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ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

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

Case No. APIC- 703/2025.

(Summon to appear in person)

(Or.5 R.3 of CPC)

APPELLANT : ShriBamang Pacho, IG Park, Itanagar.
RESPONDENT : The PIO, o/o the EE (PWD), Koloriang Division,
KurungKumey District, (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Bamang Pacho for non-furnishing of below mentioned information by the PIO, o/o the EE (PWD), Sangram Division, KurungKumey District Govt. of Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 04.06.2025:

A. Particulars of the Information: Under Budget Estimate (BE)2024-2025.

- 1) C/o Road from Patuk PWD road to ADC Office Patuk, Parsi Parlo Circle under KoloriangKurung Kumey District under SASCI-2024-25;
- 2) c/o Helipad at Malapu near Circuit House Koloriang, KurungKumey District under BE 2024-25;
- 3) c/o office building for CO Paniasang and Polosang, KurungKumey District under BE- 2024-25;
- 4) c/o G+2 Type II and Type III Quarter for District Administration in Koloriang, KurungKumey District under BE 2024-25;
- 5) c/o G+2 RCC School Building for Academic Block at Govt. Hr. Secondary School in Koloriang, KurungKumey District under BE 2024-25 and
- 6) Infrastructure Development within VKV School Koloriang, KurungKumey District under BE 2024-25.

B. Details of Information required:

- a) Work order by particular name/firm;
- b) DPR;
- c) Technical Sanction order copy (TS);
- d) Acceptance Letter;
- e) Commence Letter;
- f) Technical Bid;
- g) Tender Agreement copy and
- h) Details building plan for Building Project.

C. Period for which information asked for : 2024-2025

Brief facts emerging from the appeal :

Records emerging from the appeal disclose that the appellant, Shri Bamang Pacho had requested the PIO for the aforementioned information / documents but failed to obtain the same which prompted him to appeal before the Chief Engineer , (PWD), Central Zone-A, Itanagar, Govt. of A.P, the First Appellate Authority under Section 19 (1) of RTI Act, 2005 vide Memo of Appeal dt. 18.07.2025.

Records further reveal that the First Appellate Authority-cum-Chief Engineer, Central Zone-A, PWD, AP, Itanagar conducted a hearing on 20th August, 2025 wherein the appellant Shri Bamang Pacho was present but the Respondent PIO, EE, Sangram Division was absent and the FAA taking a serious view of the absence of PIO or any representative passed the following order:

"In accordance with the hearing notice dated 30/07/2025, the appellant is present but the respondent PIO is absent for the case hearing on RTI 15th appeal received on 22/07/2025 regarding non furnishing of documents by P10 cum Executive Engineer, Sangram Division, PWD against two applications demand are same in both the applications. The P10 is contacted over phone and he is ready to provide the documents. The absence of PIO or any representative of him for the case hearing is taken seriously by the undersigned.

Therefore, the respondent PIO is directed to furnish the sought information within 20 days from the date of issue of this order with intimation to this office.

Accordingly these two cases stand disposed of with liberty to the appellant to prefer second appeal to the State Information Commission as per section 19(3) of the RTI act.

Sd/-

FFA cum Chief Engineer,
Central Zone-A, PWD, AP,
Itanagar"

However, the appellant failed yet again to obtain the information and therefore, he preferred 2nd appeal before this Commission under Section 19 (3) of the RTI Act, 2005 vide Memo of appeal dt. 12.09.2025.

Hearing and decision:

This appeal was heard 2(two) times earlier on 10.12.25 and 21.01.26.

On 10.12.25 this Commission heard the PIO, Er. Shri Modak Riba, EE, Sangram PWD Division and considering the factual position that the Koloriang Division has since been created and the handing and taking over of the records pertaining to Koloriang jurisdiction has since been effected between the o/o the Sangram PWD Division and Koloriang PWD Division, passed order summoning the PIOs of both the Sangram Division and Koloriang Division in the next date to hear them as to whose Division shall provide the requested information to the appellant.

Accordingly, on 21.01.2026, Er. Shri Yomken Karga, EE and the PIO, Koloriang Division and Shri Bini Tare, i/c RTI Cell, o/o the EE, PWD Sangram Division appeared in person. The appellant, Shri Bamang Pacho was also present in person.

The PIO, o/o the E.E, Koloriang PWD Division brought in some of the information/documents for handing over to the appellant. But it was noticed that the documents were not certified and also not properly paged/indexed. The appellant, therefore, refused to accept the documents and pleaded for direction to the PIO to furnish the requested documents, duly certified and indexed as per his RTI application.

The documents were, therefore, returned to the PIO with direction to furnish the documents duly certified and properly indexed in a tabular form to the appellant with intimation to this Commission **within 30.01.2026** and the appellant was also directed to intimate this Commission within 1(one) of the receipt of the documents, of his satisfaction or otherwise for further consideration of the appeal.

As directed the PIO, o/o E.E, Koloriang Division, vide his letter dt.24.01.2026 had furnished the following information/replies to the appellant:

“1. Name of Work: C/o Road from Patuk road to ADC Office Patuk, Parsi Parlo Circle

Details of Information required:

1. Work Order :Unable to Trace out.
2. DPR :Unable to Trace out.
3. TS :Unable to Trace out.
4. Acceptance Letter : Furnished/Enclosed here
5. Commencement Letter : Furnished/Enclosed here
6. Technical B : Furnished/Enclosed here
7. Tender Agreement Copy : Furnished/Enclosed here
8. Details building plan for Building Projects :Unable to Trace out

2. Name of Work:- C/o Helipad at Malapu near Circuit House Koloriang Kurung Kumey District.

Details of Information required:

1. Work Order: Unable to Trace out.
2. DPR :Unable to Trace out.
3. TS :Furnished/Enclosed here
4. Acceptance Letter : Furnished/Enclosed here
5. Commencement Letter : Furnished/Enclosed here
6. Technical Bid : Furnished/Enclosed here
7. Tender Agreement Copy: Unable to Trace out.
8. Details building plan for Building Project: Unable to Trace out

3. Name of Work:- C/o Office Building for CO Painasang and Polosang, Kurung Kumey District.

Details of Information required:

1. Work Order :Unable to Trace out.
2. DPR :Unable to Trace out.
3. TS : Furnished/Enclosed here
4. Acceptance Letter : Furnished / Enclosed here
5. Commencement Letter : Furnished / Enclosed here
6. Technical Bid : Furnished / Enclosed here
7. Tender Agreement Copy: Unable to Trace out.
8. Details building plan for Building Project: Unable to Trace out

5. Name of Work:- C/o G+2 RCC School Building for Academic Block at Govt. Hr. Sec. School in Koloriang, Kurung Kumey

Details of Information required:

1. Work Order :Unable to Trace out.
2. DPR :Unable to Trace out.
3. TS : Furnished/Enclosed here
4. Acceptance Letter :Unable to Trace out.
5. Commencement Letter : Furnished/Enclosed here
6. Technical Bid : Furnished/Enclosed here
7. Tender Agreement Copy: Unable to Trace out.
8. Details building plan for Building Project: Unable to Trace out.

6. Name of Work:- Infrastructure Development within VKV School Koloriang, Kurung Kumey District.

Details of Information required:

1. Work Order :Unable to Trace out.
2. DPR :Unable to Trace out

3. TS : Furnished/Enclosed here
4. Acceptance Letter : Furnished/Enclosed here
5. Commencement Letter: Unable to Trace out.
6. Technical Bid : Furnished/Enclosed here
7. Tender Agreement Copy: Unable to Trace out.
8. Details building plan for Building Project: Unable to Trace out.

This Commission, however, received letter dt.04.02.26 from the appellant, Shri Bamang Pacho complaining that the PIO did not furnish the requested information/documents fully and pages of documents furnished were not certified.

The shortcomings complained by the appellant in his aforesaid letter are reproduced hereunder:

- 1. C/o Road from Patuk road to ADC Office Patuk, Parsi Parlo Circle.**
 - o) DPR not furnished.
 - p) Technical Sanction Order not furnished
 - q) Details of road plan project not furnished.
 - r) Acceptance letter CTC not done
 - s) Commencement letter CTC not done
 - t) Technical Bids not CTC
 - u) Tender agreement not CTC.
- 2. C/o Helipad at Malapu near Circuit House Koloriang Kurung Kumey District.**
 - a) DPR not furnished.
 - b) Technical Sanction Order CTC not done
 - c) Details of road plan project not furnished.
 - d) Acceptance letter CTC not done
 - e) Commencement letter CTC not done
 - f) Technical Bids not CTC
 - g) Tender agreement not furnished
- 3. C/o Office building for CO Paniasang and Polosang Kurung Kumey District**
 - a) DPR not furnished.
 - b) Technical Sanction Order not furnished
 - c) Details of building plan project for building not furnished.
 - d) Acceptance letter CTC not done
 - e) Commencement letter CTC not done
 - f) Technical Bids not CTC done
 - g) Tender agreement not furnished
- 4. C/o G+2 RCC School building for academic Block at Govt. Hr. Sec School in Koloriang Kurung Kumey.**
 - a. DPR not furnished
 - b. Technical Sanction Order not furnished
 - c. Details of building plan project for building not furnished.
 - d. Acceptance letter not furnished
 - e. Commencement letter CTC not done
 - f. Technical Bids not CTC done
 - g. Tender agreement not furnished
- 5. Infrastructure Development within VKV school Koloriang Kurung Kumey**
 - a. DPR not furnished.
 - b. Technical Sanction Order copy CTC Not done
 - c. Details of building plan project for building not furnished.

- d. Acceptance letter *CTC not Done*
 - e. Commencement letter *not furnished*
 - f. Technical Bids *not CTC done*
 - g. Tender agreement *not furnished*
6. C/o G+2 Type Quarter for district Administrative in Koloriang Kurung
Kumey District under BE2024-25
Not Furnished any details of seeking information.”

This Commission, upon perusal of the information furnished by the PIO and also the complaint letter of appellant as above found that the documents furnished to the appellant were, in fact, not certified/authenticated by the PIO. This Commission also noticed that the PIO has remarked, “**Unable to Trace out**” against most of the queries. Such a remark/reply is not what is mandated under the RTI regime. In this regard the attention of the PIO was brought to the requirement of law {section -7(8)(i) of the RTI Act that when an information is denied to the applicant, the reason thereof has to be communicated to the applicant to his satisfaction. And as mandated by section-18(3)(c) of the RTI Act, 2005 and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, the submission/reply of the PIO has to be declared/supported by way of an affidavit.

The PIO, o/o the EE, PWD Koloriang Division was, hence, directed vide order dt.13.02.2026, to furnish the documents/information duly certified and also furnish appropriate replies/explanations with cogent reasons by way of an affidavit against those queries the information/documents whereof are not in his custody/record and submit report thereof to this Commission on 13.03.2026. However, on 13.03.26, both the appellant and the PIO were absent without any intimation which made this Commission presume that as directed by this Commission’s order dt.13.02.26, the PIO has furnished the left out information to him and he has received the same and satisfied therewith making this appeal liable to be closed. However, a last opportunity of hearing was afforded to the appellant and listed this appeal again on 24.04.2026.

On 24.04.26, the appellant was present in person who demanded that necessary penal action be initiated against the PIO for failing to provide the documents/information correctly despite this Commission’s order and for non-appearance in the hearing.

Taking a serious view of the **repeated non-appearance of the PIO and non-compliance of the direction of this Commission’s order dt. 13.02.2026 this appeal was again listed for the 5(fifth) time on 27.05.26 with a warning to thje PIO that if he fails to appear this time consequential penal action under section 20(1) of the RTI shall be initiated against him.**

Today on 27.05.26, the PIO, Er. Shri Yomken Karga, EE PWD Koloriang Division is present and the appellant, Shri Bamang Pacho is also present with the copies of information/documents furnished by the PIO who reiterated his complaint that the documents are not properly paged or flagged and also not certified in every page.

As directed by this Commission, the documents have been got signed by the PIO in all the pages during the course of hearing and flagged as shown below:

1. C/o Road from Patuk road to ADC Office Patuk, Parsi Parlo Circle.

Details of information required :

Sl No	Document	Remark
1	Work order	Unable to trace out
2	DPR	Unable to trace out
3	TS	Unable to trace out
4	Acceptance letter	Furnished Flag-A
5	Commencement letter	Furnished Flag-B
6	Technical Bid	Furnished
7	Tender Agreement copy	Furnished Flag C
8	Details building plan for building project	Unable to trace

2. C/o Helipad at Malapur near Circuit House Koloriang, Kurung Kumey District.

Details of information required :

Sl No	Document	Remark
1	Work order	Unable to trace out
2	DPR	Unable to trace out
3	TS	Furnished Flag-A
4	Acceptance letter	Furnished Flag-B
5	Commencement letter	Furnished Flag C
6	Technical Bid	Furnished
7	Tender Agreement copy	Unable to trace out
8	Details building plan for building project	Unable to trace out

3. C/o office building for CO Plainsang and Polosang, Kurung Kumey District

Details of information required :

Sl No	Document	Remark
1	Work order	Unable to trace out
2	DPR	Unable to trace out
3	TS	Furnished Flag-A
4	Acceptance letter	Furnished Flag-B
5	Commencement letter	Furnished Flag C
6	Technical Bid	Furnished
7	Tender Agreement copy	Unable to trace out
8	Details building plan for building project	Unable to trace out

