

ITANAGAR, ARUNACHAL PRADESH

An appeal case U/S 19(3) of RTI Act, 2005

Vide Case No.APIC-616/2025

**BEFORE THE HON'BLE COURT OF SHRI VIJAY TARAM, THE STATE
INFORMATION COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.**

Shri Gamdo Bogo

..... Appellant

-VERSUS-

PIO-Cum-Executive Engineer (CSQ), PWD,
Itanagar, Papum Pare District,
Govt. of Arunachal Pradesh

..... Respondent.

Order: 10.03.2026.

JUDGEMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI 2005. Brief fact of the case is that the Appellant Shri Gamdo Bogo on **21/02/2025** filed an RTI application in Form- 'A' before the PIO-cum-Executive Engineer, Contract Specification and Quality Assurance (CSQ) PWD, Itanagar, Papumpare District, Govt. of Arunachal Pradesh. Whereby seeking various information as quoted in Form 'A' application. The Appellant being not receiving the information from the PIO filed the First Appeal before the First Appellate Authority (FAA) on **25/04/2025**, and the Appellant not receiving the required information from the FAA, as his appeal was disposed of by the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on **12/08/2025** and the Registry of the Commission (APIC) having receipt of the Appeal registered it as APIC-No. **616/A/2025** (Appeal) and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission on **30.10.2025 & 10.03.2026** wherein the Appellant is represented by his learned counsel Shri Gumto Kato during the hearing before the Commission.

The PIO-cum-Executive Engineer, CSQ, PWD, Itanagar, Papumpare District, Govt. of Arunachal Pradesh is present during the hearing before the Commission.

1. Background:

The appellant filed a second appeal against the decision of the First Appellate Authority cum Chief Engineer (CSQ), PWD, Government of Arunachal Pradesh, dated 1st July 2025, which dismissed the appellant's application for obtaining documents related to M/S Guutv Gamro Enterprise. The request was initially denied on the grounds of invoking Section 8(1)(d) and (j) of the Right to Information Act, 2005, highlighting non-disclosure of information that does not serve public interest and the necessity to obtain consent from the third party whose documents were sought.

2. Contentions of the Appellant:

The appellant contended that the disclosure of these documents were essential to ensure transparency and accountability in public dealings and that it served a public interest.

3. Consideration of Facts:

The Arunachal Pradesh Information Commission (APIC) carefully reviewed the records of the case, including the statements made by the PIO and the decision of the First Appellate Authority. It is noted that the documents sought pertain to M/S Benji Loma Enterprise, which is a registered contractor—a status acquired after due scrutiny by the aforementioned authority.

4. Legal Provisions:

Section 8(1)(d) and (j) of the Right to Information Act outlines the circumstances under which information can be withheld. Notably:

- Section 8(1)(d) permits withholding of information if its disclosure would harm the competitive position of a third party.
- Section 8(1)(j) restricts the disclosure of personal information unless there is a larger public interest involved.

5. Findings of the Commission:

The Arunachal Pradesh Information Commission (APIC) holds that the appellant lacks the requisite locus standii to demand the information requested, as he is not a registered contractor and, therefore, does not possess a direct interest in the documents concerning M/S Benji Loma Enterprise, and has not competed in any work/tender with the Firm: M/S Benji Loma Enterprises

- Additionally, the third party has explicitly objected to the disclosure of its documents, further supporting the PIO's decision to deny the request.

6. Conclusion:

The APIC finds the decision of the First Appellate Authority to be in accordance with the provisions of the Right to Information Act 2005 and observes that the appellant's request does not align with public interest considerations.

7. Order:

In light of the above findings, the APIC hereby upholds the judgment of the First Appellate Authority dated 1st July 2025 and dismisses the second appeal filed by the appellant.

The details of information(s) sought by the Appellant from the PIO;

- i) All documents submitted by the firm "M/s Benji Loma Enterprises" for upgradation registration in class III.

- ii) All documents submitted by the firm "M/s Benji Loma Enterprises" for upgradation registration in class II.

Period for which information is sought for Since this contractor firm got upgradation from class IV to Class III and class III to class II.

Order;

In view of the above facts and circumstances the Commission dismiss this Appeal. And, accordingly, this Appeal stands dismissed and closed once for all.

Judgment pronounced in the open Court of this Commission today on this 10th day of March' 2026.

Copy of this Judgment be furnished to the parties.

Given under my hand and seal of this Commission on this 10th day of March' 2026.

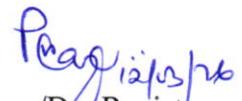
Sd/-

(Vijay Taram)
State Information Commissioner
APIC-Itanagar

Memo.No.APIC-616/A/2025/1141 Dated Itanagar, the 14 March, 2026.

Copy to:

1. PIO-Cum-Executive Engineer (CSQ), PWD, Itanagar, P/Pare District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code:791111**
2. Shri Gamdo Bodo, Nyokum Lapang, Itanagar, P/Pare District Arunachal Pradesh for information please. **Contact No. 8974986028**
3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy


Registrar/Dy. Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar