सूचना का अधिकार
RIGHT TO INFORMATION

ITANAGAR, ARUNACHAL PRADESH

An appeal case U/S 19(3) of RTI Act, 2005

Vide Case No.APIC-255/2026

BEFORE THE HON'BLE COURT OF SHRI VIJAY TARAM, THE STATE INFORMATION COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.

Shri Mamu Sono ..... **Appellant**

-VERSUS-

PIO-Cum-Executive Engineer, RWD,
Singchung, West Kameng District,
Govt. of Arunachal Pradesh ..... **Respondent**.

Order:**22.10.2026**.

JUDGEMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI 2005. Brief fact of the case is that the Appellant, Shri, Mamu Sono, on **18/11/2025** filed an RTI application in form 'A' before the PIO-cum-Executive Engineer (EE), RWD, Singchung Division, West Kameng District, Govt. of Arunachal Pradesh. Whereby seeking various information as quoted in Form 'A' application. The Appellant having not received the required information from the PIO filed the First Appeal before the First Appellate Authority (FAA) on **02/01/2026**. Appellant having not heard by the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on **27/02/2026,** without hearing in the court of First Appellate Authority (FAA), and the Registry of the Commission (APIC) having receipt of the Appeal registered it as **APIC- No. 255/A/2026 (Appeal)** and processed the same for its hearing and disposal.

The 1st hearing is held today on 22nd October' 2026, wherein both the parties are present during the hearing before the Commission.

Heard both the parties:

After hearing both the parties and going through the available documents, it is observed that this instant Appeal is pre-mature, as the First Appellate Authority (FAA) has failed to conduct hearing of both parties within the stipulated time of 30 days, as per the established procedural law under RTI, Act, 2005.

It is pertinent to mention here that, according to the RTI, Act, 2005, it provides three stages of seeking information(s). First directly from the PIO, Second:- on the failure of the PIO to provide the information(s) sought by the Appellant or is aggrieved by the decision of the PIO the Applicant will make an Appeal to the First Appellate Authority (FAA) and the First Appellate Authority is mandated to conduct proper hearing of both the parties to decide the case and thereby pass an order on the subject matter within the prescribed period provided under the provisions of RTI, Act, 2005, thirdly:- the Appellant on being dissatisfied/aggrieved by the order of the First Appellate Authority (FAA) can appeal to the State Information Commission (SIC) under Section 19(3) of the RTI, Act, 2005.

In the instant case the FAA has to give a fair hearing to the Appellant along with the PIO in presence of both parties and it is evident while hearing of the Appeal that the FAA has not conducted a fair hearing to the parties, which is a procedural lapse on the part of the First Appellate Authority (FAA) as per the Rules of RTI, Act, 2005.

Under the above stated facts and circumstances, this appeal case is remanded back to the FAA for giving an opportunity for a fair hearing to both the parties within 30 days from passing this order by adopting the procedures as per law and after hearing both the parties, a speaking order be passed as per merit of the case. The order passed be intimated to the Commission. And, hence, the Appeal is dismissed by this Commission, and remanded back to the First Appellate Authority (FAA)-cum-Chief Engineer, RWD, Western Zone, Itanagar, Govt. of Arunachal Pradesh.

Judgment pronounced in the open Court of this Commission today on this 22nd day of October' 2026.

Copy of Judgment be furnished to the parties.

Given under my hand and seal of this Commission/Court on this 22nd day of October' 2026.

Sd/-

(Vijay Taram)
State Information Commissioner
APIC-Itanagar

Memo.No.APIC-255/A/2026/ 1160 **Dated Itanagar, the** 25 **October, 2026.**

Copy to:

1. PIO-Cum-Executive Engineer, RWD, Singchung, W/Kameng District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code:790116**
2. FAA-Cum- The Chief Engineer, RWD (W/Zone), Itanagar, P/Pare District Govt. of Arunachal Pradesh for information and necessary action please.
3. Shri Mamu Sono, Sood Village, Naharlagun, P/Pare District Arunachal Pradesh for information please. **Contact No. 9436215521**
4. The Computer Programmer, APIC for uploading on the Website of APIC and mail it to the concerned department please.
5. Office Copy.

25.10.26

Registrar/Dy. Registrar
APIC, Itanagar.

Registrar
Arunachal Pradesh Information Commission
Itanagar