

No. S.A. 93/2022 – MIC
MIZORAM INFORMATION COMMISSION
MIZORAM NEW CAPITAL COMPLEX
KHATLA, AIZAWL

Dr. L. Thansanga, : *Appellant*
Chaltlang Dawrkawn,
C/o NIT Mizoram Admin Building,
Ph: 8414049026

Pu Lalzakhama, : *Respondent*
State Public Information Officer (SPIO)
&
Executive Engineer,
PHED, Rural WATSAN Circle,
Laipuitlang, Aizawl.

ORDER
(14.11.2022)

1. Dr. L. Thansanga, Chaltlang submitted an online RTI application to the SPIO, PHED, Rural WATSAN Circle on 10.10.2022 seeking information on the following 5 (five) points: -
 - i) Detailed Project Report (DPR) of Sesawng Water Supply Scheme photocopy min pe turin ka ngen a che.
 - ii) Sesawng Water Supply Scheme a Contractor hi tunge a nih? Contractor Address leh contact number kimchang ka dil e.
 - iii) Sesawng Water Supply Scheme hi eng hun chhunga zawh fel tur nge a nih?
 - iv) Khawchhuga tui semdarh na tur hian Galvanised Steel Pipe hmang lova PVC Pipe hman a nihna chhan eng nge?
 - v) Sesawng Water Supply Scheme atan sum engzatnge ruahman a nih? He scheme atan Central leh Mizoram State sum tum zat tur engzat ve ve nge a nih?
2. In reply, Pu Lalzakhama, SPIO & EE, PHED Rural WATSAN Circle furnished him information on 14.10.2022. Not feeling satisfied with the reply of the SPIO, he preferred First Appeal to the Departmental Appellate Authority (DAA), PHED Rural WATSAN Circle on 14.10.2022.
3. Pu Lalrammawia, DAA & SE, PHED Rural WATSAN Circle furnished his reply to the appellant on 26.10.2022. However, not satisfied with the reply received, Dr. L. Thansanga submitted Second Appeal dt. 01.11.2022 to Mizoram Information Commission to help him get his requested information. In this connection, summon was issued to both the appellant and respondent to appear before the Chief Information Commissioner on 11.11.2022 (Friday) 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. Both the appellant and respondent were also present.
4. In the hearing, the appellant informed the Commission that with regard to point (i) of his RTI application, while he had requested for a photocopy of the Detailed Project Report (DPR) of Sesawng Water Supply Scheme, he was furnished only photocopies of the Abstract of Cost and Cost Estimate by the SPIO and the DAA respectively, and with regard to point no. (ii), he was furnished only the names of 3 (three) contractors selected for construction of RCC Reservoir No-1, 3.0 lakh lit cap, construction of RCC Reservoir No-1, 2.0 lakh lit cap at CTI Sesawng and construction of Sesawng W/S/S (Solar Pumping) and also mentioned that for such a big project, it is apparent that there would be many other civil works, etc. and requested the Commission to be provided names of contractors selected for the other works.

5. In reply, the respondent informed that he did not furnish photocopies of the whole Detailed Project Report (DPR) of Sesawng Water Supply Scheme thinking that the photocopies furnished to the appellant would be adequate as the DPR was quite voluminous and said that in a somewhat similar case they had experienced in the past, the RTI applicant was satisfied with the information provided. He also mentioned that he is ready to provide copies of the whole DPR as requested by the appellant and also apologized to the Commission for his negligence. The respondent then informed that since the Rural WATSAN Circle Office deals with administrative matters only, they are not aware as to who the other contractors are. So, he has requested the Working Division Office to provide him names of the other contractors.
6. After hearing both the parties, the Commission observed the following: -
- i) The SPIO & Executive Engineer, PHED, Rural WATSAN Circle needs to be more acquainted with the provisions of the RTI Act, 2005 as the information sought does not come under the information that are exempted from disclosure as per Section 8(1) of the Act.
 - ii) The DAA & Superintending Engineer, PHED, Rural WATSAN Circle should have passed a speaking order giving justification for the decision arrived at as per Section 19 of the RTI Act instead of sending incomplete reply to the appellant.
7. In view of the above, **the Commission hereby directs that Pu Lalzakhama, SPIO & Executive Engineer, PHED, Rural WATSAN Circle shall provide soft copies of the Detailed Project Report (DPR) and scanned copies of the pages of the DPR where signatures of officers and approval of Government under signature of the Government Official are present, and names of the other contractors of Sesawng Water Supply Scheme, who are to execute each work, to the appellant, free of cost, not later than 21.11.2022 (Monday) 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

