



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Case No. APIC-653/2025.

APPELLANT : Shri Tamchi Gungte, near KV-II School Chimpu Itanagar.
RESPONDENT : The PIO, o/o the Executive Engineer (RWD), Basar Division, Leparada District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tamchi Gungte for non-furnishing of below mentioned information by the PIO, o/o the Executive Engineer (RWD), Basar Division, Leparada District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 27.05.2025.

A.Particulars information: C/o "MRL0- Akajan Likabali Bam Road to govt. Model Degree College, Basar under Pradhan Mantri Gram Sarak Yajana" during the financial year of 2023-24 to till date.

B.The total List of Project are:

1. Certified Sanction Order Copy.
2. Certified PRC (Permanent Residence Certificate) submitted by tender Participant issued by the competent Authority regarding domicile status within the district (Leparada District) as per rule 4(ii)(b) of the Arunachal Pradesh District Based Entrepreneurs and professionals (Incentive, Development and Promotion) rules, 2015 & 2020.
3. The certified copy of Technical Sanction done by the concerned Authority for the projects as per financial rules.
4. The certified copy of Utilization Certificate.
5. The certified copy of Notice Inviting Tender (NIT) with respect to the subject mentioned above.
6. The certified copy of the criteria of eligibility for CPWD/ APPWD as well as non-CPWD/ non-APPWD contractors in this project.
7. The certified copy of the progress report of the project in physical and financial section till date.
8. The certified copy of completion certificate of the project.
9. The certified copy of the Newspaper in which NIT was published (At least 3 newspaper name (one National & Local) along with date of publication of newspaper, as per Govt. approved order (Order No. IPR/ADVT (Advt. Policy)-37 /2016, dated 30th Jan., 2018 by the Secretary to the Govt. of A.P Information and Public relation Department, Itanagar).
10. The certified Desing and Scope of Work in the project.
11. The certified copy of work specification of the project.
12. The certified copy of documents submitted by tender participant for Technical Bid.
13. The certified copy of Tender participant who have qualified the Technical Bid in the Tender Process of this projects as per District Based Entrepreneur and professionals (Incentive, Development and Promotion) rules, 2015 & 2020.

14. Name of firm who won the Tender work with respect to the subject mentioned above.
15. The details (Name, Designation (then & now), currently posting location) of Officers who were responsible for monitoring the work before and till date.
16. Furnish the certified copy of Contractor Registration, of the tender participant and tender winning Firm.
17. Furnish the certified copy of Contractor Enlistment Order (Civil/Composite Category as per the nature of work), of tender participant and winning Firm.
18. Furnish the certified copy of EMD and Security money deposited by all the tender participant.
19. Furnish the certified Integrity Pact submitted by the tender participant
20. Furnish the certified Affidavit copy (The Affidavit should mention the names of the incomplete ongoing commitments) Sworn before a Competent Magistrate to the effect that he/she (tender participant), does not have more than 2 (Two) 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 Dtd. 01-08-2018 and Arunachal Pradesh District Based Entrepreneurs and Professionals (Incentive, Development and Promotion) rules no. 4(ii(e)), 2015 & 2020).
21. Furnish the certified Criteria of Work Experience required for this project mentioned above.
22. Furnish the certified copy of Work Experience documents submitted by the 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.
23. Furnish the certified copy of Acceptance letter for Tender work by the Executing Agency to the tender Winning Firm.
24. Furnish the certified copy of Work Order/Commence of work given to the Contractor by the Executing Department.
25. Furnish the Agreement Copy/MOU made between the Contractor and the Executive Agency for the projects mentioned above.
26. Furnish the certified copy of all Photograph of work items (Glossy paper) before starting of work.
27. Furnish the certified Photograph (Glossy Paper) after completion of each work items.
28. Furnish the Geo Coordinate information before the start of projects and after the start of the project mentioned above.
29. Furnish the certified Payment Details (Cheque details, voucher, PFMS etc. (Which ever method is used of payments)) of the project till date.
30. Furnish the certified Solvency certificate certified by the Bankers, submitted by all the tender participant.
31. Furnish the certified Credit facility from Bankers (10% of the tender value) submitted by the tender participants.
32. Furnish the certified Affidavit to invest cash upto (25% of tender value) submitted by the tender participant.

33. Furnish the certified copy of Performance Guarantee of 5% (five percent) of the Bid amount of the projects.
34. Furnish the certified copy of Utilization Certificate for the amount exempted in the NIT from the Total Sanctioned amount.

