



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

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

Case No. APIC- 203/2026.

(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 (PHE & WS) Pasighat Division, Pasighat.

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 EE (PHE & WS) Pasighat Division, East Siang District as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 29.09.2025.

A. Particular of information: C/o "Completed Plan & Non-plan Works/projects sponsored by State fund/Central fund or both (such as SIDF/ BE/ RE/ RIDF/ SADA/ ADA/ MLA-LAD/ MP-LAD/ SPA Article 275(1)/ PMJKV /PMDevINE/ NEC/NESIDS/ Non-BADP/ SASCI/JJM/NRDWM/ SPM/ Maintenance works etc.) executed under the concern division" from the financial year 2016-17 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 2016-17 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 2016-17 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 2016-17 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 2016-17 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) 2016-17 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:
 - c) 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.)
 - d) 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:-
 - c) Remaining balance amount after A/A E/S and TS has been completed. (Enclosed the proof of Expenditure.)
 - d) 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).

Brief records emerging from the appeal:

Records in the appeal reveal that the appellant had requested for the aforementioned information from the PIO but failed to obtain the same which prompted him to file his 1st appeal under section 19(1) of the RTI Act before the Chief Engineer (PHE & WS), Bene (Central Zone), Aalo, the First Appellate Authority (FAA) vide his memo of appeal dt.28.11.2025.

Records further disclose that the FAA conducted hearing on 29.12.2026 wherein both the appellant, Shri Tamchi Gungte and Er. Eleena Gao, AE representing the PIO appeared through VC. The FAA, after hearing the parties had passed the following order:

"ORDER

Appeal No.: FAA/PHE (CZ)/RTI-28 10613-16 Date: 29/12/2025

Appellant: TAMCHI GUNGTE (General Secretary) Arunachal Pradesh Right Forum (APPRF)

Address:-Near KV2 School Chimpu, Itanagar Arunachal Pradesh -791113

Respondent:-The Executive Engineer, Cum PIO PHE & WS Division Pasighat

Subject: Appeal under Section 19(3) of the RTI Act, 2005 - Disposal thereof.

1. Brief Background: Application seeking information in Form A under Rule -3 of RTI was submitted to the PIO concerned on 29/09/2025, along with a fee of Rs.10 (Ten) through IPO. Challan No.AR01189752120256P to furnish documents/information with respect to C/o "Plan and Non-Plan Works/Projects sponsored by the State/Central fund or both (Such as SIDF/ BE/ RE/ RIDF/S ADA/ ADA/ MLALAD/ MPLAD/ SPA/ Article275(1)/ PMJVK/ PMDEVINE/ NEC/ NESIDS/ Non-BADP, SASCI, JJM /NRDWM/ SPM/Maintenance under concerned Division from the financial year 2026-17 to 2025-26. works etc.), executed

Records reveal that the appellant could not obtain the above information from the concerned PIO which prompted him to submit appeal to the Chief Engineer Central Zone (FAA), PHE & WS Department Bene, through his application I.D.no.002, Dated 28/11/2025 and IPO No.00H517918 of Rs.50.00 by post.

2. Proceedings:

Upon receipt of the First appeal on 29/12/2025 in the office of the FAA Bene, the same was registered and notices were issued to both the appellant and the PIO. The matter was taken up for hearing on 21/01/2026, wherein the appellant and Er. Eleena Gao AE Project Pasighat attended on behalf of the PIO PHE & WS Division Pasighat.

3. Finding: Upon hearing from the representative of PIO PHE & WS Division Pasigat, it has been found that, the PIO concerned has not furnish the information sought, to appellant in the context of the minutes issued by the ARUNACHAL PRADESH INFORMATION COMMISSION ITANAGAR, Vide letter No.CIC/09/2016/103, Dated 8th May 2025. But it has been revealed that the Full Commission of APIC has reviewed the minutes of 8th May 2024 on 19th November 2024 and a notice to this effect was also issued on same day vide Letter No.APIC/CIC/09/2024/418, where in it has been clearly stated that the PIO shall not reject the RTI application citing 08.05.2024 decision of the APIC but shall furnish the information against whatever number of schemes under whatever number of funding head or funding programme or funding source and for whatever number of financial year as may be possible and feasible, however subject to the condition that the RTI applicants shall not seek for vague, indiscriminate and disproportionate information keeping in mind the ruling of the Hon'ble Supreme Court of India in Civil Appeal No.6464 of 2011 arising out of SLP(C)No.7526-2009) (CBSE & anr.Vs. Aditya Bandopadhyay & Ors.)

4. Order:-

In view of above, the PIO cum Executive Engineer PHE & WS Division Pasighat shall furnish the information sought, to the appellant within 45 days w.e.f 21.01.2026."

(K Pertin)

First Appellant Authority

PHE & WS Department, Central Zone

Bene (Aalo), West Siang District Arunachal Pradesh"

The appellant, however, apparently failed to obtain the sought for information and as such he filed his 2nd appeal before this Commission under Section 19 (3) of the RTI Act 2005 vide his Memo of Appeal dt. 11.02.2026.

Accordingly, this appeal is listed today on 16th Sept. 2026 but the PIO is absent without any intimation while the appellant is present in person.

Heard the appellant who, expressing disappointment on non-compliance of the order of the FAA by the PIO and non-appearance in the hearing, demanded for penal action under section 20 of the RTI Act, 2005.

This Commission, taking serious view of the absence of the PIO, adjourns the hearing of this appeal to 23.10.2026. In the interim, the PIO is directed to furnish the requested information and report the compliance thereof to this Commission on the date of hearing failing which this Commission shall be constrained to invoke the provisions of section 20 of the RTI Act.

Given under my hand and seal of this Commission on this 16th Sept., 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 23rd October, 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, including closure of the appeal, 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-203/2026 1905 • Dated Itanagar, the 18 Sept., 2026

Copy to:

1. The Chief Engineer (PHE&WS), Central Zone Aalo, West Siang District, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO concerned.
2. The PIO, o/o the (PHE & WS) Pasighat Division, East Siang District PIN: 791102 for information and compliance.
3. Shri TamchiGungte, 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.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar