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-390/2026.

APPELLANT : Shri Ratan Chutia, Mahadevpur, Namsai.
RESPONDENT : The PIO, o/o the Executive Engineer, RWD, Namsai Division Namsai.

ORDER

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Ratan Chutia for non-furnishing of below mentioned information by the PIO, o/o the DMO, District Medical Hospital Namsai as sought for by him under section 6(1) (Form-A) of RTI Act, 2005 vide his application dated 06.11.2025.

A) Particular of information: Seeking information regarding the establishment and construction of District Medical Hospital, Namsai Arunachal Pradesh.

B) Details of information required:

1. Copy of administrative approval and sanction order issued by the competent authority for the establishment / construction of the District Medical Hospital Namsai.
2. Copy of the detailed project report (DPR) submitted or approved for the said project.
3. Copy of the technical and financial sanction orders, including cost estimates and funding pattern (Central/State Share).
4. Copy of proposal or correspondence made by the State Health Department or National Health Mission (NHM), Arunachal Pradesh, to the Ministry of Health & Family Welfare (MoHFW), Govt. of India, regarding approval, funding or guidance for the establishment of the District Medical Hospital at Namsai.
5. Copy of Integrated Public Health Standards (IPHS) compliance report or checklist submitted to the State or central authority for establishment of the said Hospital.
6. Copy of the Administrative and Technical Notes showing whether the project conforms to IPHS norms and MoHFW guidelines for District Hospitals.
7. Copies of Land Possession Certificate (LPC), Land Allotment Order, and Land Availability Certificate issued by the District Administration for the construction of the hospital.
8. Copy of No Objection Certificate (NOC) from the forest department or other competent authorities.
9. Copy of correspondence or file noting showing the site selection process, including the criteria or minutes of meetings that decided the location of the hospital.
10. Copies of all tender/NIT (Notice Inviting Tender) documents (News paper cuttings at least on three news paper), bid evaluation reports, work orders, and the name and address of the executing agency/contractor/firm engaged for the construction. Tender opening committee members' name with designation.
11. Copies of all agreements or Memorandum of Understanding (MoU) signed between the Health Department and executing agency/firm.

12. Details of all payments made to the executing agency/contractor, including date-wise and amount-wise expenditure statements.
13. Copies of site inspection reports, progress reports, and completion certificates (if issued).
14. Name and designation of the officer(s) in charge of monitoring and supervision of the said hospital project.
15. Copy of any correspondence or communication between the Directorate of Health Services, State NHM, and District Medical Officer, Namsai, relating to this project.
16. Copy of the proposal submitted to the State Health & Family Welfare Department and inclusion in the State Programme Implementation Plan (PIP) under NHM.
17. Details of equipment procurement, supply orders, and vendor names for the District Medical Hospital, Namsai.
18. Details of posts sanctioned, created, and filled for the functioning of the hospital (doctors, nurses, technicians, administrative staff, etc.).
19. Copy of the audit report and utilization certificates, if any, Submitted for this project.

C) Period for which information asked: 2025-26.

Facts emerging from the appeal:

Records in the appeal reveal that the appellant had requested the PIO, o/o the District Medical Officer, Namsai, for the aforementioned information. The DMO, vide her letter dt.11.11.2025 (as reproduced hereunder), however, transferred the RTI application of the appellant to the E.E, RWD Namsai Division under section 6(3) of the RTI, 2005, with a copy endorsed to the appellant, Shri Ratan Chutia, for furnishing the requested information to the applicant.

To

The Executive Engineer,

RWD, Namsai Division
Namsai District: Namsai

Sub: Forwarding of RTI Application Under Section 6(1) of the Right to information Act, 2005 Seeking information regarding the establishment and construction of District Medical Hospital, Namsai Arunachal Pradesh.

Sir,

Enclosed please find herewith an RTI application No. RC/DMH/NMS/2025-26/01 dated Mahadevpur the 6th November 2025 submitted by Shri Ratan Chutia Mahadevpur Towm P.O. Mahadevpur, received on 11/11/2025 seeking Information regarding the establishment and construction of District Medical Hospital at Namsa District Arunachal Pradesh.

Since the said construction work was being executed by the. RWD, Namsai Division and not under District Medical Officer Namsai, So the application is hereby forwarded to your Office under section 6(3) of the RTI Act, 2005 for providing the requisite information directly to the applicant within the stipulated time period as prescribed under the Act with intimation to this Office.

This is for your information and further necessary action please.

Enclosed: As stated above

Sd/-
(Dr (Mrs) Nang Soreya Namchoom)
District Medical Officer, Namsai."

The appellant, however, apparently, failed to obtain the requested information which prompted him to file appeal before the First Appellate Authority (FAA), the Chief Engineer (RWD) (EZ), Itanagar under section 19(1) of the RTI Act vide his Memo of Appeal dt. 28.01.2026.

Record also reveal that the FAA conducted the hearing on 10th March, 2026 but both the parties were absent. The PIO was, however, directed to furnish the detail information within 15 (fifteen) days from the date of issue of the said order. The FAA's order is reproduced hereunder :

"SPEAKING ORDER

No. RWD/RTI/Namsai/525-26:::: Matter was fixed for hearing on 10.03.2026, as per the RTI Act 2005, U/s 19(1), in connection with the Case No. RWD/RTI/Namsai/525-26 in the office chamber of Chief Engineer, RWD, E/Z, Itanagar.

Both the parties were absent, therefore, the hearing could not be done.

