



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-12/2025.

APPELLANT
RESPONDENT

: Shri Tamchi Gungte
: The PIO, o/o the Chief Executive Officer,
Pasighat Smart City Development Corporation Ltd.
Pasighat, East Siang District Govt. of 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 Chief Executive Officer, Pasighat Smart City Development Corporation Ltd, Pasighat, East Siang District, Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 23.09.2024.

A) Particular of information: C/o Integrated Command and Control Centre.

B) Details of information required:

1. Certified Sanction Order copy;
2. Tender Evaluation copy of Technical Bid along with list of Firms participated in the Tender process for the work.
3. Name of Firms who won the tender work with respect to the subject mentioned above.
4. Certified Design and scope of work in the projects.
5. Certified copy of work specification of the projects.
6. Certified copy of completion certificate for the work with respect to the subject mentioned above.
7. Certified copy of Contractor Registration, GST No. Contractor Enlistment Update reports as nature of work of tender winning Firm.
8. Furnish the CTC copy of declaration letter from the contractor to the effect that he/she has not been debarred from tendering by authority (if the contractor is from different state) in which contractor is registered.
9. Certified Copy of utilization certificate.
10. Certified copy of Notice Inviting Tender (NIT)
11. Certified copy of newspaper in which NIT was published (At least 3 newspaper name (one national & 2 Local) along with date of publication of news paper, as per government approved order.

12. Certified copy of EMD and Security money deposited by all the tender participant.
13. Certified Integrity Pact submitted by the tender participant.
14. 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 to execute / contracts in hand) (Notification no. SPWD/W-66/2012 Dtd. 01-08-2018).
15. Certified copy of three similar work each of value not less than 40 % of the estimate cost or two similar work each of value not less than 60 % of the estimated cost or 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 which tenders are invited.

Records in the appeal reveal that the appellant had requested the respondent PIO o/o the Chief Executive Officer, Pasighat Smart City Development Corporation Ltd, Pasighat for the aforementioned information vide his application dt. 23.09.2024 but failed to obtain the same and therefore, filed appeal under section 19(1) of the RTI Act before the CEO, Pasighat Smart City Development Corporation Ltd., the First Appellate Authority (FAA) vide his Memo of Appeal dt.30.10.2024. It is observed that the o/o the PIO, in response to the aforesaid RTI application of the appellant, had, vide letter dt.04.11.2024 addressed to the appellant forwarded information on few of the points while on most of the points it is remarked as, "NOT AVAILABLE". This had probably prompted the appellant to file his 2nd appeal before this Commission under section 19(3) of the RTI Act on 17.12.2024.

The appeal was, accordingly, listed for hearing on 09.04.2025 wherein both the appellant, Shri Tamchi Gungte and Er. Shri Bengia Gagung, E.E, o/o the CEO, PSCDC Ltd.were present.

Heard the parties.

The appellant reiterating his demand for the sought for information from the PIO, pleaded this Commission for an appropriate direction to the PIO to furnish the information. On the other hand, the PIO, reiterating the contents of his aforesaid letter to the appellant, submitted that the project in question, "c/o Integrated Command and Control Centre" was/is being implemented by M/S Bharat Electronic Ltd. (BHEL) and the project being a security related project, the information sought for by the appellant thereof are covered by exemption clause (a) of sub-section (1) of section 8 of the RTI Act and hence, can not be disclosed.

This Commission, upon hearing the parties and on perusal of the contents of the PIO's letter dt. 04.11.2024, observes that the PIO, while making the remarks, "Not Available" in his replies, has not cited the reasons as required under section 7(8)(i) of the RTI Act. This Commission, therefore, directs the PIO to furnish, on or before 09.05.2025, a revised replies to the appellant citing adequate and cogent reasons for non-disclosure of the information instead of merely making "NOT AVAILABLE" remarks.

The appellant is also directed to intimate this Commission of the receipt of the revised replies from the PIO failing which this appeal shall be disposed of and closed presuming that he has received the information and is satisfied therewith.

Given under my hand and seal of this Commission on this 9th April, 2025.

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

Memo No. APIC- 12/2025

698

Dated Itanagar, the 11 April, 2025

Copy to:

1. The CEO, PSCDC Ltd., the First Appellate Authority (FAA) for information and ensuring compliance of this order by the PIO.
2. The PIO, o/o the Chief Executive Officer, Pasighat Smart City Development Corporation Ltd. Pasighat, east Siang District, Arunachal Pradesh PIN – 791102 for information and compliance.
3. Shri Tamchi Gungte, Near KV-II School Chimpur, Po/PS Chimpur, Dist : Papum Pare, 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.

Registrar/ Deputy Registrar

APIC, Itanagar

Deputy Registrar

Arunachal Pradesh Information Commission
Itanagar