



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-130/2025.**

**APPELLANT**

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

**RESPONDENT**

: The PIO, o/o the Executive Engineer (PWD),  
Nacho Division, Upper Subansiri District (A.P)

**ORDER**

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), Nacho Division, Upper Subansiri District Govt. of Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 14.10.2024.

**Particular of information :** C/o "Construction of Road from Daporijo – Nacho Bro to ADC HQ at Khoduka in Upper Subansiri Dist. in Arunachal Pradesh ( 10.00 km)".

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 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 (PWD), Central Zone, Govt. of A.P Itanagar, the First Appellate Authority (FAA) under Section 19 (1) of RTI Act, 2005 vide his Memo of Appeal dt. 26-11-2024.

Records further disclose that the FAA had conducted the hearing on 20.12.2025 and vide order dt. 26.12.2024, had directed the appellant to deposit the cost of documents and collect the information from the respondent PIO.



As the appellant, Shri T.Gungte was absent in the hearing, the FAA also further directed him to be present in the next hearing with a caution that if he fails to appear the appeal shall be dismissed /rejected without hearing.

Aggrieved with the above order of the FAA and non-furnishing of the requested information, the appellant preferred his second appeal before this Commission under Section 19 (3) of the RTI Act, 2005 vide memo of appeal dated 06.02.2025

**Hearing and decision:**

This appeal is, accordingly, listed and heard today on 25<sup>th</sup> July, 2025, wherein the appellant, Shri T.Gungte and Er. Shri Makcha, A.E-cum-APIO, representing the PIO are present in person.

Heard the parties.

The APIO submitted that the information/documents sought by the appellant could not be furnished to him because he did not deposit the cost of the documents amounting to Rs.500.00 which was intimated to him vide the PIO's letter dt.25.11.2024. He also submitted that the information/documents are ready in the o/o the PIO which can be collected by the appellant by depositing the cost. The appellant, on the other hand, contested by saying that since the PIO failed to respond to his RTI application within the prescribed period of one month the question of depositing the cost of documents does not arise and therefore, the requested information has to be provided to him free of cost.

This Commission, upon hearing the parties and on perusal of the records found that the appellant's RTI application dt.14.10.2024 was delivered to the o/o the PIO on 24.10.2024. As per the provisions of sub-section(1) of section 7 of the RTI Act, the PIO has to furnish the requested information within one month from the date of receipt of the application and as per sub-section(6) of section 7, if the PIO fails to comply with the time limit prescribed under sub-section(1), the information has to be provided free of cost. In the present case, the time limit of one month having clearly been over by 23.11.2024, the PIO could not have asked for the cost of documents as he did vide his letter dt.25.11.2024.

In the premises as above, this Commission, while endorsing the contention of the appellant that the information should be provided free of charge now, directs the PIO to provide the same free of cost. It is further directed that if the o/o the PIO does not hold information/documents against any of the queries in the application, the same shall be declared categorically by way of an affidavit with reasons and this order shall be complied with within one month from the date of receipt of the order and the appellant shall, within one week from the date of receipt of the same from the PIO, intimate this Commission.

Given under my hand and seal of this Commission on this 25<sup>th</sup> July, 2025.

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

**Memo No. APIC- 130/2025** <sup>558</sup> ~~558~~ **Dated Itanagar, the 28 July, 2025**

Copy to:

1. The Chief Engineer (PWD), Govt. of A.P Central Zone-A, Itanagar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer (PWD), Nacho Division, Upper Subansiri Dist. Govt. of Arunachal Pradesh PIN: 791122 for information and compliance.
3. Shri Tamchi Gungte, Near KV-II School Chimpu, Itanagar PIN: 791113, A.P. 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.

*Pragya Jaiswal*  
**Registrar/ Deputy Registrar**  
**APIC, Itanagar.**  
**Deputy Registrar**  
**Arunachal Pradesh Information Commission**  
**Manager**