The PIO-Cum-EE, Namsal is advised to be more careful in future as RTI is a crucial matter and further he is directed to furnish the detail information as sought by the appellant with an intimation to this office within 15 days (Fifteen Days) from the date of issue of this order.

The appellant is also warned not to repeat such negligence in future RTI hearing.

In case of non-compliance of this order, the appellant may appeal before the Arunachal Pradesh Information Commissioner, Itanagar.

Accordingly, the instant case has been disposed of.

Sd/-
PIO
CE-Cum-FAA
RWD, E/Z, Itanagar."

The appellant was, however, not provided with the requested documents by the PIO despite the direction of the FAA which led to filing of 2nd appeal by the appellant under section 19(3) of the RTI Act, 20056 before this Commission vide Memo of Appeal dt.12.05.26.

Hearing and decision:

This appeal was, accordingly, listed on 26.08.2026 wherein the appellant Shri Ratan Chutia was present but none appeared from the o/o the PIO either from the o/o DMO, Namsai or from the o/o the EE (RWD), Namsai Division.

This Commission, after hearing the appellant and perusing the records including the order dt. 10.03.26 passed by the FAA, the Chief Engineer (RWD) (EZ), Itanagar and the DMO, Namsai's letter dt.11.11.2025, had, vide order dt.26.08.26, passed the following order:

"In view of the fact that the actual Public Authority in the present case is the E.E (RWD), Namsai Division, Namsai, the PIO concerned should be summoned for hearing and consideration of this appeal under section 19(3) of the RTI Act, 2005.

The PIO, o/o the EE (RWD), Namsai Division, Namsai is, therefore, directed to appear in the next hearing of the appeal which is fixed on 18.09.26. In the interim, the PIO shall furnish the requested information to the appellant and report the compliance thereof to this Commission on the hearing date."

On 18.09.2026, this Commission, after hearing the appellant, Shri Ratan Chutia and Er. Shri J.P. Pandey, J.E, representing the PIO through VC passed the following order:.

"Heard the appellant submitted that he has received the documents from the PIO yesterday on 17.09.2026 but the following information were not furnished:

a) Sl.No.2 (DPR)
b) Sl.No.5 (IPHS Compliance report)
c) Sl. No. 10(copy of News Paper cutting of tender notice)
d) Sl. No. 13(Inspection report)
e) Sl. No. 15(correspondence between the Directorate of Health Services, State NHM, and District Medical Officer, Namsai,
f) Sl.No.16(proposal submitted to the State Health & Family Welfare Department and inclusion in the State Programme Implementation Plan (PIP) under NHM).

The appellant, however, did not press for some of the requested information such as Sl.Nos.16, 17 & 18 but demanded that the reasons / explanation be furnished on an affidavit against those information which are being denied.

This Commission, after hearing the parties and on perusal of the documents which are found not exempted under any of the exemption clauses of section 8 of the RTI Act, 2005, directs the PIO to furnish the left out information and /or furnish on an affidavit the reasons for denial of the same as required under section 7(8)(i) read with section-18(3)(c) of the RTI Act, 2005 and under rule-5(vi) of the A.P Information Commission (Appeal Procedure) Rules, 2005 within 1(one) month from the date of receipt of this order and report the compliance thereof on 16.10.2026, the next date of hearing.

Given under my hand and seal of this Commission on this 18th Sept., 2026."

Today on 16.10.26, both the appellant Shir R. Chutia and the PIO, Er. Shri Otem Opum, EE appeared through VC

Heard the parties.

The appellant complained that despite this Commission's order dt.18.09.2026, the o/o the PIO did not furnish him the left out information or the affidavit viz, a) complete set of DPR (b) the IHPS) compliance report and(c) the copy of News Paper cutting of Tender Notice. The PIO, on the other hand, explained that the appellant has been provided with whatever documents were available in record but the left out documents could not be furnished as these were not available. The appellant, insisted that as already directed by this Commission, reasons should be furnished on an affidavit against those information which are being denied. He also demanded that site inspection of the completed project should be facilitated by the o/o the PIO.

The PIO, as already directed, shall furnish the left out information and /or furnish on an affidavit the reasons for denial of some of the left out information viz, a) complete set of DPR (b) the IHPS) compliance report and(c) the copy of News Paper cutting of Tender Notice and also facilitate site inspection by the appellant, within 1(one) month from the date of receipt of this order and the appellant

shall also within the said deadline inform this Commission of the receipt of the left out information /affidavit from the PIO failing which, it is made clear, that this appeal shall stand closed without further notice.

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

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

Memo No. APIC- 390/2026 /952 **Dated Itanagar, the** 21 **Oct., 2026**

Copy to:

1. The Chief Engineer (RWD) Western Zone Itanagar, the First Appellate Authority (FAA) PIN: 791111 for information and ensuring compliance by the PIO concerned.
2. The PIO, o/o the EE (RWD), Namsai Division, Namsai for information and compliance.
3. The PIO, o/o the DMO, District Medical Hospital Namsai, Namsai District (A.P) PIN: 792103 for information.
4. Shri Ratan Chutia, Mahadevpur Town PO-Mahadevpur Circle Lekang, Namsai District PIN: 792103 Mobile No. 8131048898 for information.
5. The Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
6. Office copy.
7. S/Copy.

Registrar/ Deputy Registrar
APIC, Itanagar.

Registrar
Arunachal Pradesh Information Commission
Itanagar