



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Case No. APIC- 172/2026.

(Summon to appear in person)

(Or.5 R.3 of CPC)

APPELLANT

: Shri Tamchi Gungte near KV-II Chimpu.

RESPONDENT

: The PIO, o/o the EE (RWD), Poma Division, Yupia
Papum Pare District.

SUMMONS

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 EE (RWD), Poma Division, Yupia Papum Pare District as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 08.10.2025.

A. Particular of information: C/o "Total list of completed Plan & Non-plan Works/projects sponsored by State fund/Central fund (such as SIDF/ BE/ RE/ RIDF/ SADA/ ADA/MLA-LAD/ MP-LAD/ SPA/ Article275(1)/ PMJVK erstwhile MsDP/ Untied/ Tied/ PM-DeVINE/ NEC/NESIDS/ Non-BADP/ SASCI/ VVP/ PMGSY/ Maintenance works etc.) executed under the concern division" from the financial year 2020-21 to 2025-26.

B. Details of information required:

1. Copy of Total list of works/projects Completed (Plan & Non-Plan) by the division under various scheme head mentioned above (state/central scheme or both as mentioned above), for each financial year from 2020-21 to 2025-26.
2. Copy of Sanction order/ Administrative Approval (AA) & Expenditure Sanction (ES) of each completed projects in respect of serial no.1 mentioned above for each financial year from 2020-21 to 2025-26.
3. Copy of Technical Sanction (TS) of each completed projects in respect of serial no. 1 mentioned above for each financial year from 2020-21 to 2025-26.
4. Copy of Agreement (in affidavit form) made between the Contractor and Executing Agency, for each completed projects/works in respect of serial no.1 mentioned above from the financial 2020-21 to 2025-26.
5. Furnish the certified copy of Work Order (with amount mentioned) issued to the contractor with respect to serial no. 1 above. (only for the works/projects awarded in work order system) 2020-21 to 2025-26.
6. Furnish the Details of fund Surrendered to the Govt. Head Account, in respect of serial no. 1 of my form-A:
 - d) Remaining balance amount after A/A E/S and TS has been done. (Enclosed the proof of surrender such as Challan copy or whichever method has been used.)
 - e) Remaining Balance amount after TS and Contract Agreement of the project/work. (Enclosed the proof of surrender such as Challan copy or whichever method has been used)
7. Furnish the Details of Expenditures of fund if been utilised, in respect of serial no. 1 of my Form-A:-
 - a) Remaining balance amount after A/A E/S and TS has been completed. (Enclosed the proof of Expenditure.)

- b) Remaining Balance amount after TS and Contract Agreement/work order amount of the projects/works. (Enclosed the proof of expenditure)
8. Furnish the certified details of Officer (name & Designation then & now) who authorized/approve the surrender process of fund in respect of serial no. 6 of the Form-A.
9. Furnish the certified details of Officer who authorized/approve the expenditures of fund in respect of serial no. 7 of Form-A.
10. Furnish the Rules followed by the concern Officers (under CPWD works manual/ any other etc.) that authorize the officers to make an expenditures of fund beyond the Contract agreement/Work Order amount in respect of the projects/works.
11. Furnish all the above documents with CTC & proper manner (i.e. in serial wise with properly Index, proper paging of each financial year and separate books for each financial year for easy & better understanding).

This appeal was heard on 29.07.2026 wherein the appellant, Shri Tamchi Gungte was present in person while the PIO was represented by his Counsel, Advocate Shri Yitar Lombi.

This Commission, after hearing the parties and perusing the written submission made by the PIO, had passed an interim order dt.29.07.26 as under:

"This Commission also notices that prima facie the details of documents/information as sought for by the appellant in his RTI application, appear to be voluminous but the appellant clarified that of the 21 Funding Heads, the o/o the PIO might not have implemented any scheme or project under some of the Funding Heads such as, the MLA-LAD/MP-LAD Fund etc. Therefore, he contends that it is not correct to deny the requested information merely on the ground that the information sought for is voluminous and not- sufficiently specific.

