

No. S.A. 96/2022 – MIC
MIZORAM INFORMATION COMMISSION
MIZORAM NEW CAPITAL COMPLEX
KHATLA, AIZAWL

Mr. Baidyanath Sen, : *Appellant*
2 KCM, Sarani, P.O.,
P.O. Bhadrakali Hooghly - 712232,
West Bengal, Ph: 9899190752.

Dr. Jane R. Ralte, : *Respondent*
State Public Information Officer (SPIO)
&
Registrar,
Zoram Medical College,
Aizawl, Mizoram.

ORDER
(21.12.2022)

1. Mr. Baidyanath Sen submitted an RTI application to the SPIO, Directorate of Health & Family Welfare seeking information on 7 (seven) points on 01.10.2022: -
 - i) Name of the Hospital/Dispensary/Health Centre.
 - ii) Head of the Hospital/Dispensary/Health Centre: Name and Designation.
 - iii) Total No. of candidate deployed at the Hospital/Dispensary/Health Centre.
 - iv) No. of candidate deployed at vaccinated with first dose.
 - v) No. of candidate deployed at vaccinated with second dose.
 - vi) No. of candidate deployed at vaccinated with Booster dose.
 - vii) No. of candidate with name and designation without vaccinated any dose of COVID-19.
2. In reply, Dr. Jane R. Ralte, SPIO, Zoram Medical College informed him as follows, “*Not applicable for Zoram Medical College. Application may be asked under CMO, Aizawl West District.*” on 20.10.2022.
3. Feeling aggrieved, he preferred First Appeal to the DAA & Director, Health & Family Welfare Department on 20.10.2022. In reply, the DAA & Director, Zoram Medical College informed him that “*As per instructed through previous reply, you are requested to forward the queries to the Chief Medical Officer, Aizawl West*” on 22.11.2022.
4. In this regard, the appellant submitted Second Appeal online on 22.11.2022 to this Commission with a request to help him get his requested information. Summon was issued to both the appellant and the respondent to appear before the Chief Information Commissioner on 19.12.2022 at 11:00 AM. 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. The respondent was also present and as the appellant could not appear in person, as per his request, he attended the hearing via video call.

5. In the hearing, Dr. Jane R. Ralte, SPIO & Registrar, Zoram Medical College (ZMC) informed the Commission that the RTI application of Mr. Baidyanath Sen was received online by their office and since the information sought does not come under the purview of ZMC, she had sent a reply informing the appellant to submit his RTI application to the Chief Medical Officer, Aizawl West District. The respondent also informed that it was only after attending the RTI Training organized by Administrative Training Institute & Mizoram Information Commission that she came to know that the RTI application was to be transferred to the concerned authority. She also apologized for the lapse on their part.
6. The appellant, Mr. Baidyanath Sen informed the Commission of his grievances and said that if the information sought is not under their purview, the SPIO, ZMC should have transferred it to the concerned SPIO as per the provisions under the RTI Act, 2005 instead of giving him vague reply by both the SPIO and DAA, ZMC.
7. After hearing both the parties, the Commission observed the following: -
 - a. The SPIO & Registrar, ZMC needs to be more acquainted with the provisions of the RTI Act, 2005 so that such kind of lapse does not happen in future.
 - b. The Departmental Appellate Authority & Director, ZMC, should have passed a speaking order giving justification for the decision arrived at as per Section 19 of the RTI Act instead of sending vague reply to the appellant.
 - c. The office of the Principal Director, Health & Family Welfare Department should create a Central Point for receiving applications and designation of appellate authorities under the RTI Act, 2005 as per O.M. No. 1/32/2007-IR dt. 14.11.2007 issued by Department of Personnel & Training, Government of India for timely disposal of RTI applications and First Appeals.
8. In view of the above, **as the information sought pertains to several offices under Department of Health & Family Welfare, the Commission hereby directs that the SPIO & Registrar, Zoram Medical College shall transfer the RTI application of Mr. Baidyanath Sen to the SPIO, Office of the Principal Director, Health & Family Welfare Department at the earliest with intimation to the appellant and the latter shall provide the information sought, 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.**



(ZORAMMAWIA)

Information Commissioner
Mizoram Information Commission



(LALNUNMAWIA CHUAUNGO)

Chief Information Commissioner
Mizoram Information Commission