



ARUNACHAL PRADESH INFORMATION COMMISSION
ITANAGAR.

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

Case No. APIC- 201/2026.

APPELLANT : Shri Tamchi Gungte near KV-II Chimpu.
RESPONDENT : The PIO, o/o the EE (PWD), Gensi Division, Lower Siang.

ORDER

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 (PWD), Gensi Division, Lower Siang District as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 05.10.2025.

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 /Article275(1)/ PMJVK/ erstwhile MsDP/ CRIF/ NESIDS/ PM-DevINE/ NEC/NESIDS/ Non-BADP/ SASCI/ CMCSRPD/ Maintenance work 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 (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)/ Administrative and financial sanction (AFS) of each completed projects in respect of Sl. No. 1 mentioned above for each financial.
3. Copy of Technical Sanction (TS) Order Copy 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) is sued 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:
 - a) 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.)
 - b) 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 utislised, 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 Officers (name & Designation then & now) who authorized/approve the surrender process of fund in respect of serial no. 7 of the Form-A.
9. Furnish the certified details of Officer who authorized/approve the expenditures of fund in respect of serial no. 8 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 facts emerging from the appeal :

Records emerging from the appeal disclose that the Appellant, Shri Tamchi Gungte had requested the PIO for the aforementioned information / documents but failed to obtain the same which prompted him to appeal before the Chief Engineer (PWD) Central Zone , Yachuli as the First Appellate Authority (FAA) under Section 19 (1) of the RTI Act vide his appeal Memo dated 15.12.2025. But having failed to obtain the documents/information from the PIO he filed his 2nd appeal before this Commission under Section 19(3) of the RTI Act vide Memo of appeal dt. 06.02.2026

Accordingly, this appeal is listed today on 16.09.2026 wherein the appellant Shri Tamchi Gungte is present in person while Er. Ms. Doli Nyikyor, AE-cum-APIO attended through VC.

Heard the parties.

The APIO submitted that since the information as sought for by the appellant is voluminous and for multiple number of years, he was requested vide letter dt.02.12.2025(as reproduced below) to seek specific information and for specific financial years but the appellant, instead of responding to the said letter, preferred appeals before the 1st Appellant Authority and this Commission.

"Sir,

With reference to your RTI Application No. 1 dated 03/10/2025, it is informed that you have sought information regarding all works executed by this Division for the period from the financial year 2016-2017 to 2025-2026 (10 years). As per the provisions of the RTI Act, furnishing such voluminous information covering multiple years in a single application is not feasible. You are therefore requested to submit a fresh application specifying the particular scheme/project and the specific financial year for which the information is required, so that the same may be furnished in accordance with the RTI Act, 2005.

*Yours faithfully
Sd/*

*Executive Engineer,
Gensi Division."*

The appellant on the other hand, contended that the information/documents sought are not voluminous stating that the information sought for are against the completed projects only and not against ongoing projects and also that the PIO's Division might not have executed schemes/projects under some of the funding heads.

In adverting to the instant issue/controversy raised by the PIO, 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 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 those mentioned in the application under which scheme/project, if any, was executed by his Division and also the actual number of F.Ys mentioned in the RTI application and thereafter collate the information/documents and furnish to the appellant as per his queries in a tabular form with proper index and paging.

The PIO shall comply with the direction of this Commission as above within 1(one) month from the date of receipt of this order and the appellant shall, thereafter, within one week of the receipt of the information from the PIO, intimate to this Commission for further consideration of the appeal.

Given under my hand and seal of this Commission on this 16th Sept. 2026.

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

Memo No. APIC-201/2026

Dated Itanagar, the

28 Sept., 2026

Copy to:

1. The Chief Engineer (PWD), Central Zone, Yachuli, keyi Panyor District, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO concerned..
2. The PIO, o/o the EE (PWD), Gensi Division, Lower Siang District PIN: 791125 for information and compliance..
3. Shri TamchiGungte, near KV-II School Chimpu PIN: 791113 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.

**Registrar/Deputy Registrar
APIC, Itanagar.**

**Registrar
Arunachal Pradesh Information Commission
Itanagar**