



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

**BEFORE THE HON'BLE COURT OF SHRI SANGYAL TSERING BAPPU,
STATE INFORMATION COMMISSIONER**

No. APIC-89/2025

Dt. Itanagar, the June, 2025

Shri Tamchi Gungte, General Secy., Arunachal Pradesh People Rights Forum (APPRF), Near KV-II School Chimpu, Itanagar.

Vs.

Shri Keni Zirdo, the PIO, o/o the Executive Engineer(PWD),
Roing Division, District: Lower Dibang Valley.

SHOW CAUSE NOTICE

(Section 19(8)(c) r/w section 20 of the RTI Act,2005)

To,

Shri Keni Zirdo, the PIO, o/o the Executive Engineer (PWD),
Roing Division, District: Lower Dibang Valley.

1. **WHEREAS** Shri Tamchi Gungte, General Secy., Arunachal Pradesh People's Rights Forum (APPRF) Near KV-II School Chimpu, Itanagar filed an application dated 14.10.2024 before the PIO, o/o the Executive Engineer (PWD), Roing Division, District : Lower Dibang Valley, Govt. of Arunachal Pradesh seeking the following information under section 6(1) of the RTI Act,2005:

A) Particular of information : c/o "Improvement of Bomjir-Paglam road (Bizari to Anpum, L-13.400 km) "during the financial year 2021-22.

B) Details of information required :

- 1.Certified Sanction Order copy;
- 2.Certified LOC copy;
- 3.Certified copy of utilization certificate;
- 4.Certified copy of Notice Inviting Tender (NIT) ;
- 5.Certified copy of Progress report of the projects in physical and Financial section till date;
- 6.Certified copy of copy of Completion certificate of the project;
- 7.Certified copy of newspaper in which NIT was published (At least 3 news paper name (one national & 2 Local) along with date of publication of news paper, as per government approved order;
- 8.Certified design and scope of work in the projects;
- 9.Certified copy of work specification of the projects;
- 10.Certified Copy of documents submitted by tender participant for Technical Bid;
- 11.Name of Firms who won the Tender Work;
- 12.Name of Officers and their designation at the time of monitoring the work.

13. Certified copy of Contractor Registration, Pass work completion, Contractor enlistment update reports, of tender participant and winning Firm;
14. Certified copy of EMD and Security money deposited by all the tender participant;
15. Certified Integrity Pact submitted by the tender participant;
16. Certified copy of an Affidavit copy sworn before a competent Magistrate by the Contractor, to the effect that he does not have two or more incomplete ongoing commitments (project / 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);
17. 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 in the last 5 years ending last day of the month previous to the one in which the tenders are invited;
18. Certified copy of Acceptance letter for Tender Work by the Executing Agency to the tender winning firm;
19. Certified copy of Work Order given to the Contractor by the Executing Department;
20. Certified copy of modes adopted for the execution of work through EPC mode by the Dept;
21. Agreement copy made between the Contractor and the Executive Agency for the projects mentioned above;
22. Photograph of worksite (Glossy paper) before starting of work and photograph (Glossy paper) after completion of work;
23. Geo Coordinate information for the work mentioned above and
24. Certified payment details of the project till date.

2. **AND WHEREAS** the applicant failed to obtain the requested information from the PIO which prompted him to file appeal before the Chief Engineer (PWD) (E.Z), Namsai, the First Appellate Authority (F.A.A) under Section 19 (1) of the RTI Act vide his Appeal Memo dated 11-11-2024.

3. **AND WHEREAS** the FAA had conducted the hearing on 12.12.2024 but Shri Tamchi Gungte was absent and as such the FAA passed an ex-parte decision dt.12.12.2024 after hearing the representative of the PIO who submitted before the FAA that the requested information was already sent to the appellant vide letter dt.06.12.2024 upon deposit of Rs.108.00 by the appellant. Since the appellant was absent, the appeal was adjourned to 10.01.2025 for the 2nd hearing with a direction to the appellant to go through the information provided by the PIO and revert back with the shortfall, if any, in the next hearing. The Appellant, however, preferred his second appeal under Section 19 (3) of RTI Act, 2025, before this Commission vide his Memo of appeal dated 17-01-2025 on the ground that the PIO had furnished incomplete information.

