



ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-128/2025(Appeal)

Shri Tamchi Gungte

Near KV-II School Chimpu

PO/PS: Chimpu

PapumPare District A.P.

Pin Code: 791113

(M) 9233567279

Appellant

Versus

1.PIO,

O/o Executive Engineer (EE)

PHED Dept. Mechuka Division

Shi-Yomi District A.P

Pin Code: 792051

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	:	03.10.2024
SPIO replied on	:	Not on record
First appeal filed on	:	25.11.2024
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	06.02.2025

Information sought:

The appellant filed an RTI application dated 03.10.2024 seeking following information regarding C/o "Improvement of Water Supply System for Mechuka Township & Peripheral villages with Sewerage System and Riverfront development for boosting tourism in Mechuka Township Arunachal Pradesh, under the North East

Special Infrastructure Development scheme (NESIDS) in A.P. during the financial year 2022-23.

1. Furnish the certified copy of Integrity Pact submitted by the tender participant.
2. Furnish the certified copy of Work Specification of the Project.
3. Furnish the certified copy of Design and Scope of the project.
4. Furnish the certified copy of EMD and Security money deposited by all the tender participant.
5. Furnish the certified 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 tender is invited.
6. Furnish the certified copy of Documents submitted by the tender participant for Technical Bid in the tender process.

The following were present.

Appellant : Present.

Respondent PIO : Absent. Shri Dorik Bagra, AE attended without any authorization letter from PIO.

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 9.12.2024 to the PIO directing him to furnish the information sought to the appellant without procedural hearing to PIO and Appellant. 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

Pang
Registrar / Dy. Registrar
APIC

Memo No. APIC-128/2025/ *535*

Copy to:

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.

Pang
Registrar / Dy. Registrar
APIC Itanagar
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar