



सत्यमेव जयते



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Case No. APIC- 808/2025.

APPELLANT : Shri Toku Tapam, Palin, Kra Daadi.
RESPONDENT : The PIO, o/o the District Fishery Officer, Kra Daadi.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Toku Tapam for non-furnishing of below mentioned information by the PIO, o/o the District Fishery Officer (DFDO), Kra Daadi District as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 07.07.2025.

Details of information required:

- 1) Sanction order No. Fish/Dev/M-137/92-93/26 dated 25.08.2023 for construction of 150 Ha integrated commercial fish ponds in Kra Daadi District (development of Inland Aquaculture (CSS, GIA);
- 2) Sanction order No. Fish/Dev/M-137/92-93/27 dated 25.08.2023 for construction of 100 Ha integrated commercial fish ponds in Kra Daadi District (development of Inland Aquaculture (CSS, GIA);
- 3) Sanction order No. Fish/Dev/M-137/92-93/3 dated 25.08.2023 for construction of 130 Ha integrated commercial fish ponds in Kra Daadi District (development of Inland Aquaculture (CSS, GIA);
- 4) Sanction order No. Fish/Dev/M-137/92-93/40 dated 25.08.2023 for construction of 120 Ha integrated commercial fish ponds in Kra Daadi District (development of Inland Aquaculture (CSS, GIA);
- 5) Sanction order No. Fish/Dev/M-137/92-93/45 dated 25.08.2023 for construction of 100 Ha integrated commercial fish ponds in Kra Daadi District (development of Inland Aquaculture (CSS, GIA);
- 6) Sanction order No. Fish/Dev/NESIDS-122-235/51 dated 17.10.2023 for construction of 140 Ha Domestic fish ponds in Kra Daadi District (NESIDS, GIA);
- 7) Sanction order No. Fish/Dev/NESIDS-122-23/53 17.10.2023 dated for (8) sanction order No. construction of 137 Ha Domestic fish ponds in Kra Daadi District (NESIDS, GIA);
- 8) Sanction order No. Fish/Dev/NESIDS-122-23/55 construction of 155 Ha Domestic fish ponds in Kra Daadi District (NESIDS, GIA);
- 9) Sanction order No. Fish/Dev/NESIDS-122-23/57 17.10.2023 dated 17.10.2023 for construction of 200 Ha Domestic fish ponds in Kra Daadi District (NESIDS, GIA);
- 10) Sanction order No. Fish/Dev/NESIDS-122-23/59 17.10.2023 dated for construction of 137 Ha Domestic fish ponds in Kra Daadi District (NESIDS, GIA);
- 11) Sanction order No. dated 17,10.2023 for Fish/Dev/NESIDS-122-23/61 construction of 140 Ha Domestic fish ponds in Kra Daadi District (NESIDS, GIA);

- 12) Utilization certificates;
- 13) photographs of fish pond with location;
- 14) Names of beneficiaries;
- 15) Name of the contractors and
- 16) Pay roll and any other relevant documents.

Facts emerging from the appeal.

Records emerging from the appeal disclose that the appellant, Shri Toku Tapam had requested the PIO for the aforementioned information / documents in response to which the PIO-cum-DFDO, Kra Daadi District, Palin, Shri Pani Odyssey, vide his letter dt. 27th August, 2025 informed the appellant that there is no relevant documents in the department as sought in his application. Dissatisfied with the reply from the PIO the appellant filed his 1st appeal before the Director of Fisheries (HQ), Itanagar, the First Appellate Authority (FAA) under Section 19(1) of the RTI Act. vide his appeal Memo dated 26.08.2025.

However, the appellant having failed yet again to obtain the information preferred 2nd appeal before this Commission under Section 19 (3) of the RTI Act, 2005 vide Memo of appeal dt. 24.10.2025.

The appeal is accordingly, listed today on 20.05.2026 wherein the PIO is absent without any intimation while the appellant is represented by Advocate Shri Tai Kumar, duly authorised by the appellant.

This Commission observes that there is no record of the First Appellate Authority's taking any action on the appeal.

The First Appellate Authority, being well versed with the functioning of the department, ought to have adjudicated the appeal and passed a suitable order in speaking form stating therein the reasons for his decision. In doing so, the FAA, as the quasi-judicial authority under the RTI Act, ought to have heard both the parties and passed a reasonable order on merit.

In the instant case, the First Appellate Authority, having not adjudicated on the appeal as mandated under section 19(1) of the RTI Act, 2005, the Commission deems it appropriate to remand the appeal to the First Appellate Authority for adjudication. The FAA, the Director of Fisheries (HQ), Itanagar being the officer senior in rank to the PIO and well versed with the knowledge of the functioning of the department, shall apply his mind and go into the aspects like what kind of information was sought by the appellant in his application, whether the same was and could be provided or whether the same is exempted under the relevant provisions of section 8 and 9 of the RTI Act and pass a speaking order giving justification for his decision.

This appeal is, accordingly, remanded to the FAA, the Director of Fisheries, Govt. of Arunachal Pradesh Itanagar for adjudication and passing an appropriate order within 4(four) weeks from the date of receipt of this order. The appellant may, if dissatisfied or aggrieved by the decision of the First Appellate Authority, prefer his second appeal before this Commission under section 19(3) of the RTI Act, 2005, for which no cost need be paid.

Given under my hand and seal of this Commission on this 20th May, 2026.

Sd/-
(S. TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC-808/2025/827 Dated Itanagar, the 21 May, 2026

Copy to:

1. The Director of Fisheries, Govt. of A.P, Itanagar, the First Appellate Authority (FAA) for information and compliance.
2. The PIO, o/o the District Fishery Officer, Kra Daadi District PIN: 791118 for information.
3. Shri Toku Tapum, village Nama Palin, Kra Daadi District (A.P) PIN: 791118 Contact No. 9436017411 for information.
4. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
5. Office Copy.
6. S/Copy.

P. G. 21/05/26
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar