------------------|
| RTI application filed on | : | Dani Gamboo |
| SPIO replied on | : | 13.07.2023 |
| First appeal filed on | : | Not on record |
| First Appellate Authority's Order | : | 05.06.2023 |
| Second Appeal filed on | : | Not on record |
| | : | 11.11.2023, 03.06.2025 (R) |

Information sought:

The appellant filed an RTI application dated 13.07.2023 seeking following information regarding all these mentioned names with Posts:

(1) Shri Chukhu Panior LDC (2) Smti Padi Pubyang LDC (3) Shri Chukhu Tado ALC (4) Miss Toko Mama MTS (5) Ms Taya Yaja MTS (6) Smti Subu Rinyo ALC (7) Miss Liyang Mumpa MTS (8) Shri Bini Arun LDC (9) Ms Likha Asum MTS (10) Miss Liha Yarin LDC (11) Shri Ruja LDC (12) Shri Rintu Dey MTS (13) Smti Subu Rinyo MTS (14) Shri Chuku Tamer MTS.

Details of Information:

1. Furnish the Photocopy of Job post Sanction Order along with date of all the mentioned posts as per Govt. norms/guideline.
2. Furnish the photocopy of Group- 'C' and MTS Staff were appointed post Govt. Notification via posts vacancies by retired, expired etc.

- 3.** Furnish the photocopy of name list of Constituted Interview Board Members.
- 4.** Furnish the photocopy of Departmental Promotion Committee (DPC) order and details of name list DPC Board Members.
- 5.** Furnish the photocopy name of Seniority list with their designation and date of joining.
- 6.** Furnish the Photocopy of Appointment Order with proper name of list of the all mentioned posts.
- 7.** Furnish the photocopy of Joining Report/Joining Report.
- 8.** Furnish the Photocopy of Advertisement No. with date of Published in local daily Paper/Newspaper cutting or any social website of the mentioned posts.
- 9.** What designation/Position are they holding in this present year i.e 2023.
- 10.** Furnish the Photocopy of Monthly salary slip of their initial stage after appointment and Salary slip of to up to date, whatever position maybe they are in this current time.
- 11.** Furnish the Photocopy of all the education qualification of all these aforementioned names.
- 12.** Furnish the Photocopy of all the education qualification of all these aforementioned names as per Recruitment Rule of SSB, or APPSC and other Govt. norms/guideline.
- 13.** Furnish the Photocopy of MLA, Minister and MP or any high Level/profile recommendation Note Sheets/letter for the Appointment for all the mentioned names.
- 14.** Furnish the Photocopy of Notification for Date of Interview with Location of Venue Given by the department.
- 15.** Furnish the Photocopy of an Answer Sheets of all the aforementioned names during the exams.
- 16.** Furnish the Photocopy of Notification for Viva Voce along with Venue.
- 17.** Furnish the Pen drive/CD of CC TV Footage of during Interview of Written & Viva Voce of All mentioned posts with aforementioned names.
- 18.** Furnish the details of all Board Members/Committee with their name and designation during written Examination/Interview and Viva Voce abovementioned Names with their examination.
- 19.** Furnish the Photocopy of eligibility criteria for these posts.
- 20.** Furnish the Photocopy of department's Recruitment Rule (RR) for the posts.
- 21.** Furnish the total list with names of regular Post, contractual Post, temporary Post, and functional Post within department had done appointment so far since 2018 to 2023.
- 22.** Post, temporary Post, and functional Post of any categories without interview? If yes then furnish the copy, if no then explain the reason.
- 23.** Is there any provision in Govt. Rule/Notification to appoint any regular job, contractual basis job and Functional Post of any categories without interview? If yes then furnish the copy, if no then explain the reason.
- 24.** Furnish the list with their names which already retired person/death person from these mentioned posts since, 2018-2023 particularly.
- 25.** Is there any provision in Govt. Rule/Notification to appoint any Contingency Labour without publish advertisement, without held interview? Yes, then furnish the copy.
- 26.** How many persons has been appointed in place of retired, termination, promotion and expired/death during 2018-2023 particularly. Furnish the name of list with appointed order.
- 27.** Furnish the photocopy of Recruitment Rule (RR) by the Administrative Reforms department particular for all mentioned posts.

28. Furnish the photocopy of Recruitment Rule (RR) by the APSSB-Arunachal Pradesh State Selection Board Member Act, 2018 passed by State Legislature Notified on 03rd day of October 2018 and Chief Secretary Direction through Office Memorandum vide Office Memo No. CS/(PR) 01/2016 dated 11th February 2016 for not appoint temporary basis service and officiating service in any department particular for all mentioned posts.

29. If any aforementioned seeking information are 'Not Available'(NA) then kindly reply/furnish with the reason instead of only simply reply not available (NA)

30. Furnish the name of all their present posting place of Office with their proper present designation.

31. Furnish the DPC copy if they got promotion from said post to higher rank all these mentioned names till date.

32. Furnish all the Photocopies of RTI reply with properly mention to serial Number as well as Seal & Signature of CTC in every page by the Concern PIO/Competent authority with proper index and an annexure wise.

Relevant facts emerged during hearing:

Previous Hearing:

First hearing : 16.08.2024

In first hearing ordered as: *"The commission has directed the FAA-cum-Deputy Commissioner Ziro, Lower Subansiri District 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."*

The following were present.

Appellant : Present. He states that some information furnished to him is incomplete and do not conform to the item of information sought in RTI application form A.

Respondent PIO : Smti Rani Perme (SDO) attended. She states that any available additional information sought by the appellant shall be furnished within the purview of the original RTI application.

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 complied the commission's order dated 16.8.2024 and 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. The appellant has filed second appeal again on 3.6.2025 without obtaining adjudication from the First Appellate Authority. So, this appeal case is decided and determined to remand it to the First Appellate Authority again.

The appellant shall file a written submission to the PIO and FAA the specific statement of the item of information that he is yet to receive within the original context of the RTI application in form A within one week from the date of issue of this order.

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.

Now Therefore, the instant appeal case is again remanded to First Appellate Authority. Therefore, the **FAA-cum-Deputy Commissioner, Lower Subansiri District, Ziro** 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 18.08.2025**

The appellant is at liberty to approach this commission:

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.

Sd/- (Dani Gamboo)
Information Commissioner

Memo No. APIC-638 (R)/2023/ 565
Copy to:

Dated Itanagar the ..5.. August' 2025.

1. The FAA-cum-Deputy Commissioner, Lower Subansiri District, Ziro AP.
2. Computer Programmer Itanagar APIC to upload in APIC website and mailed to concerned department email.
3. Office copy.

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