

No. S.A. 92/2022 – MIC
MIZORAM INFORMATION COMMISSION
MIZORAM NEW CAPITAL COMPLEX
KHATLA, AIZAWL

Pu R.H. Lalherliana, : *Appellant*
Kawnpui Hmarveng,
Ph: 8731877288

Pu Lallawmawma, : *Respondent*
State Public Information Officer (SPIO)
&
Additional Deputy Commissioner
DC's Office, Kolasib District.

ORDER
(27.10.2022)

1. Pu R.H. Lalherliana, Kawnpui Hmarveng submitted an RTI application dated 01.07.2022 to the SPIO, Competent Authority of Land Acquisition (CALA) seeking information on the following 3 (three) points: -

1) NEF Railways hnuuia Bairabi to Sairang inkar Rel kawng siam chungchang:

- a) Mimal ram engzatnge a paltlang? Engtianga zau nge? chung mite hnenah chuan Zangnadawmna pek an ni em? Cheng engzat nge pek chhuah a nih?
- b) Mimal (Private) ram nilo, Forest Reserve area a paltlang engzatnge awm? Engtianga zau/thui nge a paltlang?
- c) Reserve Area a paltlangah hian Compensation pek a ni em? Pek a nih chuan cheng engzatnge pek a nih?

2) Kum 2009-a National Highway 54 widening chungchang :

- a) Mimal ram engzat nge a tihchhiat? Zangnadawmna engzat nge pek a nih?
- b) Mimal ram nilo Forest Reserve area engzat nge a tihchhiat? Zangnadawmna pek a ni em? Engzatnge pek a nih?

3) National Highway 306 (Fourlane) chungchang :

- a) Mimal ram engzat nge a paltlang dawn? Mimal ram a tihchhiat tur zau zawng, ram neitu, khua/veng, ram neihna hmun te min hrilh thei em?
- b) Mimal ram nilo, Forest Reserve area paltlang tur a awm em? Eng tianga zau nge? Khawi lai hmunah te nge a awm?
- c) Spoil Bank (Leivung paihna) khawi laiah te nge ruahman a nih?

2. Since he did not receive any reply from the SPIO, CALA, he preferred First Appeal dated 23.08.2022 to the Departmental Appellate Authority (DAA), Kolasib District. However, as he did not receive any reply even from the DAA, CALA the appellant submitted Second Appeal to this Commission to help him get the required information. In this regard, summon was issued to the appellant, Pu R.H. Lalherliana and the respondent, Pu Lallawmawma, SPIO & Addl. Deputy Commissioner, Kolasib District to appear before the Chief Information Commissioner on 26.10.2022 (Wednesday) at 11:00 A.M. As scheduled, hearing was held in the office chamber of the CIC wherein Pu Lalnunmawia Chuaungo, Chief Information Commissioner and Pu Zoramawia, Information Commissioner were present. Both the appellant and respondent were also present.

3. In the hearing, the appellant informed the Commission that after submitting his RTI application to the respondent, he waited for more than 50 (fifty) days for the information that he had sought as he was verbally informed by someone that the matter was under process. However, as the respondent remained silent for so long, he preferred First Appeal to the Departmental Appellate Authority (DAA) thinking that he would be provided the required information. He also informed that even the DAA remained silent and no information was furnished to him.
4. In reply, the respondent informed that since the required information pertains to 3 (three) different branches under their establishment, it took them some time to collect the information and also mentioned that out of the 3 (three) branches, the branch which deals with National Highway 54 Widening 2009 has till date failed to feed him information on the matter. He also apologized to the Commission for not providing information to the appellant.
5. After hearing both the parties, the Commission observed the following: -
 - i) As per Section 7 (1) of the RTI Act, 2005, the SPIO should have provided the information as expeditiously as possible and in any case within 30 (thirty) days of the receipt of the request instead of just remaining silent on the matter.
 - ii) The First Appeal submitted to the Deputy Commissioner/DAA appears to be left unattended as no action taken on the matter was sent to the appellant. This is in violation of Section 19 (6) of the RTI Act, 2005.
 - iii) Both the SPIO and DAA need to be informed that RTI applications/appeals are to be treated on top priority and should never be left unattended.
6. In view of the above, **the Commission hereby directs that Pu Lallawmawma, SPIO & Additional Deputy Commissioner, DC's Office, Kolasib shall provide the information, free of cost, to the appellant not later than 04.11.2022 (Friday) with a copy to Mizoram Information Commission.**

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



(ZORAMMAWIA)
Information Commissioner
Mizoram Information Commission



(LALNUNMAWIA CHUAUNGO)
Chief Information Commissioner
Mizoram Information Commission

