

No. S.A.75/2020-MIC
MIZORAM INFORMATION COMMISSION
NEW SECRETARIAT COMPLEX, KHATLA
MIZORAM: AIZAWL

Mrs. B. Lalhmangaihi,
Chaltlang Dingdi Veng : *Appellant*
Aizawl, Mizoram

Mr. Zohmingthanga,
SPIO/Under Secretary
Land Revenue & Settlement Department : *Respondent*
Aizawl, Mizoram

ORDER
(13.11.2020)

The Mizoram Information Commission (MIC) received Second Appeal dt. 23.02.2020 filed by Mrs. B. Lalhmangaihi against the State Public Information Officer (SPIO), Land Revenue & Settlement Department, Aizawl, Mizoram. The appellant sought information under the RTI Act 2005 in respect of the Fresh Claims on rental charges amounting to Rs. 37,95,74,931/- for the period from 1st April 1966 to 31st August 1986 on account of occupation of private lands by security forces during the insurgency period in Mizoram.

2. The appellant submitted an application under the Right to Information Act 2005 before the State Public Information Officer (SPIO), Land Revenue & Settlement Department. In reply, the Under Secretary & SPIO, Land Revenue & Settlement Department informed her that they are unable to give her the required document as the same is not available in their office. Not being satisfied with the reply of the SPIO, she submitted First Appeal to the Departmental Appellate Authority (DAA), Land Revenue & Settlement Department on 29.01.2020. In reply, the Under Secretary & SPIO, Land Revenue & Settlement Department informed her on 13.02.2020 that they are unable to give her the required document as the same is not available in their office. Being aggrieved with the reply, she preferred Second Appeal to MIC on 23.02.2020.

3. In this connection, hearing was fixed by the Mizoram Information Commission in the office Chamber of the Chief Information Commissioner, MIC on 27.03.2020 at 12:00 noon. However, owing to imposition of lockdown by the Government due to outbreak of COVID-19 hearing was postponed to 13th November 2020 vide Memo No. S.A. 75/2020 – MIC dt. 19.10.2020. As scheduled, hearing was held wherein the Chief Information Commissioner,

Mr. Lalduhthlana Ralte and both the Information Commissioners viz Mr. Zoramawia and Dr. C. Lalzirliana were present.

4. The respondent, Mr. Zohmingthanga, SPIO, Land Revenue & Settlement Department was present in person. However, the appellant, Mrs. B. Lalhmangaihi could not attend the hearing due to the sudden demise of her brother in the morning of 13.11.2020. During the hearing, the SPIO, LR&S Department informed that after thorough search of the documents requested by the Appellant, they could locate the document viz Memo No. J. 12012/5/02 – REV dt. 11th March 2002 in one of the closed files in their office only on 12.11.2020. He also submitted a copy of the same during the hearing.

5. After hearing the Respondent and on perusal of records, the Commission notes with appreciation that the Respondent has taken all possible steps at his level best to locate and to trace out the information sought by the Appellant. The Commission also notes that instead of denying the application in the first instance, the SPIO should have made more diligent efforts to seek out the document sought. As the document is now available, the Commission directs the Respondent to supply to the Appellant a copy of Memo No. J 12012/5/02 – REV dt. 11th March 2002 within 15 (fifteen) days from the receipt of this order with a copy to the Mizoram Information Commission, Mizoram.

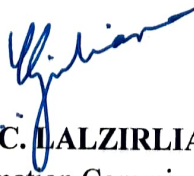
The appeal is disposed of accordingly. Copy of the decision to be given free of cost to the parties.



(ZORAMAWIA)
Information Commissioner
Mizoram Information Commission



(LALDUHTHLANA RALTE)
Chief Information Commissioner
Mizoram Information Commission



(DR. C. LALZIRLIANA)
Information Commissioner
Mizoram Information Commission