सूचना का अधिकार
RIGHT TO INFORMATION

सत्यमेव जयते

ARUNACHAL PRADESH INFORMATION COMMISSION (APIC)
ITANAGAR

File No. APIC-335/2025(Appeal)

Shri Tagru Dolu **Appellant**
Chandranagar near Govt.
Primary School, PO: RK Mission
PS: Itanagar, Papumapre Dist. A.P.
Pin: 791113 (M) 7005405241

Versus

1.PIO, **Respondents**
O/o the Executive Engineer (E)
IT Division Itanagar
Papumpare District A.P.
Pin Code: 791111.

2. FAA
Chief Engineer (Commercial)
Vidyut Bhawan Itanagar Govt. of A.P
Papumpare District AP.
Pin Code: 791111

ORDER

Date of Hearing: 10.07.2025
Date of Decision: 10.07.2025

INFORMATION COMMISSIONER : Dani Gamboo

Relevant facts emerging from appeal.

RTI application filed on	:	13.02.2025
SPIO replied on	:	Not on record
First appeal filed on	:	21.03.2025
First Appellate Authority's Order	:	Not on record
Second Appeal filed on	:	21.04.2025

Information sought:

The appellant filed an RTI application dated 13.02.2025 seeking following information regarding Selection of system integrator (ERPSI) for supply, installation, commission in, implementation and support for enterprise resource planning (ERP) System at Department of Power Arunachal Pradesh.

1) Certified True copy of NIT/Request for proposal notice.
2) Certified True Copy of Bid Meeting attendance.
3) Certified True copy of all Receipt of tender fees with time and date.
4) Certified True copy of Rate quotation of all participants Company/Firms.
5) Certified True copy of Last date for Receipt of RFP.
6) Certified True copy of Copy of letter of award/LOA.
7) Certified True copy of Copy of all notification/ corrigendum/ amendment/ clarification/and all related document decisions.
8) Total numbers and name of Company/firms Participated.
9) Certified True copy of all documents submitted by selected bidders or company.
10) Certified True copy of tender fees submitted by awarded bidders or Company.
11) Certified True Copy of bid security deposited by whom work is Awarded.

The following were present.

Appellant : Shri Banbon Nyitan represented the Appellant through VC with authority letter from appellant. He states that neither the information has been furnished by the PIO nor the First Appellate Authority has heard the first appeal case.

Respondent PIO : Shri Kipa Tachak, JE attended without any authority letter.

F A A : Present through VC. He states that there is an issue in remittance of appeal fee submitted in the form of IPO by the appellant. And the appellant could not be contacted in his given address in appeal application.

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 in the absence of the PIO 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 – Chief Engineer (Commercial), Vidyut Bhawan 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 one month from the date of issue of this order i.e**on or before 10th August 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-335/2025/ 505 Dated Itanagar the ..11..July'2025.
Copy to:

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

11/07/25
Registrar / Dy. Registrar
APIC, Itanagar
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar