

ITANAGAR, ARUNACHAL PRADESH

An appeal case U/S 19(3) of RTI Act, 2005

Vide Case No.APIC-609/2025

**BEFORE THE HON'BLE COURT OF SHRI VIJAY TARAM, THE STATE
INFORMATION COMMISSIONER, UNDER SECTION 19(3) OF RTI ACT, 2005.**



Shri Tamchi Gungte

..... Appellant

-VERSUS-

PIO-Cum-Executive Engineer, PHE&WS Department,
Tezu, Lohit District,
Govt. of Arunachal Pradesh

..... Respondent.

Order:04.06.2026.

JUDGEMENT

This is an appeal filed under sub-section (3) of Section 19 of the RTI 2005. Brief fact of the case is that the Appellant, Shri Tamchi Gungte on **29/04/2025** filed an RTI application in form 'A' before the PIO-cum-Executive Engineer (EE), PHE & WS Department, Tezu Division, Lohit District, Govt. of Arunachal Pradesh. Whereby seeking various information as quoted in Form 'A' application. The Appellant being not receiving the information from the PIO filed the First Appeal before the First Appellate Authority (FAA) on **12/06/2025**. Appellant again having not received the required information from the FAA, filed the Second Appeal before the Arunachal Pradesh Information Commission on **04/08/2025** and the Registry of the Commission (APIC) having receipt of the Appeal registered it as APIC- No. **609A/2025** (Appeal) and processed the same for its hearing and disposal.

Accordingly, matter came up for hearing before the Commission on **06.11.2025, 19.03.2026 & 04.06.2026.**

Details of Information sought from the PIO;

1. Furnish the certified Sanction Order Copy.
2. Furnish the certified copy of Technical Sanction done by the concerned Authority for the projects as per financial rules.
3. Furnish the certified copy of Utilization Certificate of the project till date.
4. Furnish the certified copy of Criteria of eligibility for CPWD as well as non-CPWD contractors in this project.
5. Furnish the certified Progress Report of the projects in Physical and Financial section till date.
6. Furnish the certified copy of Newspaper in which NIT was published (At least 3 newspaper name jone National & 2 Localjj along with date of publication of Newspaper, as per Government approved Order (Order No. IPR/ADVT (Advt. Policy)-37/2016, Dated 30th January, 2018 by the Secretary to the Govt. of Arunachal Pradesh Information and Public Relations Department, Itanagar),
7. Furnish the certified Design and Scope of Work in the projects.
8. Furnish the certified copy of Work Specification of the projects.
9. Furnish the certified copy of documents submitted by tender participant for Technical Bid.

10. Furnish the Name of Firms who won the Tender work with respect to the subject mentioned above.
11. Furnish the Name of Officers and their Designation at the Time of monitoring the work.
12. Furnish the certified copy of Contractor Registration, of the tender participant and tender winning Firm.
13. Furnish the certified copy of Contractor Enlistment Order (Civil/Composite Category as per the nature of work), of tender participant and winning Firm,
14. Furnish the certified copy of EMD and Security money deposited by all the tender participant.
15. Furnish the certified Integrity Pact submitted by the tender participant.
16. Furnish the certified Affidavit copy (The Affidavit should mention the names of the incomplete ongoing commitments) sworn before a Competent Magistrate to the effect that he/she (tender participant), does not have more than 2 (Two) incomplete ongoing commitment (projects/contract to execute) at the time of bidding by the tender participant and winning firm. (as per Arunachal Pradesh Gazette notification No. SPWD/W-66/2012 Dtd. 01-08-2018 and Arunachal Pradesh District Based Entrepreneurs and Professionals (Incentive, Development and Promotion) rules, 2015 & 2020). 2018
17. Furnish the certified copy of Experience documents submitted by the tender participant and winning firm, as per the guidelines (L.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.
18. Furnish the certified reasons & method adopted in TURNKEY/EPC Basis to execute this project.
19. Furnish the certified copy of Acceptance letter for Tender work by the Executing Agency to the tender Winning Firm.
20. Furnish the certified copy of Work Order given to the Contractor by the Executing Department.
21. Furnish the Agreement Copy made between the Contractor and the Executive Agency for the projects mentioned above.
22. Furnish the certified copy of all Photograph of work items (Glossy paper) before starting of work.
23. Furnish the certified Photograph (Glossy Paper) after completion or ongoing of work.
24. Furnish the Geo Coordinate information before the start of projects and after the start of the project mentioned above.
25. Furnish the certified Payment Details copy (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.
29. Furnish the certified copy of Utilization Certificate for the amount exempted in the NIT from the Total Sanctioned amount.

In the third hearing held today on 04.06.2026 both the parties are absent during the hearing before the Commission.

After going through the Form-A application, the Commission hereby observes;

- i) The Appellant absent in the continue 2nd time that too without reporting the reason for his absence which is contempt of this Commission in fact that the Appellant has been repeatedly informed in advance in the last hearing, wherein, he was absent as well as today's hearing.
- ii) The PIO is absent today but to be recorded that in the last hearing on 19.03.2026 the PIO stated that the information as applied by the Appellant is ready at the office to be furnished to the Appellant but despite reminder the Appellant has not come to collect the information from the office of the PIO.
- iii) In the absent of both the parties the Commission relaying on the record by the statement of the PIO in the last hearing to the effect that information as applied by the Appellant are ready to be furnished to the Appellant but repeated remainder the Appellant has not turn-up to collect the information.

Considering the statement of the PIO and viewing seriously the repeated absence of the Appellant and taking cognizance of the absence of the Appellant without any letter of absence, this Commission hereby disposed of this appeal and closed once for all.

Under the above observation and circumstances the Commission, find this appeal fit to be disposed of and closed. And accordingly this appeal stands disposed of and closed.

Judgment pronounced in the open Court of this Commission today on this 4th day of **June' 2026**.

Copy of this Judgment be furnished to the parties.

Given under my hand and seal of this Court on this 4th day of **June 2026**.

Sd/-

(Vijay Taram)

State Information Commissioner
APIC-Itanagar

Memo.No.APIC-609/A/2025/1318

Dated Itanagar, the !!.....June, 2026.

Copy to:

1. PIO-Cum-Executive Engineer, PHE&WS, Tezu, Lohit District, Govt of Arunachal Pradesh for information and necessary action please. **Pin Code:792001**
2. Shri Tamchi Gungte, Near KV-II School Chimpu, Itanagar, P/Pare District Arunachal Pradesh for information please. **Contact No. 9233567279**
- ✓ 3. The Computer Programmer, APIC for uploading on the Website of APIC please.
4. Office Copy

Pragya Jaiswal/26
Registrar/Dy. Registrar
APIC, Itanagar.
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar