

ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)  
ITANAGAR

**File No. APIC-131 (R)/2025(Appeal)**

**Shri Tamchi Gungte,**

Near KV-II School Chimpu

PO/PS: Chimpu

PapumPare District A.P

(M) 9233567279

Pin Code: 791113

**Appellant**

Versus

**1.PIO,**

**O/o Executive Engineer (EE)**

PHED Department Aalo

West Siang District, Govt. of A.P

Pin Code: 791001

**Respondents**

**2.FAA,**

**Superintending Engineer (SE)**

PHE & WS Circle Bene Aalo

West Siang District A.P

Pin Code: 791001

**ORDER**

Date of Hearing: 12.09.2025

Date of Decision: 12.09.2025

**INFORMATION COMMISSIONER : Dani Gamboo**  
**Relevant facts emerging from appeal.**

RTI application filed on	:	17.10.2024
SPIO replied on	:	Not on record
First appeal filed on	:	22.11.2024
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	06.02.2025

**Information sought:**

The appellant filed an RTI application dated 17.10.2024 seeking following information regarding C/o"Augmentation of water Supply to Aalo Township in West Siang Dist. under the North East Special Infrastructure Development Scheme (NESIDS) in Arunachal Pradesh during the financial year 2019-20.

1. Furnish the certified Sanction Order Copy.

2. Furnish the certified LOC Copy with respect to the subject mentioned above.
3. Furnish the certified copy Utilization Certificate.
4. Furnish the certified copy of Notice Inviting Tender (NIT) with respect to the subject mentioned above.
5. Furnished the certified Progress Report of the projects in Physical and Financial section till date.
6. Furnish the certified copy of Completion certificate of the project.
7. Furnish the certified copy of Newspaper in which NIT was published (At least 3 newspaper name (one National & 2 Local)) along with date of publication of Newspaper, as per Government approved Order.
8. Furnish the certified Design and Scope of Work in the projects.
9. Furnish the certified copy of Work Specification of the projects.
10. Furnish the certified copy of documents submitted by tender participant for Technical Bid.
11. Furnish the Name of Firms who won the Tender work with respect to the subject mentioned above.
12. Furnish the Name of Officers and their Designation at the Time of monitoring the work.
13. Furnish the certified copy of Contractor Registration, Pass work Completion, Contractor Enlistment Update reports, of tender participant and winning Firm.
14. Furnish the certified copy of EMD and Security money deposited by all the tender participant.
15. Furnish the certified Integrity Pact submitted by the tender participant.
16. Furnish the certified Affidavit copy Sworn before a Competent Magistrate to the effect that he/she (tender participant), does not have 2 (Two) or more incomplete ongoing commitment (projects/contract to execute) at the time of bidding by the tender participant and winning firm. (as per rule SPWD/W-66/2012 Dated. 01-08-2018).
17. Furnish the certified documents submitted by tender participant and winning firm, i.e. copy of completed Three similar work each of value not less than 40% of the estimate cost or Completed Two Similar work each of value not less than 60% of the estimated cost or Completed One similar work of value not less than 80% of the estimated cost in the last 5 years ending last day of the month previous to the one in which the tenders are invited.
18. Furnish the certified copy of Acceptance letter for Tender work by the Executing Agency to the tender Winning Firm.
19. Furnish the certified copy of Work Order given to the Contractor by the Executing Department.
20. Furnish the Agreement Copy made between the Contractor and the Executive Agency for the projects mentioned above.
21. Furnish the Photograph of worksite (Glossy paper) before starting of work and Photograph (Glossy Paper) after completion of work.
22. Furnish the Geo Coordinate information for the work mentioned above.
23. Furnish the certified Payment Details of the project till date.

**Relevant facts emerged during hearing:**

Previous Hearing:



1st Hearing : 17.07.2025

In first hearing ordered as: *"The Commission has remanded back to the FAA – Superintending Engineer, PHE & WS Circle Bane, Aalo with the direction to conduct a procedural hearing to PIO and Appellant and dispose of the appeal case filed to him on or before 31.7.2025."*

The following were present.

**Appellant** : Present. He states that the information furnished by the PIO is incomplete. There is shortcomings in the information furnished by the PIO at serial no. 2, 7, 12, 13, 14, 16, 17, 21 and 23 of his RTI application.

**Respondent PIO** : Present through VC. The PIO has agreed to furnish the incomplete information sought in Sl. no. 2, 7, 12, 13, 14, 16, 17, 21 and 23 of the RTI application.

**FAA** : Absent.

**Decision:**

The Commission after adverting to the facts and circumstances of the case, and perusal of the records and hearing the parties, observes that FAA has not complied with the Commission's order dated 17.07.2025. The FAA – SE, PHE & WS, Circle Bene, Aalo has written a letter dated 09.12.2024 to the PIO directing him to furnish the information sought to the appellant without procedural hearing to PIO and Appellant to dispose of the appeal filed to him.

Again, the FAA states vide his letter dated 20.08.2025 that the First Appellant Authority in all Engineering Organisation under Arunachal Pradesh Right to Information Rule, 2005 is the concerned Chief Engineer. But in Right to Information Act 2005 under section 19(1) the aggrieved applicant can prefer an appeal to such officer who is senior in rank to the State Public Information Officer in each public authority.

Accordingly, the appellant has filed his appeal case to the SE, PHE & WS Bene Circle. The Act is the primary Law and the rule framed by the State Government is only subordinate legislation. So, the FAA – SE, PHE & WS, Circle Bane, is bound to conduct hearing and dispose of first appeal filed to him by the appellant as per guidelines as laid *at para-38 of the guidelines for the FAA issued by the GoI and State Govt. OM No. AR-111/2008 dated 21.8.2008* instead of writing letter to PIO for furnishing information.

The FAA - SE, PHE & WS, Bene Circle is directed to invariably conduct a 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 issue of this order under intimation to this commission.

The PIO is directed to furnish the aforesaid shortcoming information within three weeks from the date of issue of this order i.e on or before 03.10.2025 under intimation to this commission. The appellant shall examine the information furnished to him and make a written

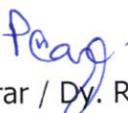
submission to the PIO if there is any shortcoming in the information furnished to him within one week from the date of receipt of shortcoming information under intimation to the first appellate authority and to this commission.

Order pronounced in the Open Court of this Commission today this 12<sup>th</sup> day of September' 2025. Each copy of the Judgement / Order be furnished to the parties.

Given under my hand and seal of this Commission / Court on this 12<sup>th</sup> day of September 2025.

**Sd/-**  
**(Dani Gamboo)**  
**Information Commissioner**

Authenticated true copy

  
Registrar / Dy. Registrar  
APIC

Memo No. APIC-131(R)/2025/ 602  
Copy to:

Dated Itanagar the 16 September'2025.

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