



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-131/2025(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: 17.07.2025

Date of Decision: 17.07.2025

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.

The following were present.

Appellant : Present. He states that the maximum information has been received but there are some shortcomings and inadequacy as RTI application.

Respondent PIO : Present. He has agreed to make up any shortcoming in the information and hand it over to the appellant.

F A A : 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 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. The FAA has written a letter dated 09.12.2024 directing the PIO to furnish information to the appellant without procedural hearing to the parties and dispose of the appeal made to him. 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.

Therefore, the instant appeal case is remanded to First Appellate Authority. Therefore, the **FAA – Superintending Engineer, PHE & WS Circle Bene, Aalo 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 **31.07.2025**.

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

P. Singh
Registrar / Dy. Registrar
APIC

Memo No. APIC-131/2025/
Copy to:

534

Dated Itanagar the *18* July'2025.

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

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