



सूचना का
अधिकार
RIGHT TO
INFORMATION



ARUNACHAL PRADESH INFORMATION COMMISSION ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-227/2026.

APPELLANT : Ms. Bengia Mama, Dariya Hill colony, Itanagar.
RESPONDENT : The PIO, o/o the Executive Engineer (PWD), Gensi Division, Gensi.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Ms. Bengia Mama for non-furnishing of below mentioned information by the PIO, o/o the Executive Engineer (PWD), Gensi Division, Lower Siang District (A.P) as sought for by her under section 6(1) (Form-A) of RTI Act, 2005 vide her application dated 08.09.2025.

A) Particular of information: construction of compound wall and shopping complex at Malinithan Temple Mela Ground.

B) Details of information required:

1. Furnish a copy of the Technical Sanctioned Copy.
2. Furnish a copy of Sanction Order.
3. Furnish a copy of the Details Project Report (DPR).
4. Furnish a copy of the Work order.
5. Furnish a copy of the Geo Tagging details in colouring photos.
6. Furnish a copy of the detail copies of Material Procurement of Challans.
7. Furnish a copy of the Photographs of project before, during and after the completion of the project in coloring photo.
8. Furnish a copy of the Payment Cheque leaf/ PFMS/DBT transaction receipt copy.
9. Furnish a copy of the Notice Inviting Tender (NIT) details with NEWS paper cutting. The name of the NEWS paper and date of the publication must be clear and visible.
10. Furnish a copy of the Name of bidder/winner Firm along with the detail technical bids documents submitted by the winner (Bidder) Firm.
11. Furnish a copy of the Name of the firms who have participated in the said tender process with detail technical documents submitted by all the participants Firms.
12. Furnish a copy of the details on the grounds for rejection of the technical bids of all bidders who were disqualified in the evaluation process. This should include specific deficiencies or no-compliances with the tender requirements.
13. Furnish a copy of the contractor license of the selected winner/bidder, including the date of registration and any relevant updates or renewals.
14. Furnish a copy of the MIS Report.
15. Furnish a copy of Quarter Project Report (QPR).
16. Furnish a copy of CA BOOK (Contract Agreement Book).
17. Furnish a copy of the Completion Certificate.
18. Furnish a copy of the Utilization Certificate.
19. Furnish all the aforesaid documents within 30 days from the date of receipt along with proper CTC in each page.

C) Period for which information is sought for: 2023 to 2024.

Facts emerging from the appeal:

The records in the appeal reveal that the Appellant, Miss Bengia Mama had filed application dated 08/09/25 before the PIO o/o the EE, PWD, Gensi Division, requesting for the aforementioned 19 (nineteen) point information(s) regarding Ayush Mission.

Having failed to receive the information(s) from the PIO, the Appellant filed First Appeal under Section 19(1) of the RTI Act, before the First Appellate Authority (FAA), the Chief Engineer, Central zone – B, PWD. Pasighat vide Memo of Appeal dated 27/10/25.

Record further reveal that the FAA conducted hearing on 13.01.2026 wherein both the appellant and the PIO were absent and therefore next date of hearing was fixed on 29.01.2026. There is, however, no record of the FAA's conducting the hearing on the next date.

The appellant, however, preferred her Second Appeal before this Commission under Section 19(3) of the RTI Act, 2005 vide memo dated 16/02/2026.

This appeal is, accordingly, listed for hearing today on 15.07.2026 wherein the Appellant, Ms. Bengia Mama is present in person while the PIO, Er. Shri Kargo Karlo, EE, PWD, Gensi Division is present through VC.

Heard the parties.

The appellant submitted that following the failure by the PIO to furnish her the requested information, she had approached the FAA under section 19(1) of the RTI Act and the FAA after conducting the hearing on 29.01.2026, had directed the PIO to furnish the requested information which the PIO had agreed to. But the PIO, vide letter dt.20.12.2025 had advised her to deposit a sum of Rs.9000.00 towards the cost of documents in pe drive.

The PIO, on the other hand, while admitting the direction of the FAA, submitted that the appellant did not deposit the cost of documents and as such the documents remained unfurnished. During the course of hearing the appellant produced the copy of PIO's aforesaid letter dt.20.12.25 along with the statement of replies/information being furnished which is reproduced hereunder:

"No:-GD/E-52/2025-2026/235

Dated the 20th December 2025

To

*Mr Bengia Mama,
Dariya Hill Colony, Donyi Polo Road,
Itanagar-791111 Arunachal Pradesh*

Sub.- Seeking information under RTI

Sir

With reference to your RTI application No. NIL dated 08/09/2025, received in this office on 20/11/2025, you are hereby informed that an amount of 900.00 (Rupees Nine Hundred only) is required to be deposited towards the cost of providing the information in electronic form (on a Pen Drive).

The information in electronic form (on a Pen Drive) may be collected from the Executive Engineer Gensi Division, PWD, AP (Likabali Camp Office).

The payment may be made through Demand Draft, Indian Postal Order (IPO), Banker's Cheque, or Treasury Challan, drawn in favour of the Accounts Officer of the concerned Public Authority.

Yours faithfully

Sd/-

Executive Engineer
Gensi Division, PWD, Gensi, AP"

"To.

Mr Bengia Mama,
Dariya Hill Colony, Donyi Polo Road,
Itanagar-791111 Arunachal Pradesh

Sub:- Seeking information under RTI

Sir,

With reference to your RTI application No. NIL dated 08/09/2025, which was received by this office on 20/11/2025, I am furnishing the details information in electronic form (on a Pen Drive) for "Establishment of 50 Bedded AYUSH Hospital at Likabali, Lower Siang District under National AYUSH Mission" as under:-

1	Furnish a copy of the Technical Sanctioned copy	Enclosed
2	Furnished a copy of Sanction Order	Enclosed
3	Furnish a copy of the Details Project Report (DPR)	Enclosed
4	Furnish a Copy of the Work Order.	Letter of acceptance (Award Letter) Enclosed
5	Furnish a copy of the Geo Tagging details in colouring Photos.	Enclosed
6	Furnish a copy of the details copies of material procurement of Challans.	Not Available
7	Furnis a copy of the Photographs of project before, during and after the completion of the project in coloring photo.	Enclosed
8	Furnish a copy of the payment cheque leaf/PFMS/DBT transaction receipt copy.	Enclosed
9	Furnish a copy of the Notice Inviting Tender (NIT) details with NEWS paper cutting. The name of the NEWS poper and date of the publication must be clear and visible.	Enclosed, paper cutting is also enclosed
10	Furnish a copy of the Name of Bidder/Winner Firm along with the details technical bids documents submitted by the winner (Bidder) Firm	M/s KGNF Enterprise & M/S Tari Hai Enterprises M/S Dakke Nyicyor & M/S Marli Nyicyor (Technical Bid Enclosed)
11	Furnish a copy of the Name of the firms who have participated in the said tender process with detail technical documents submitted by all the participants Firms	Technical Bid for Both the Bidder enclosed

12	<i>Furnish a copy of the details on the Rounds for rejection of the technical bids of all bidders who were disqualified in the evaluation process. This should include specific deficiencies or non-compliances with the tender requirements.</i>	<i>No bidders were disqualified.</i>
13	<i>Furnish a copy of the contractor license of the selected winner/bidder, including the date of registration and any relevant updates or renewals,</i>	<i>Enclosed in the Technical Bid.</i>
14	<i>Furnish a copy of the MIS Report.</i>	<i>Enclosed</i>
15	<i>Furnish a copy of Quarter project report (QPR)</i>	<i>Enclosed</i>
16	<i>Furnish a copy of CA Book (Contract Agreement Book)</i>	<i>Enclosed</i>
17	<i>Furnish a copy of the completion certificate</i>	<i>Not yet completed</i>
18	<i>Furnish a copy of the Utilization Certificate</i>	<i>Enclosed</i>
19	<i>Furnish all the aforesaid documents within 30 days from the date of receipt along with proper CTC in each page.</i>	

Encls: Pen Drive containing Soft copy of the above mentioned informations.

Yours faithfully

Sd/-

Executive Engineer,

Gensi Division, PWD, Gensi, AP."

This Commission perused the aforesaid letter from the PIO to the appellant with reference to the appellant's RTI application which, as per Speed Post tracking record, was delivered in the o/o of the PIO, Gensi on 25.09.2025.

As per section 7(1) of the RTI Act, 2005, the PIO is required to furnish the requested information to the applicant within 1(one) month of the receipt of RTI application and as per sub-section-(6), if the PIO fails to furnish the information within the prescribed period of one month, the information has to be furnished to the applicant free of cost.

In the present case the PIO, having received the appellant's RTI application on 25.09.25, was bound to furnish the requested information on or before 24.10.2025 but failed to so, thus, violating the provisions of sub-section (1) of section 7 of the RTI Act. The PIO, therefore, could not have asked for the cost of the documents from the appellant but ought to have furnished the documents free of cost in terms of sub-section (6) of section-7 of the RTI Act.

This Commission, therefore, rejects the PIO's demand for the cost of documents from the PIO and directs him to furnish through Speed Post to the appellant the requested documents/information in respect of all the queries except the query No.17 (completion report) as the project is still ongoing. The PIO shall also give reasons for denying the information against the query No.6 which is replied as "Not Available".

It is made clear that as mandated by section -7(8)(i) of the RTI Act, 2005 when an information is denied to the applicant, the reason thereof has to be communicated to the applicant to his/her satisfaction. And as mandated by section-18(3)(c) and rule-5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, the submission/reply of the PIO has to be declared on an affidavit.

The PIO shall comply with the above direction within 1(one) week from the date of receipt of this order and the appellant shall, thereafter, within 1(one) week intimate this Commission of the receipt of the same failing which this appeal shall stand closed without further notice.

Given under my hand and seal of this Commission on this 15th July, 2026.

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

Memo No. APIC- 227/2026 17/18 Dated Itanagar, the 17 July, 2026
Copy to:

1. The Chief Engineer, (PWD), Central Zone B, Pasighat, East Siang District the First Appellate Authority (FAA) PIN: 791102 for information and ensuring compliance by the PIO.
2. The PIO, o/o the EE (PWD), Gensi Division, Lower Siang District (A.P) PIN:791125 for information and compliance..
3. Ms. Bengia Mama, Dariya Hill colony, Itanagar PIN: 791111 Mobile No. 8131048898 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

P. Chandra
Registrar/ Deputy Registrar
APIC, Itanagar

Deputy Registrar
Assam Pradesh Information Commission
Itanagar