



सत्यमेव जयते



सूचना का
अधिकार
RIGHT TO
INFORMATION



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

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

Case No. APIC-920/2025.

(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 Executive Engineer (WRD), Ziro
Division, Ziro.

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 Executive Engineer (WRD), Ziro Division, Lower Subansiri District (A.P) as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 10.09.2025.

- A) Particular of information:** C/o "Works/ projects sponsored by State fund/ Central fund or both (such as SIDF/ BE/ RE/ RIDF/ SADA/ ADA/ / MPLAD/ SPA/ Article 275(1)/ PMJVK/ CRIF/ PMDe Vine/ NEC/ NESIDS / Non-BADP, SASCI, FMBAP, PMKSY etc), executed under the concern division" from the financial year 2020-21 to 2025-26.
- B) Details of information require:**
1. Furnish the certified copy of Total list of works/projects under various scheme head mentioned above (state/central scheme or both as mentioned above) executed under the division, along with the details of cost of each project for each financial year from 2020-21 to 2025-26.
 2. Furnish the certified copy of total amount of LOCs/ fund allocation to the division for each project in respect of serial no.1 under various scheme head (State/ Central sponsored or both as mentioned above) for each financial year from 2020-21 to 2025-26.
 3. Furnish the certified copy of total amount of funds received in the division in respect of Serial no.1, undertaken and executed by the division from each financial year from 2020-21 to 2025-26.
 4. Furnish the certified reply statement that the complete payment has been made as per LOC/ fund allocated to the contractor, after certain deduction mandate by the Govt. for the all the projects executed and undertaken by the division for each financial year from 2020-21 to 2025-26.
 5. Furnish the certified copy of total amount deducted as, Labour cess of 1% mandatorily deducted from total cost of each work/project under Building and Other Construction Worker Act 1996 in respect of all the works/projects executed under the division for each financial year from 2020-21 to 2025-26.

6. Furnish the certified copy of Labour Cess deposited (such as Challan, Cheque counterfoil, Demand draft etc. whichever method is used) to the competent authority (APB&OCWWB) by the division along with the supporting documents for each financial year from 2020-21 to 2025-26.
7. Furnish the certified details of Officers (Name & Designation then & now) who is/are responsible for deducting Labour cess from the all projects/work executed under the division for each financial year from 2020-21 to 2025-26.
8. Furnish the certified details of Officers (Name & Designation then and now) who is/are responsible for depositing the Labour cess for the all projects/work executed under the division to the competent authority for each financial year form 2020-21 to 2025-26 as per Building and Other Construction Act 1996.
9. Furnish the certified details of third party officer/Audit Officer for verifying whether the proper/right amount of Labour Cess was deposited by the competent authority in respect of all the projects/works, to the concern authority (APB&OCWWB) for each financial year from 2020-21 to 2025-26.
10. Furnish the certified copy of total amount deducted as, Contingency charges deducted (i.e. project cost up to 3 crores is 1.5% & the project cost above 3 crore is 1%) in details, from each project/work in respect of all the works/projects executed under the division for each financial year from 2015-16 to 2025-26.
11. Furnish the certified copy of Details of expenditure (along with supporting documents of expenditure) done by the concern Officers (Name & designation then & now) of Contingency charges amount from all the work/projects executed under the division for each financial year from 2020-21 to 2025-26.
12. Furnish all the above documents in proper manner (i.e. in serial wise with properly Index and proper paging of each financial year).

Facts emerging from the appeal:

Records reveal that the appellant had asked for the above mentioned information from the PIO vide his application dt. 10.09.2025 in response whereof the PIO, vide his letter dt.25.09.2025 (as reproduced hereunder), replied to the appellant that information sought by him is not "specific" information for which he(PIO) is not in a position to reply to these queries and that the appellant may seek specific information for further queries.

"Sir.

