

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

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

Pu Abraham Beirazi Khithie, : *Respondent*
State Public Information Officer (SPIO),
&
Addl. Deputy Commissioner,
DC's Office, Lawngtlai District,
Mizoram, Lawngtlai.

ORDER
(02.02.2023)

1. This is in continuation of Second Appeal dt. 21.09.2022 submitted by Pi Saronpari, Lawngtlai against the SPIO, DC's Office, Lawngtlai District. [Case No. S.A. 91/2022-MIC]
2. Mizoram Information Commission vide order No. S.A. 91/2022-MIC dt. 18.10.2022 instructed Pu James Miahlung, SPIO, DC's office, Lawngtlai to provide details of payments made to all recipients of compensation through bank accounts, free of cost, to Pi Saronpari within 15 (fifteen) days from the date of issue of said order.
3. Pi Saronpari informed this Commission on 12.12.2022 that the SPIO did not provide her all the detailed information and that the SPIO failed to act within the timeframe stipulated in the order mentioned above. She also made a request for the following information to be furnished to her: -
 - i. NH-54 By pass road Lawngtlai (Chawngte road to 71RCC) Compensation la ho hming leh lakzat.
 - ii. An ram Acquared zat LHS (Left hand side) leh RHS (Right hand side) Length and size Details Statements.
 - iii. NH-4 By pass road Lawngtlai (Chawngte road to 71RCC) APR (Actual paid Received) Original (Xerox copy).
4. Show cause notice was issued to the Deputy Commissioner and SPIO, DC's Office, Lawngtlai District with a copy given to Pi Saronpari. They were notified to appear before the Mizoram Information Commission on 31.01.2023 (Tuesday) 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. Pu Amol Srivastava, IAS, Deputy Commissioner was present online and Pu Abraham Beirazi Khithie, respondent and Pi Saronpari, appellant appeared in person.
5. In the hearing, the appellant informed the Commission that she is yet to be provided information on point no. 3 of her Second Appeal dt. 21.09.022. She also handed over to the Commission copies of detail survey report for NH-54 bypass LDP junction from Km 0+000 to Km 2+273 area details of land owners that she received on 27.01.2023 from DC's Office, Lawngtlai.

6. The respondent informed the Commission that a meeting was convened by the DAA & Deputy Commissioner, Lawngtlai in his office chamber on 27.01.2023 wherein the SPIO & Addl. Deputy Commissioner, SDC, UDC and Pi Saronpari were present and mentioned that they have requested the Chief Manager, State Bank of India, Lawngtlai Branch vide Memo No. C. 11016/02/2022-DC(LTI) dt. 27.01.2023 to furnish bank transaction details in connection with payment of Lawngtlai bypass road and that the reply is still awaited. He handed over to the Commission copies of the meeting minutes dt. 27.01.2023 and the letter sent to State Bank of India, Lawngtlai Branch. He also mentioned that he assumed the charge of SPIO/Addl. Deputy Commissioner only on 05.01.2023.
7. After hearing both the parties, the Commission observed the following: -
- i) As per this Commission's order dt. 18.10.2022, Pu James Miahlung, SPIO & Addl. Deputy Commissioner was directed to 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 MIC's order with a copy to MIC. However, it is learnt that incomplete information has been furnished to the appellant only after 35 (thirty-five) days and that too without a copy to MIC which is in contravention of the order issued by this Commission.
 - ii) If the then SPIO & Addl. Deputy Commissioner could not furnish the information within the specified time, he should have informed this Commission about the matter with proper justification. He should have also requested for extension of time instead of just informing the appellant of his inability to provide the same within the time specified by MIC, as non-compliance of this Commission's order can result in imposition of penalty as per Section 20 of the RTI Act, 2005.
 - iii) MIC has taken a serious view on the matter and expects Pu James Miahlung, MCS to be more serious in future while dealing with RTI matters. However, in his case MIC has decided to show leniency as he had to move to his new place of posting on exigency to Delhi on deputation basis. Hence, this Commission has decided not take any penal action against him.
8. In view of the above, **the Commission hereby directs that Pu Abraham Beirazi Khithie, SPIO & Addl. Deputy Commissioner, DC's Office, Lawngtlai shall provide bank transaction details of payment made to all recipients of compensation from DC, Lawngtlai (CALA) & GM (P) NHIDCL BO immediately after receipt of the same from the Chief Manager, State Bank of India, Lawngtlai Branch, free of cost, to Pi Saronpari 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.

Sd/-
(ZORAMMAWIA)
Information Commissioner
Mizoram Information Commission

Sd/-
(LALNUNMAWIA CHUAUNGO)
Chief Information Commissioner
Mizoram Information Commission

