



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

**An Appeal Case U/S 19(3) of RTI Act, 2005
Case No. APIC-168 /2025.**

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

APPELLANT : Shri Tamchi Gungte, Near KV-2 School, Itanagar.
RESPONDENT : The PIO, o/o the E.E(WRD), Tezu Division, Teazu.

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, (WRD) Tezu Division, Lohit District Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated: 11.11.24:

A. Particulars information: C/o "The total list of Project sanctioned under Pradhan Mantri Jan Vikas Karyakaram (PMJVK), erstwhile MsDP Scheme, Ministry of Minority Affairs Govt. of India" during the financial year of 2015-16.

B. The total List of Project are:

1. Certified Sanction Order Copy.
2. Certified DPR Copy of the projects mentioned above.
3. Certified copy of Proof (such as Voter ID and PRC) that the tender winning firm Domicile status within the Territorial jurisdiction of that Constituency Assembly as per District Based Entrepreneur and Professionals (Incentive, Development and Promotion) rules, 2015.
4. Certified copy of Technical Sanction done by the concerned Authority for the projects as per financial rules.
5. Certified copy of Utilization Certificate (UC) countersigned by the DC along with Executing Agency as per Sanction Order guidelines.
6. Certified copy of Notice Inviting Tender (NIT) with respect to the subject mentioned above.
7. Certified Progress Report of the projects in physical and financial section till date counted signed by the DC of the Concern Dist. along with the Executing agency.
8. Certified copy of Completion certificate of the project.
9. Certified copy of Newspaper in which NIT was published (Atleast 3 newspaper name (one National & 2 Local) along with date of publication of Newspaper, as per Government approved order.

10. Certified Designed and Scope of work in the projects.
11. Certified copy of work Specification of the projects.
12. Certified copy of documents submitted by tender participant for Technical Bid.
13. Name of firms who won the tender work with respect to the subject mentioned above.
14. Name of officers and their Designation at the Time of monitoring the work.
15. Certified copy of contractor registration, of the tender participant and tender winning firm.
16. Certified copy of contractor Enlistment Update reports (Civil/ Composite Category as per the nature of work), of tender participant and winning Firm.
17. Certified copy of EMD and Security money deposited by all the tender participant.
18. Certified Integrity Pact submitted by the tender participant.
19. 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 as per District Based Entrepreneurship Act, 2015).
20. 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.
21. Certified copy of Acceptance letter for tender work by the Executing Agency to the tender winning firm.
22. Certified copy of work order given to the contractor by the Executing Department.
23. Agreement Copy made between the contractor and the Executing Agency for the projects mentioned above.
24. Certified copy of all Photograph of work items (Glossy paper) before starting of work and Photograph (Glossy paper) after completion of work.
25. Geo Coordinate information for the work mentioned above.
26. Certified Payment Details (Cheque no, voucher, PFMS etc. (which ever method is used of payments) of the project till date.

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 (WRD), E/Z, Miao, Changlang District, Govt. of AP, the First Appellate Authority (FAA) under Section 19 (1) of RTI Act, 2005 vide his Memo of Appeal dated 27.12.2024.

Records also reveal that the FAA conducted hearing on 17th January, 2025 wherein Shri Bikash Gogoi, the representative of the PIO cum EE (WRD), Tezu Division was present but the appellant Shri Tamchi Gungte was absent. The FAA, upon scrutiny of Form – A had advised the PIO to supply information as sought by the appellant within 20 days from date of issue of this order i.e. 17th Jan. 2025.

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 his Memo of Appeal dated 17.02.2024.

The appeal is, accordingly, listed and heard today wherein the appellant is present in person and the PIO Er. Shri Debang Tayeng, E.E attended the hearing through VC.

Heard the parties.

The PIO submitted that the most of the documents/information requested by the appellant had since been taken to the o/o the E.E, Namsai Division at the time of bifurcation of the Division in the year, 2020.

The appellant contended that if the requested documents were taken by the Namsai Division and is held by that Division, the PIO, o/o EE, Tezu Division ought to have transferred his RTI application to the o/o the E.E, Tezu as provided under sub-section (3)(i) of section 6 of the RTI Act. But the PIO, having not followed the procedure/law, should collect those requested documents from the o/o EE, Namsai and furnish to him. On pointed query by this Commission, the PIO admitted that his office did not transfer the RTI application to the Namsai Division. The PIO, however, assured that whatever information/documents are available in his Division at Tezu, he will furnish the same to the appellant.

This Commission, upon hearing the parties and the records in the appeal, is inclined to hold that there is a force in the contention of the appellant and as such, the PIO is directed to collect the requested information/documents from the o/o the EE, Namsai Division which are being held by that Division and furnish them to the appellant in terms of sub-section(4) of section 5 and the EE, Namsai Division shall provide the documents to the o/o EE, Tezu Division as mandated under sub-section(5) of section 5 of the RTI.

The above direction shall be complied with by the PIO, o/o EE(WRD), Tezu Division and the EE, Namsai Division within 4(four) weeks from today and in any case before 2nd July, 2025, the next date of hearing.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC on 2nd July, 2025 (Wednesday) at 10.30 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/-
(SANGYAL TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC- 168/2025

Dated Itanagar, the

30 May, 2025

Copy to:

1. The Chief Engineer (WRD), E/Z, Miao, Changlang District Govt. of A.P First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the E.E (WRD), Tezu Division, Lohit District Govt. of AP PN: 792001 for information.
3. The E.E (WRD), Namsai Division, Namsai Distt., (A.P) PIN: 792103 for information and compliance in terms of the provisions of sub-section (5) of section 5 of the RTI Act, 2005.
4. Shri Tamchi Gungte, Near KV-2 School, Chimpu Itanagar, Papum Pare District, Pin code: 791113, Mobile No. 9233567279 for information.
5. The Computer Programmer/Computer Operator for uploading on the website of APIC, please.
6. Office Copy.
7. S/Copy.

**Registrar/ Deputy Registrar
APIC, Itanagar.**

**Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar**