



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-85/2025.

(Summon to appear in person)
(Or.5, R.3 of CPC)

APPELLANT : Shri Tamchi Gungte, near KV-II School Chimpu.

RESPONDENT : The PIO, o/o the Executive Engineer (PWD),
Pasighat Division, East Siang 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, PWD, Pasighat Division, East Siang, Govt. of Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 23.10.2024.

A) Particular of information : C/o "Extension and improvement of road from Seram to Bijari Under East Siang during the financial year 2022- 23

B) Details of Information.

1. Furnish the certified Sanction Order Copy.
2. Furnish the certified PRC (Permanent Residence Certificate} submitted by tender Participant issued by the Competent Authority regarding domicile status with the Districts as per Rule 4(11)(b) of the Arunachal Pradesh District Based Entrepreneurs and Professionals (Incentive, Development and Promotion) rules, 2015 & 2020.
3. Furnish the certified LOC copy with respect to the subject mentioned above.
4. Furnish the certified Copy of Utilization Certificate.
5. Furnish the certified copy of Notice Inviting Tender (NIT)
6. Furnish the certified Progress Report of the projects in Physical and Financial Section till date.
7. Furnish the certified copy of Completion certificate of the project.
8. Furnish the certified copy of Newspaper in which NIT was published {At least 3 newspaper name (one National & 2 Local)) along with date of publication of Newspaper, as per Government approved Order.
9. Furnish the certified Design and Scope of Work in the projects.
11. Furnish the certified copy of Work Specification of the projects.
10. Furnish the certified copy of documents submitted by tender participant for Technical Bid.
11. Furnish the Name of Firms who won the Tender work with respect to the subject mentioned above.

12. Furnish the Name of Officers and their Designation at the Time of monitoring the work.
13. Furnish the certified copy of Contractor Registration, of the tender participant and tender winning Firm.
14. Furnish the certified copy of Contractor Enlistment Update reports (Civil/ Composite Category as per the nature of work), of tender participant and winning Firm.
15. Furnish the certified copy of EMD and Security money deposited by all the tender participant.
16. Furnish the certified Integrity Pact submitted by the tender participant.
17. Furnish the certified Affidavit copy Sworn before a Competent Magistrate to the effect that he/she (tender participant), does not have 2 (Two) or more 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 as _ per District Based Entrepreneurship Act, 2015 & 2020)
18. Furnish the certified documents submitted by 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.
19. Furnish the certified reasons & provision to adopt TURNKEY /EPC Basis to execute this project.
20. Furnish the certified copy of Acceptance letter for Tender work by the Executing Agency to the tender Winning Firm.
21. Furnish the certified copy of Work Order given to the Contractor by the Executing Department.
22. Furnish the Agreement Copy made between the Contractor and the Executive Agency for the projects mentioned above.
23. Furnish the certified copy of all Photograph of work items (Glossy paper) before starting of work and Photograph (Glossy Paper) after completion of work.
24. Furnish the Geo Coordinate information for the work mentioned above.
25. Furnish the certified Payment Details (Cheque no., voucher, PFMS etc. (Which ever method is used of payments) of the project till date.
26. Furnish the certified Solvency certificate certified by the Bankers, submitted by all the tender participant,
27. Furnish the certified Credit facility from Bankers (10% of the tender value) submitted by the tender participants.
28. Furnish the certified Affidavit to invest cash upto (25% of tender value) submitted by the tender participant.

Brief Facts:

Records in the appeal reveal that the appellant had requested the PIO for the aforementioned information but failed to obtain the same within the statutory period of one month which prompted him to file appeal before the First Appellate Authority (FAA), the CE (PWD), Govt. of A.P. Central Zone-B, Pasighat under section 19(1) of the RTI Act vide his Memo of Appeal dt. 27.11.24

But having failed yet again to obtain the information, he preferred his second appeal before this Commission under section 19(3) of the RTI Act vide his Appeal Memo dt.16.01.2025.

Records also reveal that the FAA had attempted to conduct the hearing of the appeal on 07.01.2025 by issuing summon dt.13.12.2024 but there is no further records as to the actual hearing of the appeal and the order passed, if any, by the FAA. Be that as it may, the 2nd appeal having been preferred by the appellant, has been registered in this Commission and listed for hearing today on 18.07.2025.

In the hearing today the appellant, Shri Tamchi Gungte is present in person but the PIO is absent.

Heard the appellant who submitted that the o/o the PIO, vide forwarding letter dt.21.01.2025, had furnished the requested information to him after his filing of 2nd appeal before this Commission on 16.01.2025. The records in the appeal reveal that a copy of the forwarding letter dt.21.01.2024 had also been endorsed to this Commission.

The appellant submitted that he is satisfied with the most of the information/replies furnished by the PIO but complained that the following replies had not been furnished or furnished incomplete:

- 1) Sl. No (4) (U.C) : incomplete;
- 2) Sl. No (8) (Notice of NIT published in N/paper with date) : not furnished;
- 3) Sl. No (16) (copy of security money deposit) : not furnished,
- 4) Sl. No (17) (integrity pact) : not furnished;
- 5) Sl.No (18) (affidavit on incomplete projects) : not furnished;
- 6) Sl. No (19) (experience certificate of executed projects) : not furnished;
- 7) Sl. No (23, 24 and 25) : incomplete and not clear.

This Commission, on perusal of the forwarding letter containing the details of information in tabular form, noticed that the requested documents have been shown as enclosed. But in absence of the PIO/APIO or any representative of the PIO, the correctness of the appellant's complain could not be confirmed. In view thereof, this appeal is listed again on 20.08.2025 wherein the PIO or his representative must be physically present along with the left out documents/replies and to explain to the appellant the shortcomings complained by him..

NOW THEREFORE, you are hereby summoned to appear in person in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC on the 20th August, 2025, (Wednesday) at 10.30 a.m** 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.

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

Memo No. APIC- 85/2025

Dated Itanagar

, the 22 July, 2025

Copy to:-

1. The Chief Engineer (PWD), Govt of A.P. Central Zone-B, Pasighat, the First Appellate Authority (FAA) PIN: 791102 for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer (PWD), Govt. of Arunachal Pradesh Pasighat Division, East Siang District PIN: 791102 for information and compliance.
3. Shri Tamchi Gungte, Near KV-II School Chimpu, Po/PS Chimpu, PIN: 791113, A.P. Mobile No. 9233567279.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

P. Raju
21/7/25
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar