



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

Complaint Case U/S 18 (1) of RTI Act, 2005
Case No. APIC- 15/2024.

APPELLANT : Shri Tania June & Shri Issac Ejing, E-Sector, Naharlagun,
Arunachal Pradesh.

RESPONDENT : The PIO, o/o E.E (PHE & WS), Yingkiong Division,
Upper Siang District (A.P).

ORDER

This was a Complaint case under Section 18(1) of RTI Act, 2005 received from Shri Tania June & Shri Issac Ejing for denial of 24 (twenty four) point information Improvement of Water Supply system in Katan Circle, in Upper Siang District by the PIO, o/o the Executive Engineer (PHE & WS), Yingkiong Division, Upper Siang District as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 05.11.2024.

Hearing and decision:

This appeal was heard for 5(five) times on 21.03.2025, 11.04.2025, 14.05.2025, 13.06.2025, 16.07.2025 and 30.07.2025.

Due to repeated absence of the PIO in the hearing and violation of the provisions of RTI Act, this Commission had issued notice dt.17.07.2025 to the PIO, Er. Shri Rajen Taying, EE (PHE & WS), Yingkiong to show cause as to why penalty of Rs.25,000.00 (Rupees twenty five) thousand shall not be imposed on him under section 20(1) of the RTI Act, 2005. He was also directed to appear before this Commission on **30.07.2025 (Wednesday) at 11.30 am** with the requested documents and his explanation on his absence from the hearing.

The PIO did not appear on 30.07.2025 but deputed Er. Shri Tumba Ingo, A.E-cum-APIO along with the copy of explanation dt.26.07.2025 from the PIO and a copy of Govt. order dt. 23.07.2025 issued by the PD(RD) regarding a training programme fixed on 29.07.25 to 31.07.25 on District Level Management Development. The APIO also brought in the requested information in soft copy.

This Commission, on perusal of the explanation furnished by the PIO and considering the fact that the requested information was being furnished, the show cause notice dt.17.07.25 was kept in abeyance till the PIO discharged his mandated responsibility under the Act fully.

This Commission also perused the letter forwarding the documents by the PIO vide letter dt.25.07.2025 through annexure-A in tabular form and it was noticed that in the remarks column, 'Not Applicable' / 'NA' has been mentioned against most of the queries.

The PIO was, therefore, directed to furnish the specific replies to the queries as per the RTI application with justified reasons against the queries for which information is not available or not applicable and report the compliance thereof on 05.09.2025.

Today on 05.09.2025, the APIO, Er. Shri Tumba Ego, AE is present with the documents in hard copies which are handed over to Shri Tania June, one of the appellants who is directed to go through the same and report his satisfaction or otherwise within 1(one)week from today failing which it is made clear that this appeal stand closed without further notice.

Given under my hand and seal of this Commission on this 5th Sept., 2025.

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

Memo No. APIC-15/2024

Dated Itanagar, the 5th Sept., 2025

Copy to:

1. The Chief Engineer (PHE and WS), Central Zone, Govt. of A.P, Itanagar, the First Appellate Authority (FAA) for information.
2. The PIO, o/o the Executive Engineer (PHE & WS), Yingkiong Division, Upper Siang District, (A.P) for information.
3. Shri Tania June & Issac Ejing, E-Sector, Naharlagun, Arunachal Pradesh, 791110 Mobile No. 8131848230 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar



**ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.**

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

**APPELLANT
RESPONDENT**

:Shri Tamchi Gungte, near KV-II School Chimpu.
: The PIO, o/o the Executive Engineer (PWD),
Pasighat Division, East Siang 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 28(twenty eight) point information pertaining to C/o Extension and improvement of road from Seram to Bijari under East Siang during the financial year 2022-23 by the PIO o/o the Executive Engineer (PWD), Pasighat Division, East Siang as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 23.10.2024.

This appeal is heard for the for the 3rd time today on 05.09.2025, the earlier two times being on 18.07.2025 and 20.08.2025. The appellant on 18.07.2025 had submitted that the PIO had furnished the requested information but complained that replies to the following points has 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.

Since the PIO was absent on 18.07.2025 the hearing was adjourned to 20.08.2025 with direction to the PIO that he or his representative must be physically present in the hearing along with the left out documents/replies and to explain to the appellant the shortcomings complained by him.

Accordingly, on 20.08.2025 Er. Smti Tuli Jamoh, J.E -cum-APIO appeared.

The appellant, reiterating his complaint, had pleaded for appropriate direction to the PIO and also necessary penal action against him for not furnishing the requested information correctly and in complete form. On the other hand the APIO reiterated the submission of the PIO in his earlier letter dt.21.01.2025 to the appellant that in terms of Govt. Memo dt. 07.07.2023 issued by the o/o the CE (CSQ), PWD, the APPWD registered contractors are exempted from submitting the eligibility documents at Sl. No 17(integrity pact), 18(affidavit on incomplete projects) and 19 (experience certificate) in participating in the tendering process.

This Commission after perusing the said Govt. Memo and its implication as well as the provisions of the Arunachal Pradesh District Basted Entrepreneurs and Professionals (Incentive, Development and Promotional) Rules, 2015, in particular the rule 4(ii), made it clear that the contention of the PIO / APIO that the bidders

were exempted from submitting the requested information pertaining to Sl. Nos. 17,18 and 19 in pursuance of the said Govt. Memorandum can no be accepted as the APDBE&P(ID & P) Rules, 2015, being a statutory rule framed under an Act of Legislature, can not be overridden or jumped over by such a Memorandum which is an executive order in nature. However, the requested documents, admittedly having not obtained from the contractors in the tendering process, the PIO was directed to declare by way of an affidavit that those documents were not obtained in terms of the said Govt. Memo.

In the premises as above, the PIO was directed to provide the left out information to the appellant, as assured by the APIO, including a declaration, with reason, by way of an affidavit against those not available within 2(two) weeks from the receipt of order dt.22.08.2025.

This appeal is, thus, heard again today on 05.09.2025 wherein the APIO, Er. Kading Dai, JE is present with the left out documents which have been handed over to the appellant during the course of hearing.

This Commission perused the left our documents brought in by the APIO most of which were found satisfactory by the appellant except that the some of the affidavits sworn before the Magistrate do not bear their serial numbers recorded in the Register. The photographs of the item-wise works before and after start of work were also not furnished which the appellant has pressed for.

The PIO is, therefore, directed to furnish the photographs and the serial number of the affidavits recorded in the register with the Magistrate who attested the affidavits within 1(one) week from the date of receipt of this order. The appellant shall also go through the other documents received from the PIO and report his satisfaction or otherwise within one week failing which this appeal shall stand closed.

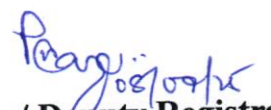
Given under my hand and seal of this Commission on this 5th Sept.,2025.

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

Memo No. APIC- 85/2025 /622 Dated Itanagar, the 5 Sept., 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.
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 for information.
- ✓ 4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
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Registrar/ Deputy Registrar
APIC, Itanagar.
Arunachal Pradesh Information Commission
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