सत्यमेव जयते

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-620/2025.

APPELLANT : Shri Chow Lajamang Mannow Village-Nanam Khamti.

RESPONDENT : The PIO, o/o the Executive Engineer (PWD), Hayuliang Division, Anjaw District (A.P)

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Chow Lajamang Mannowfor non-furnishing of below mentioned information by the PIO, o/o the Executive Engineer (PWD), Hayuliang Division, Anjaw District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 05.03.2025.

A. Particular of information: Development of Mule Track for Indo-Myanmar Border for Trekking Route to Hoot Pass in Anjaw District. (Year of taking up 2023-24)

B. Details of information:

a) Certified Copy of Sanction Memo. of the said Work / Scheme.
b) Certified Copy Administrative Approval and Expenditure Sanction(AA & ES) Copy.
c) Certified Copy of Technical Sanction (TS)Copy.
d) Certified Copy of NIT published in 3 (three) Local State Newspaper with date.
e) Certified Copy of Name of the firm/ contractor who did the said work/scheme.
f) Certified Copy of Letter of Award (LoA) and Agreement between Executive Engineer and the Firm Proprietor or Power of Attorney(PA) if applicable.
g) Certified Copy of Name of all the Firms who participated and Submitted the Bids
   i. Technical Bids
   ii. Financial bids.
h) Certified Copy of Name of the Firms qualified in Technical Bid and Participated in the Technical Bid along with Comparative Statement.
i) Certified Copy of Board Members of the Tender Processing.
j) Certified Copy of Bank Solvency Certificate of the Firm who did the work/scheme.
k) Certified copy of Affidavit of having not more than 2(two) works in hand under the state Govt. by the Firm.
l) Certified Copy of GST registration certificate, Income Tax clearance certificate, latest Audit report of last 3 (three) years duly certified / Audited by the Chartered Accountant of the firm who did the work/scheme.
m) Certified Copy of Measurement Book of the said work.
n) Certified Copy of First and Final bill of the said work.
o) Certified Copy of Cash Book Statements with page numbers or Give hand receipt with Payee name of the said work.

p) Certified Copy of Details of Payment done through cheque/ PFMS/ NEFT/ DD, Cash as mention in the First & final bill.
q) Certified Copy of Photograph with Global Positioning System (GPS) Co-ordinates/Geo-tag of the said work, before starting, ongoing and after completion of the said work/scheme.
r) Certified Copy of Design & Drawing of the work/scheme.
s) Certified Copy of Utilization & Completion Certificate of the said work/Scheme.
t) Certified Copy of Name of EE/AE/JE who executed the said work/scheme/project.
u) Certified copy of status of the work, if not completed give the specific reasons why not completed.
v) Certified copy of duration of completion of the said work/ Project as per agreement and extension duration of the said work.
w) Certified copy of how many amount is specifically applicable to deduct from contractor bill payment like GST/ IT=%, CE=%, SE=%, EE=%, AE=%, JE=% please mention.

C) Periods for which information asked for: 2023 to till date

Brief facts emerging from the appeal :

Records emerging from the appeal disclose that the Appellant, Shri Chow Lajamang Mannow had requested the PIO for the aforementioned information / documents in response to which the PIO, vide his letter dt.16.04.2025, had furnished the replies/documents to the appellant which the appellant had received after depositing Rs. 94.00 being the cost of documents. The appellant, however, filed his 2nd appeal before the CE (PWD) Govt. of A.P Eastern Zone, Namsai, the First Appellate Authority under Section 19 (1) of RTI Act, 2005 vide his Memo of Appeal dated 24.05.2025 pleading for conducting hearing on the ground that the PIO has provide inadequate information to him.

Records also reveal that the FAA, instead of conducting the hearing, had, vide letter dt.16.04.2025, requested the appellant to clarify, indicate or explain in detail the inadequacies in the information furnished by the PIO so as to enable him (FAA) to initiate necessary action against the concerned PIO. Dissatisfied with the response of the FAA as above, the appellant filed his 2nd appeal before this Commission under section 19(3) of the RTI Act vide his Memo of appeal dt.28.07.2025.

Hearing and decision:

This appeal is, accordingly, heard today on 15.10.2025 wherein the appellant, Shri Chow Lajamang Mannow is present in person and the PIO, Er. Shri Gikum Hiri, EE appeared through VC.

Heard the parties.

The PIO submitted that the appellant has been provided with the information/documents as requested by him. The appellant, on the other hand, reiterated his contention that the PIO has provided the requested information/documents of which he is largely satisfied but complained that he was not provided with the following documents:

a) Certified copy of the NIT published in the News papers (Sl. No.d);
b) CTC of agreement between the EE and the firm (Sl.No.f)
c) CTC of affidavit not having more than 2 works in hand (Sl.No.k) and
d) CTC of U/C and completion certificate (Sl.No. s).

This Commission perused the information/replies furnished by the PIO in tabular form as contained in his letter dt.16.04.2025 and noticed that the replies to the queries at Sl.No (k) and (s) have been mentioned as 'Not Available'. As against the CTC of NIT published in news papers, the PIO replied that 'letter sent to the Editor of an Local News Paper' but no documents has been furnished in support thereof. As against CTC of agreement between the EE and the firm, though the name of the firm is mentioned, but admittedly, the CTC of agreement has not been furnished.

It is the requirement of law {section -7(8)(i) of the RTI Act} that when an information is denied to the applicant, the reason thereof has to be communicated to the applicant to his satisfaction. And as mandated by section-18(3)(c) and under rule-5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005, the submission/reply of the PIO has to be declared/furnished by way of an affidavit instead of 'NOT Available'. The PIO is, therefore, directed to furnish the replies against queries at Sl.No (k) and (s) by way of an affidavit.

On being queried, the PIO confirmed that the execution of the works in question has since been completed. It is the stated position of law that once the execution of projects/works has been completed, the agreement pertaining thereto could be furnished as held by the law courts. As such the PIO shall furnish the CTC of agreement executed between the EE and the firm. The copy of letter sent to the Editor of Local News Paper for publication shall also be furnished to the appellant.

The PIO shall furnish the documents to the appellant within 2(two) weeks from the date of receipt of this order and the appellant shall collect and intimate this Commission of the receipt of the same within 1(one) week thereafter failing which this appeal shall stand closed without any further notice.

Given under may hand and seal of this Commission on this 15th Oct., 2025

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

Memo No. APIC- 620/2025 1680 **Dated Itanagar, the** 17 **Oct., 2025**

Copy to:

1. The C.E (PWD), Govt. of A.P, Eastern Zone Namsai, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer (PWD), Hayuliang Division, Anjaw District (A.P) PIN : 792104 for information and complaince.
3. Shri Chow Lajamang Mannow, Village-Nanam Khamti, PO-Manmow, Distt. Namsai (A.P) PIN: 792103 Mobile No. 7629857269 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.

Registrar
Arunachal Pradesh Information Commission
Itanagar