Brief facts emerging from the appeal:

Records emerging from the appeal disclose that the Appellant, Shri Tamchi Gungte had requested the PIO for the aforementioned information / documents but failed to obtain the same which prompted him to appeal before the Chief Engineer(RWD), PMGSY, Govt. of A.P Itanagar, the First Appellate Authority (FAA) under Section 19 (1) of RTI Act, 2005 vide his Memo of Appeal dt. 07.07.2025.

Records further disclose that the FAA had conducted the hearing on 22.07.2025 and as recorded in his judgement at Sl. No.(c), the information/ documents brought in by the PIO, EE/PIO Basar Division in the hearing were handed over to the appellant and the appeal was, thus, disposed off by the FAA.

The appellant, however, apparently, dissatisfied with the judgement of the FAA and the information so furnished by the PIO preferred his second appeal before this Commission under Section 19 (3) of the RTI Act, 2005 vide memo of appeal dated 25.08.2025

Hearing and decision:

This appeal was, accordingly, heard 2(two) times on 03.12.2025 and 30.01.26. On 03.12.25, wherein both the appellant, Shri T. Gungte and the PIO, Er. Karbom Basar, EE, Basar RWD Division were present in person, this Commission after hearing the parties and on perusal of the the appellant's complaint for not furnishing the complete information by the PIO, directed the PIO to furnish to the appellant all the left out information/documents except in respect of Sl.No.9 and 13 (which were not pressed by the appellant) as early as possible and report compliance thereof to this Commission on 30th January, 2026.

On 30.01.2026, the appellant was present in person while the PIO was represented by Er. Shri Taba Riba, AE-cum-APIO with the left out documents/information which were handed over to the appellant with the direction to go through the documents/information so furnished by the o/o the PIO and report his satisfaction or otherwise therewith to this Commission within 1(one) week from the receipt of this order.

As directed the appellant A letter dt. 2nd February, 2026 has complained as under:

"Respected Sir,

With due respect, I would like to inform you sir that the documents furnished by PIO is incomplete as I have seek in my Form-A and I believe that the information I'm seeking doesn't fall under section 8 of the RTI act.

Following are details of the incomplete information as per my Form-A: -

- T. Serial no. 2: The document is furnished is not clear.*
- U. Serial no. 4: The information is furnished is incomplete as per the progress of the work.*
- V. Serial no. 5: the documents is not furnished.*
- W. Serial no.6: the documents is not furnished.*
- X. Serial no. 10: the documents is furnished is incomplete as there is no drawing of the Detail Cross Section of the road.*

- Y. Serial no. 12: the documents is not furnished.
Z. Serial no. 13: The documents is not furnished.
AA. Serial no. 10: No documents of the other tender participant.
BB. Serial no. 13: No documents of the other tender participant.
CC. Serial no. 15: No documents is furnished.
DD. Serial no. 16 & 17:-the documents furnished is not visible.
EE. Serial no. 18: the documents furnished is incomplete as there is no documents of other participant.
FF. Serial no. 19: There is no documents provided as I seeked in my form-A.
GG. Serial No. 20: There is no documents provided as I seeked in my Form - A
HH. Serial no. 21: the documents is not furnished.
II. Serial no. 22: the documents is not furnished.
JJ. Serial no. 26: no information furnished.
KK. Serial no. 27: no information furnished.
LL. Serial no. 29: no information furnished.

Sd/-

Tamchi Gungte.”

In the premises as above, the PIO was directed, vide order dt.28.02.2026, to furnish the left out information as mentioned above to the appellant and report compliance therewith on 20.03.2026 the next date of hearing so as not to constrain this Commission the invoke the penal provisions of the RTI Act, 2005.

The appellant, Shri Tamchi Gungte, vide his letter dt.20.03.26, has now informed this Commission that he has received the requested information/documents from the PIO and that this appeal be disposed of and closed.

In view of the submission of the appellant as above, this appeal is disposed of and closed and accordingly the hearing fixed today on 20.03.2026 stands cancelled.

Given under my hand and seal of this Commission on this 20th March, 2026.

Sd/-

(S. TSERING BAPPU)

State Information Commissioner,
APIC, Itanagar.

Memo No. APIC- 653/2025/1154 Dated Itanagar, the 23rd March, 2026

Copy to:

1. The Chief Engineer (RWD), PMGSY Itanagar, the First Appellate Authority (FAA) for information.
2. The PIO, o/o the Executive Engineer (RWD), Basar Division, Leparada District (A.P) PIN: 791101 for information.
3. Shri Tamchi Gungte, Near KV-2 School Chimpu, Itanagar Mobile No. 9233567279 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC please.
5. Office copy.
6. S/Copy.

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar