



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

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

Case No. APIC-252 /2025.

APPELLANT : Shri Tamchi Gungte, Chimpu Itanagar,

RESPONDENT : The PIO, o/o the Executive Engineer (PWD), Ziro Division, Lower Subansiri 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 (PWD), Ziro Division, Lower Subansiri District Govt. of Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 04.10.24:

Particular of information: C/o “Establishment of Cultural Centre in Old Ziro Lower Subansiri District.” During the financial year 2022-23

1. The certified sanction order copy.
2. The certified LOC Copy with respect to the subject mentioned above.
3. The certified copy of Utilization Certificate.
4. The certified copy of Notice Inviting Tender (NIT) with respect to the subject mentioned above.
5. The certified Progress Report of the projects in physical and financial section till date.
6. The certified copy of the completion certificate of the project.
7. 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 Govt. approved Order.
8. The certified Design and Scope of Work in the projects.
9. The certified copy of Work Specification of the projects.
10. The certified copy of the documents submitted by tender participant for Technical Bid.
11. The name of Firms who won the tender work with respect to the subject mentioned above.
12. The name of officers and their Designation at the time of monitoring work.
13. The certified copy of Contractor Registration, Pass work Completion, Contractor Enlistment Update reports of tender participant and winning firm.

14. The certified copy of EMD and Security money deposited by all the tender participant.
15. The certified Integrity Pact submitted by the tender participant.
16. 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. 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 estimate cost or completed one similar work of value not less than 80% of the estimated in the last 5 years ending last day of the month previous to the one in which the tenders are invited.
18. The Certified copy of Acceptance letter for tender work by the Executing Agency to the tender winning firm.
19. The certified copy of work order given to the contractor by the Executing Department.
20. The certified copy of Modes adopted for the execution of work through EPC mode by the Dept.
21. The Agreement copy made between the contractor and the Executive Agency for the projects mentioned above.
22. The photograph of worksite (Glossy paper) before starting of work and Photograph (Glossy paper) after completion of work.
23. The Geo Coordinate information for the work mentioned above.
24. The certified Payment Details of the project till date.

Brief facts emerging from the appeal and decision:

Records in the appeal reveal that the appellant had requested the PIO for the aforementioned information but failed to obtain the same within the statutory period of one month which prompted him to file appeal before the First Appellate Authority (FAA), the CE (PWD), Central Zone-A, Govt. of A.P. Itanagar under section 19(1) of the RTI Act vide his Memo of Appeal dt.18.11.24. But he failed yet again to obtain the information. Therefore, he preferred his second appeal before this Commission under section 19(3) of the RTI Act vide his Appeal Memo dt.17.03.2025.

Records also reveal that the FAA had conducted the hearing on 20.12.2024 but the Appellant Shri Tamchi Gungte was absent. The hearing was, therefore, adjourned to next date with a warning to the appellant that if he fails to appear the appeal shall be dismissed/rejected. The appeal was, thus, disposed of by the FAA with liberty to the appellant to prefer 2nd appeal before this Commission. Hence this appeal in this Commission.

This appeal is, accordingly, listed today on 18.07.2025 wherein the appellant, Shri Tamchi Gungte and Er. Shri Radha Monty, AE-cum-APIO are present.

Heard that parties.

In the hearing the APIO brought in the documents requested by the appellant which were handed over to him.

The appellant complained that he had requested for 24 point information in his RTI application but the PIO has furnished the information/replies to only five points (Sl. No 1 to Sl.No.5) and no replies has been furnished against remaining 19 points.

This Commission, upon perusal of the documents brought in by the APIO, it is noticed that the PIO has not furnished replies to the queries fully. It is also noticed that the requested information/documents are not covered by any of the exemption clauses under section 8 of the RTI Act, 2005.

The PIO is, therefore, directed to furnish the documents as available in his office and also furnish suitable declaration by way of affidavit against those documents which are not available and this direction shall be complied with by the PIO within 1(one) month from the date of receipt of this order. The appellant shall, within 1(one) week thereafter, intimate the receipt of the documents by him for further consideration of the appeal.

Given under my hand and seal of this Commission on this 18th July, 2025.

Sd/-

(S. TSERING BAPPU)

State Information Commissioner,
APIC, Itanagar.

Memo No. APIC- 252/2025

Dated Itanagar, the 22 July,

2025

Copy to:

1. The Chief Engineer (CE), (PWD), govt of A.P Central Zone-A, Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO concerned.
2. The PIO, o/o the Executive Engineer (PWD), Ziro Division, Lower Subansiri District, A.P PIN: 791120 for information and compliance.
3. Shri Tamchi Gungte, Near KV-2 School Chimpu PO/PS Chimpu, 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
Anumachal Pradesh Information Commission
Itanagar