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अधिकार
RIGHT TO
INFORMATION



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.**

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

Case No. APIC-653/2025.

(Summon to appear in person)

(Or.5 R.3 of CPC)

APPELLANT : Shri Tamchi Gungte, near KV-II School Chimpur Itanagar,

RESPONDENT : The PIO, o/o the Executive Engineer (RWD), Basar Division, Leparada District (A.P)

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 (RWD), Basar Division, Leparada District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 27.05.2025.

A. Particulars information: C/o "MRLo- Akajan Likabali Bam Road to govt. Model Degree College, Basar under Pradhan Mantri Gram Sarak Yajana" during the financial year of 2023-24 to till date.

B. The total List of Project are:

1. Certified Sanction Order Copy.
2. Certified PRC (Permanent Residence Certificate) submitted by tender Participant issued by the competent Authority regarding domicile status within the district (Leparada District) as per rule 4(ii)(b) of the Arunachal Pradesh District Based Entrepreneurs and professionals (Incentive, Development and Promotion) rules, 2015 & 2020.
3. The certified copy of Technical Sanction done by the concerned Authority for the projects as per financial rules.
4. The certified copy of Utilization Certificate.
5. The certified copy of Notice Inviting Tender (NIT) with respect to the subject mentioned above.
6. The certified copy of the criteria of eligibility for CPWD/ APPWD as well as non-CPWD/ non-APPWD contractors in this project.
7. The certified copy of the progress report of the project in physical and financial section till date.
8. The certified copy of completion certificate of the project.
9. The certified copy of the Newspaper in which NIT was published (At least 3 newspaper name (one National & Local) along with date of publication of newspaper, as per Govt. approved order (Order No. IPR/ADVT (Advt. Policy)-37 /2016, dated 30th Jan., 2018 by the Secretary to the Govt. of A.P Information and Public relation Department, Itanagar).
10. The certified Desing and Scope of Work in the project.
11. The certified copy of work specification of the project.

12. The certified copy of documents submitted by tender participant for Technical Bid.
13. The certified copy of Tender participant who have qualified the Technical Bid in the Tender Process of this projects as per District Based Entrepreneur and professionals (Incentive, Development and Promotion) rules, 2015 & 2020.
14. Name of firm who won the Tender work with respect to the subject mentioned above.
15. The details (Name, Designation (then & now), currently posting location) of Officers who were responsible for monitoring the work before and till date.
16. Furnish the certified copy of Contractor Registration, of the tender participant and tender winning Firm.
17. Furnish the certified copy of Contractor Enlistment Order (Civil/Composite Category as per the nature of work), of tender participant and winning Firm.
18. Furnish the certified copy of EMD and Security money deposited by all the tender participant.
19. Furnish the certified Integrity Pact submitted by the tender participant
20. Furnish the certified Affidavit copy (The Affidavit should mention the names of the incomplete ongoing commitments) Sworn before a Competent Magistrate to the effect that he/she (tender participant), does not have more than 2 (Two) 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 Dtd. 01-08-2018 and Arunachal Pradesh District Based Entrepreneurs and Professionals (Incentive, Development and Promotion) rules no. 4(ii(e)), 2015 & 2020).
21. Furnish the certified Criteria of Work Experience required for this project mentioned above.
22. Furnish the certified copy of Work Experience documents submitted by the 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 along with the Completion Certificate issued by the Engineer in Charge duly Countersigned by the Concerned Superintending Engineer and Chief Engineer,) in the last 5 years ending last day of the month previous to the one in which the tenders are invited.
23. Furnish the certified copy of Acceptance letter for Tender work by the Executing Agency to the tender Winning Firm.
24. Furnish the certified copy of Work Order/Commence of work given to the Contractor by the Executing Department.
25. Furnish the Agreement Copy/MOU made between the Contractor and the Executive Agency for the projects mentioned above.
26. Furnish the certified copy of all Photograph of work items (Glossy paper) before starting of work.
27. Furnish the certified Photograph (Glossy Paper) after completion of each work items.
28. Furnish the Geo Coordinate information before the start of projects and after the start of the project mentioned above.
29. Furnish the certified Payment Details (Cheque details, voucher, PFMS etc. (Which ever method is used of payments)) of the project till date.
30. Furnish the certified Solvency certificate certified by the Bankers, submitted by all the tender participant.
31. Furnish the certified Credit facility from Bankers (10% of the tender value) submitted by the tender participants.
32. Furnish the certified Affidavit to invest cash upto (25% of tender value) submitted by the tender participant.

33. Furnish the certified copy of Performance Guarantee of 5% (five percent) of the Bid amount of the projects.
34. Furnish the certified copy of Utilization Certificate for the amount exempted in the NIT from the Total Sanctioned amount.