With reference to above subject and Form 'A' Forun of application for seeking information see rule-3. The applicant seeking for information to this office which is "C/o total list of Works projects sponsored by State fund/ Central fund or both (such as SIDF/ BE/ RE/ RIDF/SADA/ADA/ MLALAD /MPLAD/SPA/ Article 275(1)/P MJVK/ CRIF/ PMDeVine/ NEC/NESIDS/ Non-BADP, SASCI, FMBAP, PMKSY etc. executed under the concern division from the financial year 2020-21 to 2025-26. It is observed that seeking information sought by you under RTI Act 2005 which is not "specific" information. Hence the undersigned is not in a position to reply to these queries and you may seek specific information for further queries.

This is for favour of your kind information and necessary action please.

Sd/-

Executive Engineer."

The appellant, vide his letter dt.18.10.25 addressed to the PIO, contended that the information sought is not vague and indiscriminate in nature and requested the PIO to furnish the required documents as sought in his RTI application.

The PIO, vide his letter dt.27.10.2025 then asked the appellant to pay/deposit a sum of Rs. 40200/- (Rupees Fourty Thousand Two Hundred) being the cost of documents. The appellant, apparently, disappointed with the demand of such cost of documents by PIO, approached the Chief Engineer, WRD, Western Zone, Vivek Vihar, Itanagar the First Appellate Authority (FAA), under Section 19 (1) of the RTI Act.

Records, however, disclose that though the FAA had attempted to conduct the hearing on 27.11.2025 by issuing summon notice dt. 25.11.2025, the hearing could not be held due to pre-occupation of the PIOs in the Municipal and Panchayat Elections. Hence this 2nd appeal before this Commission under Section 19 (3) of the RTI Act which was filed vide Memo of appeal dated 17.12.2025.

Hearing and decision:

This appeal is, accordingly, listed and heard today on 08.05.2026 wherein both the appellant and the PIO, Er. Sri Padi Sambyo Tubin, EE are present in person.

Heard the parties.

The appellant, reiterating his replies to the PIO vide his letter dt.18.10.25, submitted that the PIO, instead of furnishing the requested information, had asked for an unreasonable cost of the documents. The PIO, on the other hand, submitted that the cost of documents (Rs.40200/-) has been calculated and arrived at taking into account the details of information sought for more than 20 funding programs/heads and for more than 6 Financial years.

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 most of the requested information pertain to figures and not the hard copies which the PIO can furnish in a tabular form.

In adverting to the instant issue/controversy, 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 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 the rights of the citizen under the RTI Act on the one hand and the efficient and unobstructed functioning of the public authorities on the other.

In the light of the above principle of law, this Commission directs the appellant to prioritise his demand for the information documents and submit a revised request specifying clearly the points relevant to transparency and accountability and on receipt whereof the PIO shall furnish the replies /documents in a tabular form with proper paging /indexing and it is made clear that if the o/o the PIO does not hold any of the requested information, he shall furnish appropriate explanation/reason therefor on an affidavit as required by section 7(8)(i) r/w section 18(3)(c) of the RTI Act, 2005 and Rule 5(vi) of the AP Information Commission (Appeal Procedure) Rules, 2005.

The appellant shall comply with the direction within 1(one) week from the date of receipt of this order and the PIO shall comply with the direction within 3(three) weeks of the receipt of the revised request from the appellant and report the compliance thereof on 12.06.2026, the next date of hearing.

Given under my hand and seal of this Commission on this 8th May, 2026.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC 12th June (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- 920/2025 / 820 Dated Itanagar, the 11 May, 2026

Copy to:-

1. The Chief Engineer (WRD), Western Zone Itanagar Vivek Vihar, the First Appellate Authority (FAA) for information and ensuring compliance by the PIO.
2. The PIO, o/o the Executive Engineer (WRD), Ziro Division, Lower Subansiri District (A.P) PIN: 792129 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. Singh 11/05/26
Registrar/ Deputy Registrar
APIC, Itanagar

Deputy Registrar
Arunchal Pradesh Information Commission
Manager