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-379/2024.

APPELLANT : Shri Tamchi Gungte, Itanagar.
RESPONDENT : The PIO, o/o the Executive Engineer (PWD)
Pasighat Division, East Siang Dist., A.P

SHOW CAUSE NOTICE

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), Pasighat Division, East Siang Dist. Arunachal Pradesh as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 04.09.2024.

a) **Particular of information:** c/o "Rehabilitation and upgradation of Miren- Mikong Jonai Road (L-15.568 km), under the North East Road Sector Development Scheme (NERSDS) in Arunachal Pradesh during the financial year 2020-21.

b) **Details of information required:**

1. Certified sanction order copy of the total list of project mentioned above.
2. Total lists of work components of the projects.
3. The certified copy of utilization certificate.
4. The certified copy of Notice Inviting Tender (NIT) with respect to the subject mentioned above.
5. The certified copy of Newspaper in which the NIT was published (at least 3 newspaper names (one national & 2 locals) along with the date of publication of newspaper as per Govt. approved order.
6. The Tender Evaluation copy (Technical Bid) along with the list of Firms participated in the tender processed of the work.
7. The name of firm who won the tender work with respect to the subject mentioned above.
8. The certified copy on which date the project has been started.
9. The certified copy of completion certificate for the subject mentioned above.
10. The Geo Coordinate information for work mentioned above.
11. Certified photograph of worksite (colored photo) before starting of work and after completion of work.
12. Name of officers and their Designation at the time of monitoring the work.
13. The certified full agreement copy made in between the executing agency and the firm owner.

14. The certified copy of contractor registration of the winning firm.
15. The certified copy of contractor enlistment update reports, of tender winning firm.
16. The certified affidavit copy sworn before a competent magistrate to the effect that he/she does not have 2 (two) or more incomplete ongoing commitment (Project/contract to execute) at the time of bidding by the tender participant and winning firm (as per rule SPWD/W-66/2012 dt. 01-08-2018).

Records revealed that the appellant had asked for the above-mentioned information from the PIO vide his application dt.04.09.2024 but could not obtain the same which prompted him to approach the Chief Engineer (PWD), Central Zone-B, Govt. of A.P, Pasighat, the First Appellate Authority (FAA) under section 19(1) of the RTI Act. However, the appellant failed yet again to obtain any response from the FAA within the statutory period and hence he filed his 2nd Appeal before this Commission vide Memo of Appeal dt. 02.12.2024 which was, accordingly, registered in this Commission as APIC-379/2024 and was listed and heard for 2(two) times on 02.04.2024 and 28.05.2025.

In the hearing on 28.05.2025, this Commission, upon hearing the parties had directed the PIO to furnish the left out document, as assured by him, within 1(one) week from 28.05.2025. The PIO was further directed that if the left out document in question is not held by his office he shall declare so by way of an affidavit with cogent reasons therefor. The appellant was also directed to intimate within 2(two) days from the receipt of the document for further consideration of the appeal.

The appellant, however, complained vide his letter dt.06.062025 that the PIO failed to furnish the remaining information as sought for by him and directed by this Commission in its order dt.28.05.2025. He, therefore, pleaded for penal action under section 20 of the RTI Act.

This Commission considered the complaint of the appellant and also the PIO's letter dt.02.06.2025 addressed to the appellant forwarding therewith the copy of Registration Certificate of the Contractor's Firm, M/s Puna Hinda in the State of Assam which was not what the appellant had sought for (i.e the Contractor Enlistment) whereupon it is found that the PIO, indeed, did not comply with the direction of this Commission which makes the case a fit case for taking penal action under section 19(8)(c) r/w section 20 of the RTI Act, 2005 against the PIO.

This Commission is, therefore, constrained to direct the PIO, Er. Mano Tayeng EE(PWD), Pasighat Division to appear in person on 01.08.2025 (Friday) at 2 pm and show cause as to why penalty of Rs. 25,000.00 (Rupees twenty five thousand) should not be imposed on him as provided under section19(8)(c) r/w section 20(1) of the RTI Act, 2005 for non-compliance of the direction of this Commission.

Given under my hand and seal of this Commission on this 26th June, 2025.

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

Memo No. APIC- 379/2024 /485 **Dated Itanagar, the** 26 **June, 2025**

Copy to:

1. The Chief Engineer (PWD), Govt. of A.P, Central Zone-B, Pasighat, the First Appellate Authority (FAA), for information and ensuring compliance of this order by the PIO concerned.
2. The PIO, o/o the Executive Engineer (PWD), Pasighat Division, Arunachal Pradesh PIN: 791102 for information and compliance.
3. Shri Tamchi Gungte, Near KV – II Chimpu, PO/PS : Chimpu, Dist. : Papum Pare, PIN 791113, Arunachal Pradesh, Mobile No. 9233567279 for information and compliance.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

26/06/25

Registrar/ Deputy Registrar
APIC, Itanagar

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar