

No. S.A. 91/2022 – MIC
MIZORAM INFORMATION COMMISSION
MIZORAM NEW CAPITAL COMPLEX
KHATLA, AIZAWL

Pi Saronpari, : *Appellant*
College Veng, Lawngtlai,
Ph: 9612554827

Pu James Miahlung, : *Respondent*
State Public Information Officer (SPIO),
DC Office, Lawngtlai District,
Mizoram, Lawngtlai.

ORDER
(18.10.2022)

1. Pi Saronpari, College Veng, Lawngtlai submitted several RTI applications during 2021 and 2022 to the SPIO, Office of the Deputy Commissioner, Lawngtlai District seeking information on the following points: -
 - I. *NH-54 widening of NH-54 Aizawl to Tuipang 4.81 HA LADC 2018 – 2022 from Thingkah to Kawlchaw ‘W’ Compensation laho hming leh an lakzat leh an APR (Actual paid received) (Original Xerox copy).*
 - II. *NH-54 By pass road Lawngtlai (Chawngte road to 71 RCC) Compensation laho hming leh lakzat.*
 - III. *An ram LHS (Left hand side) leh RHS (Right hand side) Length and Size detail statements.*
 - IV. *NH-54 By Pass road Lawngtlai (Chawngte road to 71 RCC) Compensation laho APR (Actual paid received) Original copy (Xerox copy)*

In reply, Pu T.T. Beikhaizi, SAPIO furnished information to Pi Saronpari.

2. Not being satisfied with the information furnished, the appellant preferred First Appeal dated 12.07.2022 to the Departmental Appellate Authority (DAA), office of the Deputy Commissioner, Lawngtlai. In reply, Pu James Miahlung, SPIO informed her on 17.08.2022 that all the documents pertaining to NH-54 available in the DC’s Office has been furnished to her and that they do not have any other document left in the office.
3. Being aggrieved, the appellant submitted Second Appeal dt. 21.09.2022 to the Chief Information Commissioner with a request to help her in getting the required information. In this regard, summon was issued to both the appellant and the respondent to appear before the Commission on 17.10.2022 (Monday) at 12:00 Noon. As scheduled, hearing was held in the office chamber of the Chief Information Commissioner wherein Pu Lalnunmawia Chuaungo, CIC and Pu Zoramawia, IC were present. The appellant and the respondent were also present.

4. In the hearing, the appellant informed the Commission that even after submitting several RTI applications to the SPIO, DC's office, Lawngtlai, the respondent failed to furnish her all the required documents and that she, along with many other land owners are dissatisfied with the way compensation had been disbursed. She also mentioned that the list of land owners and APRs provided to her does not match and handed over to the Commission photocopies of APRs furnished to her.
5. In reply, the respondent informed the Commission that with regard to Pi Saronpari's RTI applications, they had furnished all the documents and information available with them in the office. However, as Actual Payee Receipts (APRs) were not maintained by the DC's office, Lawngtlai prior to June 2020, they could not provide her all the information she had sought. He also apologized for the lapse on their part. Both the appellant and respondent agreed that payment was made through individual bank accounts where land compensation was disbursed after getting their signature from the recipients.
6. After hearing both the parties, the Commission observed that: -
 - i) It appears that the DC's office, Lawngtlai made serious mistake in disbursing compensation to land owners without issuing Actual Payee Receipts (APRs) or maintaining payment register prior to June 2020.
 - ii) While the appellant had submitted her RTI applications to the SPIO, she was given replies by the SPIO which is in violation of the provisions of the RTI Act, 2005. All replies/information provided to the applicant should be under the signature of the SPIO.
 - iii) The First Appeal submitted by the appellant to the Deputy Commissioner/DAA was also replied by the SPIO which should have been replied by the DAA himself. This is also in violation of the provisions of the RTI Act, 2005.
7. In view of the above, the Commission hereby directs that **Pu James Miahlung, SPIO, DC's office, Lawngtlai shall provide details of payments made to all recipients of compensation through bank accounts, free of cost, to the appellant within 15 (fifteen) days from the date of issue of this order 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.



(ZORAMAWIA)
Information Commissioner
Mizoram Information Commission



(LALNUNMAWIA CHUAUNGO)
Chief Information Commissioner
Mizoram Information Commission