Brief facts emerging from the appeal:

Records emerging from the appeal disclose that the Appellant, Shri Tamchi Gungte had requested the PIO for the aforementioned information / documents but failed to obtain the same which prompted him to appeal before the Chief Engineer (RWD), PMGSY, Govt. of A.P Itanagar, the First Appellate Authority (FAA) under Section 19 (1) of RTI Act, 2005 vide his Memo of Appeal dt. 07.07.2025.

Records further disclose that the FAA had conducted the hearing on 22.07.2025 and as recorded in his judgement at Sl. No.(c), the information/ documents brought in by the PIO, EE/PIO Basar Division in the hearing were handed over to the appellant and the appeal was, thus, disposed off by the FAA.

The appellant, however, apparently, dissatisfied with the judgement of the FAA and the information so furnished by the PIO preferred his second appeal before this Commission under Section 19 (3) of the RTI Act, 2005 vide memo of appeal dated 25.08.2025

Hearing and decision:

This appeal is, accordingly, heard today on 03.12.2025, wherein both the appellant, Shri T.Gungte and the PIO, Er. Karbom Basar, EE, Basar RWD Division, are present in person.

Heard the parties.

The appellant submitted that he did receive some of the requested documents/information from the PIO during the hearing conducted by the FAA on 22.07.2025 but complained that some of the documents were either not furnished or were furnished unsatisfactorily and that he, vide letter dt.11.08.2025, had intimated the PIO of the same and requested for furnishing the correct and complete information. The extract of his letter dt.11.08.2025 to the PIO is reproduced hereunder:

“Respected Sir,

With due respect I am writing this to you as the documents furnished, is incomplete as have seek in my Form-A. (Name of Project: Akajan Likabali Bam Road to Govt. Model Degree College, Basar under PMGSY) So I request your office to look into the matter and take a necessary action to furnish the remaining document and kindly send to my concern address.

So, regarding the incomplete information, I would like to make it very clear and place my points as in Form-A.

**Particulars of information required as per FORM-A as follows:*

- (i) *Serial no 2 (PRC): The information is incomplete as there is no documents of other participant.*
- (ii) *Serial no. 4 (UC) :Information is not furnished.*
- (iii) *Serial no. 5 (NIT) :did not furnish the require documents, the documents furnished is not NIT copy.*
- (iv) *Serial no. 6 :did not furnish any reply.*
- (v) *Serial no. 9 (Newspaper) :Not satisfied with the documents furnished, as only single newspaper is furnished whereas I seek for three newspaper.*

- (vi) Serial no. 10 (Design & scope): Did not furnish the Design of work.
- (vii) Serial no. 12 (Technical Bid documents): Did not furnish the proper documents, instead of that checklist of technical bid is furnished.
- (viii) Serial no. 13: documents not furnished.
- (ix) serial no. 15 (Specification of work): did not furnish information.
- (x) Serial no. 16 : The information provided is incomplete as there is no documents for the other tender participant.
- (xi) Serial no. 17 : The information provided is incomplete as there is no documents for the other tender participant.
- (xii) Serial no. 18 : The information provided is incomplete as there is no documents for the other tender participants.
- (xiii) Serial no. 19 (Integrity Pact): Did furnish the documents.
- (xiv) Serial no. 20 : Did not furnish the documents.
- (xv) Serial no. 21 : Did not furnish the documents.
- (xvi) Serial no. 22 : The information provided is incomplete as there is no documents for the other tender participant.
- (xvii) Serial no. 26 : did not furnish the documents.
- (xviii) Serial no. 27 : Incomplete documents as per the total worklist of the projects.
- (xix) Serial no. 29 (Payments Details) : Did not furnish the documents.

Yours faithfully,

Sd/-

Tamchi Gungte".

The PIO submitted that he has brought in the information/documents again in soft copy which he assured to get printed and furnish to the appellant in next two-three days. In this regard, this Commission perused the appellant's complaint on shortcomings as above and upon hearing the appellant, the information/replies on the following points were not pressed by him:

- a) Serial no. 9 (Newspaper cutting) of tender notice and
- b) Serial no. 13(qualification of tender participants).

In view of above, the PIO shall furnish all the left out information/documents except the Sl.No.9 and 13 as above to the appellant as early as possible and report compliance thereof to this Commission on 30th January, 2026.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC on the 30th January, 2026 (Friday) at 2 pm am** to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defense.

Take notice that, in default of your appearance, on the day above-mentioned, the matter will be heard and determined in your absence.

To avail online hearing please at least notify or get in touch one day prior to the hearing, download "**WEBEX MEETING APP**" from Google Play store. For further technical assistance Shri Himanshu Verma, IT Consultant (Mobile no. 8319014957) maybe contacted.

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

Memo No. APIC- 653/2025 *H 88* Dated Itanagar, the *4/12* Dec. 2025

Copy to:-

1. The Chief Engineer (RWD), PMGSY Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer (RWD), Basar Division, Leparada District (A.P) PIN: 791101xdf for information and compliance..
3. Shri Tamchi Gungte, Near KV-2 School Chimpoo, Itanagar 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.

11.12.2025
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar