



सूचना का
अधिकार
RIGHT TO
INFORMATION



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-276/2025(Appeal)

Shri Riya Taram & Shri T.Gungte

Huto Colony, Jollang Road
C/o Riag Store near Catholic Church
Jollang Itanagar Papumapre Dist. A.P.
(M) 9383103387/9402443699
Pin: 791113.

Appellant

Versus

**1. PIO,
O/o the Executive Engineer (EE)**
RWD Bameng Division
East Kameng District A.P.
Pin Code: 790102.

Respondents

**2. FAA
Chief Engineer RWD (PMGSY)**
Itanagar, Papumpare District AP.
Pin Code: 791111

ORDER

Date of Hearing: 18.08.2025
Date of Decision: 18.08.2025

INFORMATION COMMISSIONER : Dani Gamboo
Relevant facts emerging from appeal.

RTI application filed on	:	04.01.2025
SPIO replied on	:	Not on record
First appeal filed on	:	14.02.2025
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	24.03.2025

Information sought:

The appellant filed an RTI application dated 04.01.2025 seeking following information regarding C/o "LO28-Road from L033 to Lengdiliang" PMGSY Scheme Sanctioned during the financial year 2018-19.

Particulars of Sought information are given below:-

1. Furnish the certified Sanction Order Copy of the projects.
2. Furnish the certified PRC (Permanent Residence Certificate) submitted by the Tender Participant issued by the Competent Authority regarding domicile status with the district as per rule 4(ii) (b) of the Arunachal Pradesh District Based Entrepreneurs and Professionals (Incentive, Development and Promotion) rules, 2015 & 2020.
3. Furnish the certified copy of Proof (Voted ID or PRC) that the tender winning firm Domicile status within the Territorial Jurisdiction of that Constituency Assembly as per District Based Entrepreneur and Professionals (Incentive, Development and Promotion) rules 2015 & 2020.
4. Furnish the certified copy of Notice Inviting Tender (NIT) with respect to the subject mentioned above.
5. Furnish the Certified copy of Criteria of eligibility for CPWD as well as non-CPWD Contractors in the projects.
6. Furnish the certified copy of Newspaper in which the NIT was Published.
7. Furnish the certified Utilization Certificate of the projects till date.
8. Furnish the certified progress report of the project financially and physically.
9. Furnish the Design and Scope of Work in the projects.
10. Furnish the certified copy of Work Specification of the projects.
11. Furnish the certified copy of documents submitted by all the Tender participant for Technical Bid.
12. Furnish the Name of Firms who won the Tender work with respect to the subject mentioned above.
13. Furnish the Name of Officer and their designation at the time of monitoring the work.
14. Furnish the certified copy of Contractor Enlistment Copy (Civil) of the tender participant and Tender Winning Firm.
15. Furnish the certified copy of EMD and Security money deposited by all the tender Participant and Winning firm.
16. Furnish the certified Integrity Pact submitted by the tender participant.
17. 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 SPWD/W-66/2012 dated 01-08-2018 as per District Based Entrepreneurship Act 2015 & 2020)
18. Furnish the certified documents submitted by the tender participant and Winning firm, i.e. copy of completed Three Similar Works each of value not less than 40% of the estimate cost or Completed Two similar work each Value not less than 60% of the Estimate cost or completed one similar work of value not less than 80% of the Estimate cost along with the Completion Certificate issued by the Engineer in Charge duly countersigned by the concerned Superintending Engineer and Chief Engineer, in the last 5 years ending last day of the month previous to the one in which the tender are invited.
19. Furnish the certified Payment Details made to Contractor (Cheque no., Voucher, PFMS etc. (Which ever method is used for payments) of the projects till date.

The following were present.

Appellant : Absent.

Respondent PIO : Absent.

F A A : Absent.

Decision:

The Commission after adverting to the facts and circumstances of the case, and perusal of the records, observes that FAA has 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. So, this appeal case is decided and determined ex parte as made known to them in the hearing notice.

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.

Therefore, the instant appeal case is remanded to First Appellate Authority. Therefore, the **FAA – Chief Engineer, RWD (PMGSY), Itanagar, Govt. of 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 two weeks from the date of receipt of this order i.e **on or before 01.09. 2025.**

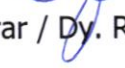
The appellant is at liberty to file 2nd appeal afresh:

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.

Fee for such 2nd appeal, if done, shall be exempted.

Sd/-
(Dani Gamboo)
Information Commissioner

Authenticated true copy


Registrar / Dy. Registrar
APIC

Memo No. APIC-276/2025/ 584
Copy to:

Dated Itanagar the 20 August' 2025.

- ✓ 1. Computer Programmer Itanagar APIC to upload in APIC website and mailed to concerned department email.
2. Office copy.

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