



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-174/2025(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)**
RWD, Kaying Division
Siang District, Govt. of A.P
Pin Code: 791001

Respondents

**2.FAA,
Chief Engineer (CE) E/Z**
RWD, Itanagar, Papumpare Distrct
A.P, Pin Code: 791111

ORDER

Date of Hearing: 24.07.2025
Date of Decision: 24.07.2025

INFORMATION COMMISSIONER	:	Dani Gamboo
Relevant facts emerging from appeal.		
RTI application filed on	:	11.11.2024
SPIO replied on	:	Not on record
First appeal filed on	:	12.12.2024
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	17.02.2025

Information sought:

The appellant filed an RTI application dated 11.11.2024 seeking following information regarding C/o "The total list of projects sanctioned under Pradhan Mantri Jan

Vikas Karyakaram (PMJKV), erstwhile-MsDP Scheme, Ministry of Minority Affairs Govt. of India" during the financial year 2018-19.

The total list of Projects are as follows: -

1. Construction of RCC School building at Lower Primary School at Yipe Kaying village in Kaying-Payum block of Siang Dist.
2. Construction of RCC School, building at Residential School, Pame in Kaying-Payum block of Siang Dist. A.P.
3. Construction of RCC School building at Upper Primary School, Kerang in Kaying-Payum block of Siang Dist. A.P.
4. Construction of RCC School building at Lower Primary School at Sirum in Kaying-Payum block of Siang Dist. A.P.
5. Construction of RCC 40 Bedded Girls Hostel with Toilet at Govt. Upper Primary School Bogne in Kaying-Payum block of Siang District A.P.

Particulars of sought information are given below: -

C/o "The Total List of Projects":

1. Furnish the certified Sanction Order Copy.
2. Furnish the certified copy of Proof (such as Voter ID and 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.
3. Furnish the certified LOC Copy with respect to the subject mentioned above.
4. Furnish the certified copy of Technical Sanction done by the concerned Authority for the projects as per financial rules.
5. Furnish the certified copy of Utilization Certificate.
6. Furnish the certified copy of Notice Inviting Tender (NIT) with respect to the subject mentioned above.
7. Furnish the certified Progress Report of the projects in Physical and Financial section till date.
8. Furnish the certified copy of Completion certificate of the project.
9. 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.
10. Furnish the certified Design and Scope of Work in the projects.
11. Furnish the certified copy of Work Specification of the projects.
12. Furnish the certified copy of documents submitted by tender participant for Technical Bid.

13. Furnish the Name of Firms who won the Tender work with respect to the subject mentioned above.
14. Furnish the Name of Officers and their Designation at the Time of monitoring the work.
15. Furnish the certified copy of Contractor Registration, of the tender participant and tender winning Firm.
16. Furnish the certified copy of Contractor Enlistment Update reports (Civil/ Composite Category as per the nature of work), of tender participant and winning Firm.
17. Furnish the certified copy of EMD and Security money deposited by all the tender participant.
18. Furnish the certified Integrity Pact submitted by the tender participant.
19. 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 as per District Based Entrepreneurship Act, 2015.
20. 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 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 tenders are invited.
21. Furnish the certified copy of Acceptance letter for Tender work by the Executing Agency to the tender Winning Firm.
22. Furnish the certified copy of Work Order given to the Contractor by the Executing Department.
23. Furnish the Agreement Copy made between the Contractor and the Executive Agency for the projects mentioned above.
24. Furnish the certified copy of all Photograph of work items (Glossy paper) before starting of work and Photograph (Glossy Paper) after completion of work.
25. Furnish the Geo Coordinate information for the work mentioned above.
26. Furnish the certified Payment Details (Cheque no., voucher, PFMS etc. (Which ever method is used of payments)) of the project till date.

The following were present.

Appellant

: Present. He states that he got some information which doesn't conform the item of information sought in RTI application in form-A. He would return the information documents to the PIO. He further states that no hearing was

conducted by the First Appellate Authority to dispose of the first appeal file to him.

Respondent PIO

: Absent. Shri Kito Romin, UDC attended without any authority letter. He states that no hearing was conducted by the FAA to dispose of the first appeal.

F A A

: Absent. Filed a written submission for postponement of today's hearing.

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 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 in the absence of the FAA as made known to him 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.

Now Therefore, the instant appeal case is remanded to First Appellate Authority. Therefore, the **FAA-Chief Engineer (CE) E/ZRWD**, Itanagar, Papumpare **District 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 07.08.2025**

The appellant is at liberty to approach this commission:

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.

Sd/- (Dani Gamboo)
Information Commissioner

Authenticated true copy

Registrar / Dy. Registrar

APIC

Memo No. APIC-174/2025/

Copy to:

Dated Itanagar the 28 July 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