4. **AND WHEREAS** the appeal was listed and heard in this Commission for 3(three) times on 23.04.25, 21.05.2025 and 06.06.2025. In the hearing on 21.05.2025, the appellant, Shri Tamchi Gungte who was present in person, reiterated his request for the requested documents/information but the PIO, Er. Shri Keni Zirdo, EE who attended the hearing through VC submitted that all the requested documents had been dispatched to the appellant through speed post.

5. **AND WHEREAS** this Commission upon perusal of the copy of PIO's letter dt.16.05.2025 by which the documents were sent to the appellant, directed the appellant to intimate this Commission of the receipt of the documents and his satisfaction therewith within 30th may for further consideration of the appeal and listed the appeal on 06.06.2025
6. **AND WHEREAS** in the hearing on 06.06.2025, the appellant who was present in person complained that although the PIO had furnished information to some of the points but did not furnish the following:
1.Sl. No.7 : The copy of newspaper in which NIT was published;
2.Sl. No.12:Name of Officers and their designation at the time of monitoring the work;
3.Sl. No.16:Affidavit sworn by the Contractor to the effect that he does not have two or more incomplete ongoing projects;
4.Sl. No.22: Photograph of worksite before starting of work and photograph after completion of work;
5.Sl. No.24: Certified payment details of the project till date .
7. **AND WHEREAS** this Commission, upon noticing that the above left out documents are not covered by the exemption provisions of the section 8 or 9 of the RTI Act, directed the PIO to furnish the same within 2(two) weeks from the date of receipt of this order so as not to constrain this Commission to invoke section 20 of the RTI Act.
8. **AND WHEREAS** it was also made clear in the order that if certain documents are not available with the PIO a declaration to that effect with cogent reasons thereof shall be furnished by him by way of an affidavit.
9. **AND WHEREAS** this Commission is now in receipt of letter dt.04.06.2025 from the appellant, Shri Tamchi Gungte that despite this Commission's order dt.09.06.2025, the PIO failed to furnish the lefty out information to him and hence demanded for penal action under section 20 of the RTI Act, 2005.
10. **AND WHEREAS** this Commission taking a serious view of the non-compliance of its aforesaid order dated 09.06.2025 by the PIO, holds that the case is a fit case where necessary action under Section 20 of the RTI Act, 2005 should be taken against him.
11. **NOW THEREFORE**, Er. Shri Keni Zirido, EE-cum-PIO, o/o the Executive Engineer (PWD), Roing Division, Govt. of Arunachal Pradesh, Lower Dibang Valley, is directed to appear in person on **04.07.2025 (Friday) at 3.30 pm** and show cause as to why penalty of Rs. 25,000.00 (Rupees twenty five thousand) should not be imposed as provided under section 19(8)(c) r/w section 20(1) of the RTI Act, 2005 on him for non-compliance of the direction of this Commission.

Given under my hand and seal of this Commission on this day of 25.06.25.

Sd/-
(S. Tsering Bappu)
State Information Commissioner

Memo No. APIC- 89/2025

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Dated Itanagar, the

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June, 2025

Copy to:

1. The Commissioner/Secretary (PWD), Govt. of A.P, Itanagar for information in terms of para 41 of the Govt. OM No.AR-111/2008 dt.21st August, 2008.
2. The Chief Engineer (PWD), Govt. of A.P, Eastern Zone, Thana Road, Namsai, Namsai District (A.P), the First Appellate Authority (FAA) for information.
3. The PIO, o/o the Executive Engineer (PWD), Roing Division, Lower Dibang Valley District, PIN – 792110 for information and compliance.
4. Shri Tamchi Gungte, Near KV-II School Chimpu, Po/PS Chimpu, Distt. Papum Pare (A.P) PIN: 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.

Peargrijo/RS
Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Manager