In adverting to the instant issue/controversy raised by the PIO in his written submission, this Commission deems it relevant to refer to the principle of law settled by the Apex Court in the case of CBSE & Anr. Vs. Aditya Bandopadhyay & ors. in Civil Appeal No.6456 of 2011 whereby the Hon'ble Court held that right to information is a cherished right and that right to information which are the tools to bring transparency and accountability should be enforced strictly. The Apex court at the same time, however, held that indiscriminate and impractical demand for disclosure of all sundry information not related to transparency and accountability in the functioning of the public authority would be counterproductive as it will adversely affect the efficiency of the administration.

What emerges from the principle of law as above is that the provisions of the RTI Act are to be implemented by harmonizing the rights of the citizen under the RTI Act on the one hand and the efficient and unobstructed functioning of the public authorities due to indiscriminate queries on the other.

In the light of the above principle of law, this Commission directs the PIO to scrutinize and find out as to the actual number of Funding Heads out of the 21 numbers of Funding Heads under which any scheme/project was executed by his Division and also the actual number of F.Ys mentioned in the RTI application and report the same to this Commission on 28.08.2026, the next date of hearing to enable this Commission to proceed further for adjudication of the appeal in accordance with the provisions of RTI Act, 2005."

Today on 28.08.2026, the appellant appeared through VC while the PIO is represented by Er. Takam Majing, AE-cum-APIO in person, accompanied by PIO's Counsel, Shri Yikar Lombi also in person.

Heard the parties.

The APIO and the Ld. Counsel, producing the copies of the list of schemes/projects executed by the Division during the financial year 2020-21 to 2025-26, reiterated that the information sought by the Applicant is voluminous in nature and covers a large number of records, documents, works, periods, locations, and/or transactions and also that the request, as made, does not clearly identify any particular work, specific project, work order, bill, voucher, measurement book, or other precise record. Further that the RTI application does not specify the particular name of the work or project in respect of which the information is sought. In the absence of a specific project, scheme, name of work, work order number, project identification, location, financial year, or other identifying particulars, it is extremely difficult to identify the exact records.

On the other hand, the appellant, submitted that the information /documents sought for by him are not voluminous and that his queries pertain to only the copies of sanction order, Technical sanction order, work orders, the copies of agreement in respect of the projects which were executed through tender and not the entire documents. He also stated that he has requested for the figures of fund surrendered, if any, and the amount of expenditure and the balance amount and the particulars of authority authorising the expenditure, if any, beyond the contracted amount and the rules followed thereof.

This Commission, upon hearing the appellant and perusing the points against which he had sought the information, finds that the information are not exempted under any of the exemption clauses under section 8 of the RTI Act. However, since the information sought for pertains to 6(six) FYs, this Commission deems it appropriate to allow adequate time to the PIO to collate the information and furnish the same to the appellant and accordingly, the PIO is directed to furnish the details of information along with the list of completed projects within 3(three) months from the date of receipt of this order and report the compliance therewith on 27.11.2026 so as not to constrain this Commission to invoke section 20 of the RTI Act.

Given under my hand and seal of this Commission on this 28th August, 2026.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC on 27.11.2026 (Friday) at 2 pm** to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defense.

Take notice that, in default of your appearance, on the day above- mentioned, the matter will be heard and determined in your absence.

To avail online hearing please at least notify or get in touch one day prior to the hearing, download "**WEBEX MEETING APP**" from Google Play store. For further technical assistance Shri Himanshu Verma, IT Consultant (Mobile no. 8319014957) maybe contacted.

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

Memo No. APIC-172/2026 / 872 Dated Itanagar, the 1st Sept., 2026

Copy to:

1. The Chief Engineer (RWD), Western Zone Itanagar, Papum Pare District, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO concerned.
2. The PIO, o/o the EE (RWD), Poma Division, Yupia Papum Pare District PIN: 791110 for information and compliance.
3. Shri Tamchi Gungte, near KV-II School Chimpu PIN: 791113 Mobile NO. 8258820863/9402798349 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