



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

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

Case No. APIC-820/2025.

(Summon to appear in person)

(Or.5 R.3 of CPC)

APPELLANT : Shri Tamchi Gungte, near KV-II School Chimpu Itanagar,
RESPONDENT : The PIO, o/o the Director of TRIHMS, Naharlagun.

ORDER/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 Director of TRIHMS, Naharlagun as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 21.07.2025.

A) Particular of information: c/o "Establishment of New Medical College attached with District/ Referral Hospitals (Tomo Riba Institute of Health and Medical Science, Naharlagun" during the financial of 2017-2018 to till date.

B) Details of information required:

1. Furnish the certified details of Joint Account under the access of M/s KCC & GCC, where the payment shall be made as per the guidelines set under the Joint Venture works.
2. Furnish the certified payment details such as the Memorandum of payments, Cheque Voucher, Cheque Slip, made against the contractor.
3. Furnish the certified agreement copy made in between the contractor and the Department.
4. Furnish the eligible criteria for the tender participant to participate in this tender work.
5. Furnish the certified copy of Tender participant who have qualified the Technical Bid in the Tender Process of this projects.
6. Furnish the certified copy of Tender evaluation copy (Technical Bid) of all the tender participant.
7. Furnish the certified copy of Officers responsible for monitoring the work from the TRIHMS dept.
8. Furnish the Name of Firms and numbers who participated in the tender process, and won the Tender work with respect to the subject mentioned above.
9. Furnish the certified copy of details of Officer who is responsible for evaluating and scrutinize the tender documents of the tender participant and awarding the work.
10. Furnish the certified copy of fund transfer records details (Such as challan copy etc.) to Electrical works dept. of the nearest division for the electrification works portions of the projects.
11. Furnish the certified copy of Fund Surrendered Copy (Challan Copy /whichever method is used) to the concerned Head of Account, for the amount exempted after the Tender Process and agreement made between the Contractor and Dept.

Records emerging from the appeal:

The records reveal that the Appellant, Shri Tamchi Gungte, had filed application dated 21/07/25 before the PIO o/o the Director of TRIHMS, Naharlagun, requesting for information(s) regarding "Establishment of New Medical College attached with District / referral Hospital (Tomo Riba Institute of Health and Medical Science, Naharlagun" during the financial year 2017 – 2018 to till date.

Having failed to receive the information(s) from the PIO, the Appellant had filed First Appeal under Section 19(1) of the RTI Act, before the Appellate Authority (FAA), the Director (TRIHMS), Naharlagun vide Memo of Appeal dated 02/09/25, in response to which the Director, TRIHMS, conducted the hearing on 17.10.25 and passed the following order :

"ORDER

This order pertains to an appeal filed under Section 19(1) of the Right to Information Act, 2005, by Shri Tamchi Gungte, General Secretary, Arunachal Pradesh People's Right Forum (APPRF). regarding non-receipt of information sought through his RTI application id no. TRIHMS-123/2025 dated 08.10.2025. The application sought information regarding the "Establishment of a Medical College attached with the District/Referral Hospital."

The hearing was conducted on 17th October, 2025 at 13:40 hrs, in the presence of:

i. Director-cum-FAA, TRIHMS

ii. Appellant: Shri Tamchi Gungte

The Respondent, i.e., the PIO, TRIHMS, was unable to attend the hearing due to administrative reasons. However, the Director of TRIHMS assured the appellant that the PIO would resume duties by the following week and would provide the requisite information accordingly.

NOW, THEREFORE, after hearing the appellant and reviewing the available records, the PIO, TRIHMS, is hereby directed to furnish the complete information as sought in RTI Application No. TRIHMS-123/2025, dated 08.10.2025, within seven (7) days from the date of this hearing.

Sd/

*(Prof. (Dr.) NK Bezbarua
Director cum FAA. "*

Pursuant to the order of the Director, TRIHMS as above, the PIO, vide his letter dt.17.10.25 had furnished the following replies to the appellant:

"With reference to your RTI application dated 21/07/2025, I am providing the details of the information regarding the C/o "Establishment of New Medical College attached with District/ referral Hospital (Tomo Riba Institute of Health & Medical Science, Naharlagun)" during the financial year 2017-18.

Sl. No.	Particulars	Reply
1.	<i>Furnish the certified details of Joint Account under the access of M/s KCC & GCC, where the payment shall be made as per the guidelines set under the Joint Venture works.</i>	<i>Name of A/c Holder: M/s Kenge Construction Co. Account No-60344548528 Name of Bank: - Bank of Maharashtra IFSCCode:- MAHB0001510</i>

2.	<i>Furnish the certified payment details such as the Memorandum of payments, cheque voucher, Cheque slip, made against the contractor.</i>	<i>Enclosed</i>
3.	<i>Furnish the certified agreement copy made in between the contractor and the department.</i>	<i>Enclosed</i>
4.	<i>Furnish the eligible criteria for the tender participant to participate in this tender work.</i>	<i>Tender process executed by the office of EE, PWD, Naharlagun Division. However, NIT may be Tender process executed by the office of EE, PWD, referred for eligibility criteria.</i>
5.	<i>Furnish the certified copy of Tender participant who have qualified the Technical Bid in the Tender Process of this project.</i>	<i>Enclosed</i>
6.	<i>Furnish the certified copy of Tender evaluation copy (Technical Bid) of all the tender participant.</i>	<i>Only Technical Bid documents of L1 are available with this office. The same has already been shared with the applicant against a previous RTI application.</i>
7.	<i>Furnish the certified copy of officers responsible for monitoring the work from the TRIHMS dept.</i>	<i>1. Director, TRIHMS 2. OSD (Project), TRIHMS</i>
8.	<i>Furnish the Name of Firms and numbers who participated in the tender process, and won the Tender work with respect to the subject mentioned above.</i>	<i>1. M/s Simplex Projects Ltd Kolkata 2. M/s Lokam Brothers & Co., Itanagar & M/s Capital Enterprises 3. M/s Kenge Construction Co. / Ms Ganapati Construction Co. (L1) 4. M/s BIL Infratech Ltd. Kolkata</i>
9.	<i>Furnish the certified copy of details of Officer who is responsible for evaluating and scrutinize the tender documents of the tender participated and awarding the work.</i>	<i>The tender process was evaluated and scrutinized by the Executive Engineer, APPWD, Naharlagun Division.</i>
10.	<i>Furnish the certified copy of fund transfer records details (such as challan copy etc.) to Electrical work dept. of the nearest division for the electrification works portions of the project.</i>	<i>Enclosed</i>
11.	<i>Furnish the certified copy of Fund Surrendered copy (challan copy/whichever method is used) to the concerned Head of Account, for the amount exempted after the tender process made between the contractor and Deptt.</i>	<i>As per the records available with this office, no record of fund surrender is available in respect of the mentioned project.</i>

The information is as per the available records in this office. However, you may seek further details from the concerned department.

This is for your kind information please.

Sd/-
(Prof (Dr.) N. K Bezbaruah
Dean-cum-functional Director
TRIHMS Naharlagun”

However, the appellant, apparently dissatisfied with the replies furnished by the Director, TRIHMS as above, preferred this Second Appeal before this Commission under Section 19(3) of the RTI Act, 2005 vide memo dated 31/10/2025.

This appeal is, accordingly, listed today on 13.03.2026 wherein the appellant, Shri Tamchi Gungte is present in person while the PIO, Dr. Rajen Kombo (OSD) is present with the copies of replies furnished to the appellant his letter dt.17.10.25.

Heard the parties.

The appellant, while acknowledging the receipt of requested information / documents from the PIO, however, complained that replies to some of the queries are either incomplete or not furnished at all e.g:-

- a) the replies against Sl.No.1 (Joint A/C of the parties), Sl.No.2 (Memo of payment etc.) and Sl. No.4 (eligibility criteria for tender participation) and Sl.No.4 (Technical Bid evaluation report) are incomplete/misleading;
- b) replies against Sl.No.7(names of the officers), Sl.No.9 (details of offices responsible for tender evaluation) and Sl.No.11(copy of fund surrender through challan are not furnished.

The PIO, on the other hand replied that the o/o PIO has furnished whatever documents/information were available in his office and that rest of information/documents are either available with the o/o the EE (PWD) Naharlagun Division or are not available with the PIO.

This Commission, upon hearing the parties and perusing the copies of documents, concludes that the documents/information against the queries, indeed, require to be provided satisfactorily to the appellant. It is, however, made clear that if the PIO does not hold any of the requested documents, he shall furnish an appropriate reply to that effect in an affidavit as required by law under section-7(8)(i) r/w section-18(3)(c) of the RTI Act, 2005 and under rule- 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.

The PIO is, accordingly, directed to comply with the order as above and report compliance thereof on **10th April,2026**.

Given under my hand seal of this Commission on this 13th March, 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 10th April, 2026 (Friday)** 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- 820/2025/726 Dated Itanagar, the 16th March, 2026

Copy to:-

1. The Director of (TRIHMS) Tomo Riba Institute of Health and Medical Science, Naharlagun, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Director of (TRIHMS) Tomo Riba Institute of Health and Medical Science, Naharlagun PIN: 791110 for information and compliance..
3. Shri Tamchi Gungte, Near KV-2 School Chimpu, Itanagar Mobile No. 9233567279 for information.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC please.
5. Office copy.
6. S/Copy.

P. Raji
Registrar/ Deputy Registrar
APIC, Itanagar
Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar