No. AR-117/2015 GOVERNMENT OF ARUNACHAL PRADESH DEPARTMENT OF ADMINISTRATIVE REFORMS CIVIL SECRETARIAT, BLOCK NO.4, 4TH FLOOR ITANAGAR

Dated the 17th September,2015 OFFICE MEMORANDUM

Sub: - Declaration of First Appellate Authority under section 19 (1) of the Right to Information Act, 2005 (No.22 of 2005)

It has come to the notice of the Government that lot of confusion persists in various Department/Offices to determine the First Appellate Authority under the Right to Information Act, 2005 to receive and dispose of the appeal. The first Appeal is to be disposed of by the First Appellate Authority within the Department by an officer senior in rank to the Public Information Officer under section 19(1) of the RTI Act, 2005. However, it is not clearly specified in the Act as to what level the Appeal should be disposed of. The rule state as "Any Persons who, does not receive a decision within the time specified in sub-section(1) or clause (a) of sub-section (3) of section 7, or is aggrieved by decision of the Central Public Information Officer or State Public Information Officer, as the case may be, may within thirty days from the expiry of such decision prefer an appeal to such officer who is senior in rank to the Central Public Information Officer or State Public Information Officer as the case may be, in each Public Authority".

It has been further noticed that lot of hierarchical levels exist in the Departments and Offices and there are many Officers who are senior in rank to the Public Information Officer due to which confusion exists among the officers as to who should be the right authority to receive the appeal and dispose of the appeal as per the provisions of the Act. Therefore, appeal petitions move from one level to other level creating lot of delays in disposing of the first Appeal which lead to dragging of the cases to the Information Commission in the form of 2nd Appeal creating embarrassing situation in the Office. The disposal of the cases under the Right Information Act, 2005 is time bound ad statutory obligation of the Public Authorities.

Therefore, the Governor of Arunachal Pradesh is hereby pleased to declare the Head of the Organization as the First Appellate Authority for disposal of the first appeal under section 19(1) of the Right to Information Act,2005 (No.22 of 2005) as **indicated below for speedy disposal of first Appeal within the concerned Department/Organization/Offices** with immediate effect:-

1. Civil Secretariat - Commissioner and Secretary/Secretary of the Department.

2. Directorate - Director.

3. Engineering Organization -Chief Engineer concerned.4. District Administration -Deputy Commissioner.

5. ADC (Independent) -Additional Deputy Commissioner.

6. Resident Commissioner Office, -Resident Commissioner.

New Delhi.

7. Commission - Secretary/Registrar concerned.

Therefore, above decision is brought to the notice of all Departments/Organizations/Offices under the Government of Arunachal Pradesh for necessary action and compliance.

Ramesh Negi Chief Secretary to the Government of Arunachal Pradesh