



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

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

Case No. APIC-89/2025.

APPELLANT : Shri Tamchi Gungte, Near KV-II School Chimpu.

RESPONDENT : The PIO, o/o the Executive Engineer, (PWD),
Roing Division, District : Lower Dibang Valley.

ORDER/SUMMONS

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), Roing Division, District : Lower Dibang Valley, Govt. of Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 14.10.2024:

A) Particular of information : c/o Improvement of Bomjir-Paglam road (Bizari to Anpum, L-13.400 km) during the financial year 2021-22.

B) Details of information required :

1. Certified Sanction Order copy;
2. Certified LOC copy;
3. Certified copy of utilization certificate;
4. Certified copy of Notice Inviting Tender (NIT) ;
5. Certified copy of Progress report of the projects in physical and Financial section till date;
6. Certified copy of copy of Completion certificate of the project;
7. Certified copy of newspaper in which NIT was published (At least 3 news paper name (one national & 2 Local) along with date of publication of news paper, as per government approved order;
8. Certified design and scope of work in the projects;
9. Certified copy of work specification of the projects;
10. Certified Copy of documents submitted by tender participant for Technical Bid;
11. Name of Firms who won the Tender Work;
12. Name of Officers and their designation at the time of monitoring the work.
13. Certified copy of Contractor Registration, Pass work completion, Contractor enlistment update reports, of tender participant and winning Firm;
14. Certified copy of EMD and Security money deposited by all the tender participant;
15. Certified Integrity Pact submitted by the tender participant;
16. Certified copy of an Affidavit copy sworn before a competent Magistrate by the Contractor, to the effect that he does not have two or more incomplete ongoing commitments (project / 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);
17. 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. Certified copy of Acceptance letter for Tender Work by the Executing Agency to the tender winning firm;
19. Certified copy of Work Order given to the Contractor by the Executing Department;
20. Certified copy of modes adopted for the execution of work through EPC mode by the Dept;
21. Agreement copy made between the Contractor and the Executive Agency for the projects mentioned above;
22. Photograph of worksite (Glossy paper) before starting of work and photograph (Glossy paper) after completion of work
23. Geo Coordinate information for the work mentioned above and
24. Certified payment details of the project till date.

This appeal is listed for 2nd time today on 06.06.2025, the first time being on 21.05.2025 wherein the Appellant, Shri Tamchi Gungte was present in person but the PIO, Er. Shri Keni Zirido, EE attended the hearing through VC.

This Commission, upon hearing the PIO, who submitted that all the sought for information / documents have already been dispatched to the appellant through speed post on 16th May, 2025 directed the appellant to intimate this Commission of the receipt of the documents and his satisfaction therewith within 30th May, 2025 to enable this Commission to pass further order.

In compliance with the direction of this Commission, the appellant informed this Commission vide his letter dt.03.05.2025 that he has received the documents from the PIO on 29.05.2025 but the PIO did not provide the left out documents as shown hereunder:

- (i) Sl. No.7 : The information is incomplete;
- (ii) Sl. No.12: The information is not furnished;
- (iii) Sl. No.16: The information is not furnished;
- (iv) Sl. No.22: The information is not furnished;
- (v) Sl. No.24: The information is not furnished

In today's hearing the appellant is present. But the PIO is represented by his APIO, Er. Shri Vikash Bagang, JE.

This Commission heard the appellant who reiterated his complaint about the incomplete documents as above and demanded for penal action under section 20 of the RTI Act against the PIO.

The APIO who is present without any records relating to this appeal submitted that he will not be able to explain the reasons for not furnishing the left-out documents.

This Commission notices that the left-out documents are not covered by the exemption provisions of the section 8 or 9 of the RTI Act and therefore, directs the PIO to furnish the same within 2(two) weeks from the date of receipt of this order so as not to constrain this Commission to invoke section 20 of the RTI Act.

It is made clear that if certain documents are not available with the PIO a declaration to that effect with cogent reasons thereof shall be furnished by him by way of an affidavit. The appellant is also directed to intimate this Commission of the receipt of the documents within one week of the from the date of receipt of the documents failing which this appeal shall stand closed.

Given under my hand and seal of this Commission on this 6th June, 2025.

Sd/-

**(S. TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.**

Memo No. APIC- 89/2025 /441 Dated Itanagar, the 9 June, 2025

Copy to:

1. The Chief Engineer (PWD), Govt. of A.P, Eastern Zone, Thana Road, Namsai, Namsai District (A.P), the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer (PWD), Roing Division, Lower Dibang Valley District, PIN – 792110 for information and compliance.
3. Shri Tamchi Gungte, Near KV-II School Chimpur, Po/PS Chimpur, Distt. Papum Pare (A.P) PIN: 791113, 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.

P. Arunachal Pradesh
**Registrar/ Deputy Registrar
APIC, Itanagar.**
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar