



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-413/2024.

APPELLANT : Shri Tamchi Gungte, Chimpu Itanagar.

RESPONDENT : The PIO, o/o the Executive Engineer (PHED)
Bordumsa Division, Dist. : Changlang (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 (PHED), Bordumsa Division, Dist. : Changlang, Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 04.09.2024.

A) Particular of information: C/o "Augmentation of water supply at Miao Township (3.5 MLD) in Changlang District" under the North East Infrastructure development Scheme in Arunachal Pradesh during the financial year 2019-20

B) Details of information required :

1. Certified sanction order copy of the total list of project mentioned above.
2. Total lists of work components of the projects.
3. The certified copy of Notice Inviting Tender (NIT) with respect to the subject mentioned above.
4. The certified copy of Newspaper in which the NIT was published (at least 3 newspaper names (one national & 2 local) along with the date of publication of newspaper as per Govt. approved order.
5. The Tender Evaluation copy (Technical Bid) along with the list of Firms participated in the tender process of the work.
6. The name of firm who won the tender work with respect to the subject mentioned above;
7. The certified copy on which date the project has been started.
8. The Geo Coordinate information for work mentioned above.
9. The certified full agreement copy made in between the executing agency and the firm owner.
10. The certified copy of contractor enlistment of the winning firm.
11. The certified copy of contractor enlistment update reports, of tender winning firm.
12. The certified affidavit copy sworn before a competent magistrate to the effect that he/she does not have 2 (two) or more incomplete ongoing commitment (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).

13. The certified copy of declaration letter from the contractor (if the tender participant is from different state) to the effect that he/she has not been debarred from tendering by authority in which contractor is registered (As per CPWD Works Manual 2014, Section 15.2.3(2)).

Facts emerging from the appeal:

The appellant, vide his application dt.04.09.2024, had requested for the aforementioned information from the PIO but failed to obtain the information which prompted him to file his 1st appeal before the Chief Engineer (PHED), Eastern Zone, Namsai, the First Appellate Authority (FAA) under section 19(1) of the RTI Act, 2005 vide his Memo of Appeal dt. 12.10.2024. However, having failed to receive any response from the FAA within the statutory period, the appellant approached this Commission by filing his 2nd Appeal under section 19(3) of the RTI Act, 2005 vide Memo of Appeal dt.25.11.2024.

Hearing and decision:

This appeal was heard for 2(two) times on 26.03.2025 and 11.04.2025.

In the hearing on 26.03.2025, the PIO submitted that he had already furnished the sought for information to the appellant but he was surprised to find that the appellant had filed his appeals before the FAA and the Commission. The Appellant responded by saying that he received the documents through post after filing the First and Second appeals and on expiry of the statutory periods of the furnishing the information and consideration by the FAA. The appellant produced before the Commission the documents furnished by the PIO which he claimed as incomplete considering the fact that he had deposited a sum of Rs. 11,500.00. He also pleaded for 2(two) days time to go through the documents and intimate his satisfaction or otherwise therewith.

This Commission, upon hearing the parties, directed the appellant to go through the documents furnished by the PIO and intimate his satisfaction or otherwise therewith within 2(two) days from 26/03/2025.

In compliance with the Commission's order dated 26th March, 2025, the appellant, vide his letter dated 26.03.2025, expressed his dissatisfaction with the documents supplied by the PIO as being incomplete, mentioning specifically, Sl. Nos. 4, 12 and 13 of his application in form-A.

In view of above, the appeal was again heard on 11.04.2025. But the appellant was absent while Er. Shri Tadar Kasung, A.E and the APIO, o/o the EE, (PHED), Bordumsa Division appeared through the VC who submitted that the sought for information has already been provided to the appellant.

This Commission, upon hearing the APIO and considering the fact that the information pertaining to the 3(three) points are yet to be furnished to the appellant and also of the fact that those documents are not covered by any of the exemption clauses under section 8 of the RTI Act, 2005, directed the PIO to provide those documents to the appellant within 3(three) weeks from the date of receipt of the order dt. 16.04.2025 with intimation to this Commission to avoid penal action under the Act.

The appellant was also directed to report to this Commission of the receipt of the documents immediately on receipt of the documents from the PIO. As directed, the appellant, vide his letter dt.06.10.2025, has informed that he has received the left out documents/information from the PIO.

In the premises as above, this appeal does not require any further adjudication by this Commission and accordingly, disposed of and closed.

Given under my hand and seal of this Commission on this 7th Oct., 2025.

Sd/-
(S. TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC- 413/2024 / 925 Dated Itanagar, the 08 Oct., 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.
2. The PIO o/o the Executive Engineer (PHED), Bordumsa Division, Distt. Changlang, 792056 Arunachal Pradesh for information.
3. Shri TamchiGungte, Near KV – II Chimpu, PO/PS : Chimpu, Dist. : Papum Pare, PIN 791113, Arunachal Pradesh, 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