

No. S.A. 89/2022 – MIC
MIZORAM INFORMATION COMMISSION
MIZORAM NEW CAPITAL COMPLEX
KHATLA, AIZAWL

Mr. Lalhruaitluanga Bawitlung, : *Appellant*
A-3/25, Chhing Veng
Near Presbyterian Church,
Ph: 8974741788
Mizoram, Aizawl.

1. *Mr. V. Lalzamlova,* : *Respondent No. 1*
State Public Information Officer (SPIO),
&
Joint Director,
Office of the Chief Controller of Accounts,
Accounts & Treasuries,
Mizoram, Aizawl.

2. *Mr. Thara Lungtau,* : *Respondent No. 2*
State Public Information Officer (SPIO),
&
Joint Director,
Accounts & Treasuries, Southern Zone,
Mizoram, Lunglei.

ORDER
(19.08.2022)

1. Mr. Lalhruaitluanga Bawitlung submitted an Online RTI application on 15.07.2022 to the SPIO, Accounts & Treasuries seeking information on the following 5 (five) points: -

"1 April, 2019 leh 14 July, 2022 inkar chhunga Civil Works Contract Bill leh Supply Bill leh Supply Bill Cheng Nuai 100 chuang pek chhuah zawng zawngte atangin a hnuaia RTI Act tlawhchhana ka zawhna te min chhang turin ka ngen a che:

- i) Contractor leh supplier hming leh address*
- ii) Contract leh supply hna hming*
- iii) Contract leh supply hna estimate zat leh payment pek tawh zat*
- iv) Treasury-ah bill thlen hnuin ni engzah ah nge pass a nih*
- v) E-payment a nih chuan a luhna account neitu hming leh address"*

2. In reply, Mr. Thara Lungtau, SPIO informed him on 15.07.2022 itself as under:-

"I zawhna hi 'Accounts' tih chiah a ni a, chhan ngaihna che ka hre lo a ni. A hma a i zawhna kha a chhangtheitu tur PWD Building Division, Lunglei ah transfer a ni e. I hriat duh tak an hrih theih ngei che ka ring".

3. Feeling aggrieved, the appellant submitted First Appeal online to the Departmental Appellate Authority (DAA) on 18.07.2022 stating that the information sought was not accounts but the bills passed and released by all the Treasury Officers under the Chief Controller of Accounts, Accounts & Treasuries, Government of Mizoram during 01.04.2019 to 14.07.2022 regarding Civil Works Contract bill and supply bill. In reply, the DAA informed him online on 27.07.2022 as follows: -

"RTI Online Portal ah hian Accounts & Treasuries hnuaia Office hrang hrang SPIO ten an lo hmu ve vek thei a lo ni a. Accounts & Treasuries, MINECO a SPIO nilo in chhanna an lo siam a, hetah hian min hriatthiam a ngai a ni. He thil hi RTI Portal viltu te hnenah hrih hriat a ni tawh a, an siamthat tawh kan beisei. Tunah hian Accounts & Treasuries SPIO in chhanna a buatsaih a, hemi chungchangah hian July 29 (Friday) 2022 chawhma dar 11:00 ah kan office MINECO, Khatla ah lokal turin kan hriattir in kan ngen a che."

4. On 27.07.2022, Mr. V. Lalzamlova, SPIO/Joint Director (Admn), Accounts & Treasuries furnished replies in hard copy to the appellant on the information sought online dt. 15.07.2022. Not satisfied with the reply of the SPIO, the appellant submitted Second Appeal to the Chief Information Commissioner (CIC) on 02.08.2022. Summon has been issued to both the appellant and respondent to appear before the Chief Information Commissioner on 16.08.2022 (Tuesday) at 12:00 noon. As scheduled, hearing was held in the office chamber of the CIC wherein Mr. Lalnunmawia Chuaungo, CIC and Mr. Zorammawia, IC were present. The appellant, Mr. Lalhruaitluanga Bawitlung accompanied by 2 (two) persons and the respondent viz Mr. V. Lalzamlova, SPIO/Joint Director, office of the Chief Controller of Accounts, Accounts & Treasuries, and Mr. Thara Lungtau, SPIO/Joint Director, Southern Zone, Accounts & Treasuries were also present.

5. In the hearing, the appellant informed the Commission that he is of the opinion that the information sought by him is available with all the Treasury Officers as the Treasury Officer in one of the districts directly sent him the required information. However, as he was later requested by the officer not to disclose the information that he had sent, he did not put the information received in public domain. Since such is the case, he is surprised to be informed by Mr. V. Lalzamlova, SPIO/Joint Director, office of the Chief Controller of Accounts, Accounts & Treasuries vide letter no. H.11020/1/2019-CCA(Est)/927 dt. 27.07.2022 that the required information is not available with the department. The appellant also mentioned that democracy requires an informed citizenry and transparency of information which are vital to its functioning and also to contain corruption, etc.

6. In reply, Mr. V. Lalzamlova, SPIO informed that vide memo no. H.11020/1/2021-CCA(Est) dt. 18.07.2022, he had requested all the Treasury Officers to submit the required information so as to enable him to furnish the information sought to the appellant. However, all the Treasury Officers informed him in writing as under: -

"Work order leh Supply Order petu hi department lam an ni a, a bill pawh hi Department lam siam vek a ni. Treasury chu payment lo petu mai chauh kan nih avangin record engmah kan kawl ve loh avangin, a chung a zawhnate khi keini record atang chuan chhan theih kan nei lo. Payment kan pekna, a bill body pawh Monthly Account rualin Accountant General (AG), Mizoram, Aizawl ah Payment Voucher atan kan thawn vek zel a. Treasury in duplicate bill tak ngial pawh kan kawl ve ngai lo a. Chuvangin, heng zawhna te hi Treasury atanga chhan theih a nih loh avangin a bill siamtu Department lam atanga chhan chi niin a lang".

He also handed over copies of these letters to the Commission. Mr. V. Lalzamlova also said that since all the Treasury Officers have informed him that they do not maintain any such record in their respective offices, the same was conveyed to the appellant. Mr. Thara Lungtau, SPIO also informed that in the bills received by Treasury Offices, the names of Drawing & Disbursing Officers of the concerned offices are written but not that of contractors so it is not possible for Treasury Officers to know the names of contractors, etc.

7. After hearing both the parties, the Commission observed that: -

- i) One of the SPIOs of the District Treasury Offices who had provided details of information asked by the appellant at point nos. (i), (ii), (iii) and (iv) of his application also later on sent exactly the same reply as given by SPIOs of all other District Treasury Offices. Therefore, it is apparent that the SPIOs of District Treasury Offices have either been informed or have cohorted to avoid giving the information asked for by the appellant, and instead gave exactly same replies denying the information. The information requested by the appellant is available and could be provided as was done by one of the SPIOs of the District Treasury Offices and that the SPIO of the office of the Chief Controller of Accounts, Accounts & Treasuries could have provided the information requested by the appellant.

- ii) Regarding information on point no. (iii) of the RTI application about “estimates of contract leh supply hna”, as the same is reported to be not available with the respondent and Treasury Offices, the appellant may be informed to submit his RTI application to the concerned departments dealing with such development works. However, regarding “payment pek tawh zat”, it is apparent that the Treasury Offices are aware of the bills released for payment and that the information is available with them.

In view and subject to the observations above, the Commission hereby directs that the SPIO, office of the Chief Controller of Accounts, Accounts & Treasuries shall: -

- a) **provide the information asked for by the appellant within 14 (fourteen) days from the date of this order, if required, by calling for the relevant information from the subordinate offices (i.e., the District Treasury Offices) of the Chief Controller of Accounts, Accounts & Treasuries.**

OR

- b) **transfer the applications for information made by the appellant to the SPIOs of the subordinate offices i.e., the District Treasury Offices within 5 (five) days from the date of this order in terms of Section 6(3) of the RTI Act, 2005 and that the SPIOs of the concerned District Treasury Offices shall provide the information within 7 (seven) days from the date of transfer of the RTI application.**

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



(ZORAMAWIA)
Information Commissioner
Mizoram Information Commission



(LALNUNMAWIA CHUAUNGO)
Chief Information Commissioner
Mizoram Information Commission