4. C/o G + 2 and Type II Quarter for district Administration in Kolopriang, Kurung Kumey District.

Details of information required :

Sl No	Document	Remark
1	Work order	Unable to trace out
2	DPR	Unable to trace out
3	TS	Unable to trace out
4	Acceptance letter	Unable to trace out
5	Commencement letter	Unable to trace out
6	Technical Bid	Unable to trace out
7	Tender Agreement copy	Unable to trace out
8	Details building plan for building project	Unable to trace out

5. Name of work :- Name of work :- C/o G + 2 and Type II Quarter for district Administration in Koloriang, Kurung Kumey District.

Details of information required :

Sl No	Document	Remark
1	Work order	Unable to trace out
2	DPR	Unable to trace out
3	TS	Furnished Flag-A
4	Acceptance letter	Unable to trace out
5	Commencement letter	Furnished Flag B
6	Technical Bid	Furnished Flag C
7	Tender Agreement copy	Unable to trace out
8	Details building plan for building project	Unable to trace out

6. Infra structure development within VKV School Koloriang, Kurung Kumey District.

Details of information required :

Sl No	Document	Remark
1	Work order	Unable to trace out
2	DPR	Unable to trace out
3	TS	Furnished Flag-A
4	Acceptance letter	Furnished Flag-B
5	Commencement letter	Unable to trace out
6	Technical Bid	Furnished Flag C
7	Tender Agreement copy	Unable to trace out
8	Details building plan for building project	Unable to trace out

The PIO submitted that the documents which are indicated as, "unable to trace out" were actually handed/returned to the Sangram Division in connection with CBI enquiry. The PIO also submitted that scheme mentioned at Sl. No. 4 of appellant's application (C/o G+2 Type Quarter for district Administrative in Koloriang Kurung Kumey District under BE2024-25) was not executed by their Division.

In view of the submission of the PIO as above, the PIO shall furnish the left out information / documents to the appellant as soon as the same are received back from the CBI.

During the course of hearing the PIO was reminded of this Commission's interim orders dt.21.01.2026 in 4(four) appeals namely, APIC-366/25, APIC-367/25, APIC-368/25 and API-369/25 and order dt.29.04.26 in APIC-704/25 which are pending final adjudication in this Commission against the instant respondent PIO and the PIO, Sangram PWD Division. The issues in those orders pertain to the question as to whose office, (whether that of PIO, Koloriang Division or that of the PIO, Sangram Division) will provide the information sought for by the appellant. *The PIO, on pointed query, admitting fairly that the documents pertaining to the schemes falling under the jurisdiction of Koloriang have actually been transferred and handed over to the Koloriang PWD Division from the Sangram PWD Division on bifurcation of the Koloriang Division from the Sangram Division, confirmed that the PIO, o/o Koloriang Division shall furnish the requested documents / information, the records whereof are also currently under the custody of the CBI.*

In view of the PIO's confirmation as above, this Commission concludes that the information/documents as sought for by the appellant in the aforesaid 5(five) appeals shall be provided by the o/o the PIO, Koloriang PWD Division and consequently, the PIO, o/o Sangram PWD Division shall, henceforth be no longer be summoned for hearing in the aforesaid 5(five) appeals. This Commission, thus, directs the PIO, Koloriang (PWD) Division to furnish the requested information / documents in all the 6(six) appeals, including the instant appeal, to the appellant as soon as the documents are received from the CBI.

Given under my hand and seal of this Commission on this 27th May, 2026.

Sd/-

(S. TSERING BAPPU)

State Information Commissioner,
APIC, Itanagar.

Memo No. APIC-703/2025 / 865 Dated Itanagar, the 29 May, 2026

Copy to:

1. The Chief Engineer (PWD), Central Zone-A, Itanagar, Govt. of A.P, First Appellate Authority (FAA), for information and ensuring compliance by the PIO.
2. The PIO, o/o the EE (PWD), Koloriang/ Division, Kurung Kumey District (Pin Code: 791118) for information and compliance.
3. The PIO, o/o the EE (PWD), Sangram Division, Kurung Kumey District. for information.
4. Shri Bamang Pacho, Near Main Power House, IG Park, PO/PS- Itanagar, Papum Pare District (A.P) (Contact No. 9402275313) for information.
5. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
6. Office Copy.
7. S/copy.

Pragya
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission