



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

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

Case No. APIC-24/2025.

APPELLANT

: Shri Tok Changsing

RESPONDENT

**: The PIO, o/o the Director of Health Services,
Govt. of Arunachal Pradesh, Naharlagun.**

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tok Changsing for non-furnishing of below mentioned information by the PIO, o/o the Director of Health services, Govt. of Arunachal Pradesh, Naharlagun as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 24.10.2024.

A) Particular of information: Details regarding service status of Shri Nabam Niktar, RFW.

B) Details of information required:

1. Copy of DPC formation for regularization of the job of Shri Nabam Niktar, RFW.
2. Appointment order copy.
3. Educational Qualification.
4. Joining report copy.
5. Recruitment Rule copy

C) Period for which information asked for: 26/06/2014.

This appeal was listed for hearing today on 9th April, 2025 wherein the Appellant Shri Tok Changsing and the APIO, o/o the Director of Health Services, Naharlagun, Dr. Shri K.T Mulung were present.

Records reveal that the Appellant did not receive the information sought by him from the PIO in view of which he approached the F.A.A, the Director of Health Services, Govt. of AP, vide his appeal dated 24/10/24.

Records further disclose that the F.A.A has not adjudicated on this appeal as mandated under Section 19(1) of RTI Act, 2005.

The First Appellate Authority, following the principle of natural justice, ought to have conducted hearing giving fair and equal opportunity to the Appellant and the PIO and thereafter passed a reasoned and speaking order on merit.

It is to be noted that the F.A.A, while adjudication on the appeal must apply his mind into the aspects like the kind of information sought by the Appellant, whether the information sought for could be disclosed or whether the same is exempted under relevant provisions of law and then, exercise his power and functions as mandated by the provisions of Section 19(1) of the RTI Act, 2005.

In the premises as above this Commission finds the case at hand fit to be remanded to the FAA, the Director of Health Services, Govt. of A.P for adjudication who shall apply his mind and go into aspects like what kind of information was sought by the Appellant, whether the information(s) could be provided or whether the same is hit by the provisions of Section – 8 & 9 of the RTI Act, 2005, whether the information requested is disproportionate/indiscriminate etc. and then pass an appropriate speaking order giving justification for his decision.

This appeal is, accordingly, remanded to the Director of Health Services Govt. of A.P, the F.A.A, Naharlagun, for adjudication within 4(four) weeks from the date of receipt of this order with liberty to the Appellant to prefer second appeal before this Commission under section 19 (3) of the RTI Act, if he is aggrieved/ dissatisfied with the order passed by the F.A.A, or with the information furnished by the PIO for which no fee need be paid.

Sd/-

(SANGYAL TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC- 24/2025 /523

Dated Itanagar, the 09 April, 2025

Copy to:

1. The Director, Health Services, Govt. of A.P, Naharlagun for information and compliance.
2. The PIO, o/o the Director of Health Services, Govt. of Arunachal Pradesh, Naharlagun PIN – 791110 for information.
3. Shri Tok Changsing, Village Rono, PO//PS Doimukh, Dist : Papum Pare. A.P. PIN No. 791110 Mobile No. 6033905683 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