



**ARUNACHAL PRADESH INFORMATION COMMISSION**  
**ITANAGAR.**

**An Appeal Case U/S 19(3) of RTI Act, 2005**  
**Case No. APIC-215/2025.**

**(Summon to appear in person)**  
**(Or.5, R.3 of CPC)**

**APPELLANT** : Shri Tamchi Gungte, near KV-II School Itanagar.

**RESPONDENT** : The PIO, o/o the Director of TRIHMS, Naharlagun  
Papum Pare district, (A.P)

**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, Papum Pare District, as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 03.10.2024.

Particular of information : C/o "Establishment of New Medical College attached with District/Referral hospital (Tomo Riba Institute of Health & Medical Science, Naharlagun)."

1. Certified Sanction Order copy.
2. Certified LOC copy.
3. Certified copy of utilization certificate.
4. Certified copy of Notice Inviting Tender (NIT)
5. Certified copy of Progress report of the projects in physical and Financial section till date.
6. Certified copy of Completion certificate of the project.
7. Certified copy of newspaper in which NIT was published (At least 3 news paper name (one national & 2 Local) along with date of publication of news paper, as per government approved order.
8. Certified design and scope of work in the projects.
9. Certified copy of work specification of the projects.
10. Certified Copy of documents submitted by Tender participant for Technical Bid.
11. Name of Firms who won the Tender Work.
12. Name of Officers and their designation at the time of monitoring the work.
13. Certified copy of Contractor Registration, Pass work completion, Contractor enlistment update reports, of tender participant and winning Firm.
14. Certified copy of EMD and Security money deposited by all the tender participant.
15. Certified Integrity Pact submitted by the tender participant.
16. Certified copy of an Affidavit copy sworn before a competent Magistrate by the Contractor, to the effect that he does not have two or more incomplete ongoing commitments (project / contract to execute) at the time of bidding by the tender participant and winning firm. (as per rule SPWD/W-66/2012 Dtd. 01.08.2018).



17. Certified documents submitted by tender participant and winning firm, i.e. copy of completed three similar work each of value not less than 40% of the estimate cost or completed two similar work each of value not less than 60% of the estimated cost or completed one similar work of value not less than 80 % of the estimated cost in the last 5 years ending last day of the month previous to the one in which the tenders are invited.
18. Certified copy of Acceptance letter for Tender Work by the Executing Agency to the tender winning firm.
19. Certified copy of Work Order given to the Contractor by the Executing Department.
20. Certified copy of modes adopted for the execution of work through EPC mode by the Dept.

**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 Director of TRIHMS, Naharlagun, B-sector, Papum Pare District Govt. of Arunachal Pradesh, the First Appellate Authority (FAA) under Section 19 (1) of the RTI Act, 2005 vide Memo of Appeal Dated 18.11.2024. However, the appellant having failed yet again to obtain the information preferred 2<sup>nd</sup> appeal before this Commission under Section 19 (3) of the RTI Act, 2005 vide Memo of Appeal dated 18.02.2025.

**Hearing and decision:**

This appeal is, accordingly, is listed and heard today on 11<sup>th</sup> June, 2025 wherein the appellant, Shri Tamchi Gungte and Dr. Shri Rajen Kombo, OSD (Project), TRIHMS –cum- the APIO are present in person.

Heard the parties.

The appellant producing a copy of letter dt.27.11.2024 signed by the APIO by which certain documents/information requested by him were furnished, submitted that the documents so furnished by the o/o the PIO are either incomplete or not furnished at all as shown below:

1. Copy of LOC (Sl. No.2)
2. Notice of publication of NIT in News Paper (name of the N/Paper not found in the News Paper cutting) (Sl.No.7)
3. Scope of work (Sl.No.8)
4. Documents submitted by the tender participants for technical bid (Sl.No.10)
5. Contractor enlistment certificate of the issued from Assam in favour of the contractor firm who executed the project (Sl. No.13)
6. Bank Guarantee furnished by the firm winning the tender (Sl. No.14)
7. Integrity Pact submitted by the tender participants(Sl.No.15)
8. Affidavit submitted by the tender participating firms declaring that they do not have more than 2 or more incomplete ongoing project at the time of bidding (Sl.No.16)
9. Certificates regarding completion of three similar projects in last 5 years submitted by the tender participants (Sl.No.17)

10. Certified copy of method/mode adopted for execution of the project (Sl. No.20)

The APIO, responding to the complaint of the appellant as above, submitted that the documents furnished to the appellant were collected from the work executing engineering department i.e the EE(PWD), Naharlagun Division. He, therefore, pleaded that the documents which have been remained unfurnished or are incomplete should be sought from the o/o the EE(PWD), Naharlagun Division.

During the course of hearing this Commission tried to persuade the appellant to reduce his demand for the left out information by prioritizing more important ones but he insisted for all the left out documents saying that all these documents are equally important for the sake of transparency.

This Commission also holds that in order to implement the intent and objective of the RTI regime, the requested documents, unless exempted under the RTI Act, ought to be furnished to the appellant and this Commission observes that those left out documents are not covered by the exemption provisions under section 8 or under section 9 of the RTI Act. However, if some of the documents are not available with the o/o the PIO but are available with the o/o the EE (PWD), Naharlagun Division, as submitted by the APIO, such documents shall be collected from that public authority and furnish to the appellant. The EE(PWD), Naharlagun Division shall also, in terms of sub-section(5) of section 5 of RTI Act, 2005, provide those documents available with his Division to the PIO, TRIHMS for onward furnishing to the appellant.

During the course of hearing the APIO expressed his inability to comprehend the exact information requested by the appellant at Sl.20 (the mode adopted for execution of the project) and requested the appellant for clarification. The Appellant assured the PIO that he will produce relevant papers regarding the exact demand/ query within this week.

The PIO, o/o the TRIHMS and the EE(PWD), Naharlagun Division are directed to comply with the above direction within 1(one) month from the date of receipt of this order and in any case before 11<sup>th</sup> July, 2025 (Friday) at 2pm, the next date of hearing wherein the PIO, o/o the EE (PWD), Naharlagun Division, shall also be present.

Given under my hand and seal of this Commission on this 11<sup>th</sup> June, 2025.

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



**Memo No. APIC-215/2025** *1450* **Dated Itanagar, the** *13* **June, 2025**

Copy to:

1. The PIO, o/o the Director of TRIHMS, Naharlagun PIN – 791110 for information and compliance.
2. The EE (PWD), Govt. of A.P, Naharlagun Division for information and compliance.
3. Shri Tamchi Gungte, Near KV-II School Chimpur, Po/PS Chimpur, Dist : Papum Pare, 791113, A.P. Mobile No. 9233567279.
4. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/Copy.

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

**Deputy Registrar**  
**Arunachal Pradesh Information Commission**  
**Itanagar**