

No. S.A. 120/2023 – MIC
MIZORAM INFORMATION COMMISSION
MIZORAM NEW CAPITAP COMPLEX
KHATLA, AIZAWL

Pu K. Vanlalnehpuia, : *Appellant*
ZA 130/I, Zotlang,
Aizawl, Mizoram.
Ph: 8257019789.

Pi Laldawngliani, : *Respondent*
State Public Information Officer (SPIO)
&
Administrative Officer,
Mizoram State Sports Council,
Mizoram, Aizawl.
Ph: 9436159746.

ORDER
(23.10.2023)

1. The appellant submitted RTI application (via Mizoram RTI Online) on 14.03.2023 seeking information on the following: -
 - 1) *Mizoram State Sports Council hian Sports tihmasawwna tur leh thuam chakna turin Central leh State sorkar atangin tanpuina (Schemes, Funds, Sanction, etc.,) a dawng ngai em? A dawng ngai a nih chuan kum 2018-2023 chhungin eng scheme, fund leh eng sanction te nge lo kal? Cheng eng zah hu nge lo kal? A Copy nen min pe thei em?*
 - 2) *He'ng Sports hmasawwna tura sum lokal ang chi te hi engtiangin nge hman ral an nih? Hmanna Scheme emaw office record emaw a awm thei em?*
 - 3) *Mizoram State Sports Council hian Institution hrang hrangte hnenah Sports Goods leh equipment a pe ve thin em?*
 - 4) *A lo pe ve thin a nih chuan he'ng zirna in hrnag hrangte hian sports bungraw dilna an rawn thehluh a ngai em?*
 - 5) *An rawn theh luh a ngaih chuan eng tin file a kal kual thin?*
 - 6) *Ni 9th March, 2023 (Thursday) khan Keini Student Bar Council, Government Mizoram Law College pawhin Football – 10, Volleyball – 5, Volleyball net– 2, Table Tennis bat/paddle– 2 leh Table Tennis balls/Ping pong balls- 5 Boxes kan rawn dil ve che u a. Date 14th March, 2023 (Tue)-a in office-a kan rawn kalin Sports Promotion Officer lamin Secretary Mizoram State Sports Council hnenah kan file a la tan thu leh a rawn chhuk tep thuin min chhang a. Secretary, John Tanpuia, MCS hnena kan kal chuan kan file chu Sports Minister hnenah a la kal mek thuin min chhang a ni.*
Sports Equipment dilna te tham lutuk mai mai lehzel pawhin hian Sports Council hian a chingfel thei lo em ni?
 - 7) *Sports Minister hnenah hian hetiang dilna hi in refer zel em ni? Kan lehkha chu Secretary Mizoram State Sports Council-in min chhanna ang hian Sports Minister hnenah a kal tak tak a nih chuan a file number eng nge? Sports Minister hnena thawn a nihna file copy a awm thei em?*
 - 8) *Sports minister hian keima'n ka lo hmu hmasa zel ang a ti em ni?*
 - 9) *Hetiang thil ho lam lutuk leh zel hi Sports Minister zahawm tak hnena thawn kher hi a ngai em ni? A lo ngai a nih chuan Sports Council Staff hian a eng hna ber nge in thawh le?*

10) Puipunna hmun leh sorkar pisa ah te zial zuk khapna dan khauh tak a awm laiin date 9th March, 2023 (Thu) a Mizoram State Sports Council Secretary John Tanpuia Office-a Student Bar Council hruaitute kan len hian office chhungah Meizial a lo zu khu nasa mai a, Mizoram State Sports Council hi hetiang office pawimawhah hian Meizial zuk phalsak bik in ni em? Eng danin nge phalsak che u?

2. The appellant preferred First Appeal on 13.04.2023 as the SPIO did not furnish any reply.

3. The SPIO furnished reply on 02.05.2023 as follows: -

1. Mizoram State Sports Council hian sports tihhmasawna tur leh thuam chakna turin Central leh State sorkar atangin tanpuina (Schemes, Funds, Sanction etc) a dawng ngai em? A dawng ngai anih chuan kum 2019-2023 chhungin eng scheme, fund leh eng sanction te nge lokal? Cheng eng zah hu nge lo kal? A copy nen min pe thei em?

= Mizoram State Sports Council hian Sports tihhmasawna tur leh thuam chakna turin Central leh State sorkar atangin tanpuina a hranin a dawng ngai lova. Amaherawhchu Sports tih hmasawna atan Project hrang hrang te siamin Cental leh State Sorkarah dil thin niin, Fund pawh hetiang Scheme atan hian 2018-2023 inkar ah hmuh a ni e.

a) NEC	=	Rs. 36,09,86,000.00
b) Khelo India	=	Rs. 20,97,50,000.00
c) PMJVK	=	Rs. 208,11,43,000.00
d) SASCE	=	Rs. 15,25,00,000.00
e) NLCPR	=	Rs. 2,95,20,000.00
f) SEDP	=	Rs. 13,90,83,810.00
g) CSR	=	Rs. 2,00,00,000.00
h) NEDP	=	Rs. 23,99,97,930.00
i) SPP	=	Rs. 1,08,03,000.00
j) State Fund	=	Rs. 1,87,40,000.00

2. Heng Sports hmasawna tura lokal ang chi te hi engtiangin nge hman ral an nih? Hman Scheme emaw Office record emaw a awm thei em?

= Sports hmasawna leh ruhrel siamna atana hman a ni. A chungar tarlan ang hi hman Scheme te chu an ni e.

3. Mizoram State Sports Council hian Institution hrang hrangte hnenah Sports Goods leh equipment a pe ve thin em?

Mizoram State Sports Council hi Sports mite tana din a nih angin sports bungrua pawh awmze nei taka hmang thei tura ngaih, Sports Association leh Club-te hnenah a pe deuh ber thin a. Zirna In (Institution) thenkhat te hnenah pek zauh chang a nei baw.

4. A lo pe ve thin a nih chuan heng zirna in hrang hrang te hian sports bungraw dilna an rawn thehluh a ngai em?

Bungraw dilna hi thehluh ngai teh reng mai, a dil zawng zawng pawh kan pe theilo zawk a ni.

5. An rawn thehluh a ngaih chuan eng tin nge file a kal kual thin?

= Office Procedure pangngai ang thovin an rawn dilna paper chu file-ah process thin a ni.

6. Sports Equipment dilna te tham lutuk mai mai leh zel pawh hian Sports Council hian a chingfel theilo em ni?

= Sports equipment dilna hi thil te tham a ni hauh lova, sports mite hmasawna hmanrua pawimawh tak a nih avangin sum pawh tam tak sen a ni thin. Tin, dilna te hi Sports Council hian a chingfel thei a, a chingfel mek zel bawk a ni.

7. Sports Minister hnenah hian hetiang dilna hi in refer zel em ni? Kan lehkha chu Secretary, MSSC in min chhan ang hian Sports Minister hnenah a kal tak tak a nih chuan a file number enge, Sports Minister hnena thawhna file copy a awm thei em?

= Dilna zawng zawng Minister ah kan refer veklo. In dilna Minister hnenah thawhna File No. chu, PP-208/3/MSSC/2023.

8. Sports Minister hian keiman ka lo hmu hmasa zel ang a ti em ni?

= Ti love.

9. Hetiang thil ho lam lutuk leh zel hi Sports Minister zahawm tak hnena thawn kher hi a ngai em ni? A lo ngai a nih chuan Sports Council Staff hian a eng hna ber nge in thawh le?

= Sports equipment dil hi thil ho lam a ni hauh lo. Tin, in dilna pawh hi Sports Minister hnena thawn ngai nia hriat a nih avanga thawn a ni mai. Sports Council hian Infiamna hmunhna ringawt pawh 100 chuang a enkawl a, State level Sports Associations, District Sports Committee-te bakah Sports person thahnem tak a enkawl mek bawk. Tin, kan hnathawhte hi i hrechiang duh a nih chuan kan website <https://sportsCouncil.mizoram.gov.in> hi ilo tlawh ve thin dawn nia.

10. Puipunna hmun leh sorkar pisaah te zial zuk khapna dan khauh tak a awm laiin date 9th March, 2023 (Thu) a Mizoram State Sports Council Secretary John Tanpuia Office-a Student Bar Council hruaitute kan len hian office chhungah Meizial a lo zu khu nasa mai a, Mizoram State Sports Council hi hetiang office pawimawhah hian Meizial zuk phalsak bik in ni em? Eng danin nge phalsak che u?

= Mizoram State Sports Council hi eng dan hmang mahin Meizial zuk phalsak bik kan nih kan hre lova, office chhunga meizial zu khu luih luih an awm pawh kan hre lo.

4. The appellant then preferred Second Appeal on 17.08.2023 as he was not satisfied with the information provided for point no. 2 of his RTI application. In this regard, summon was issued to both the appellant and respondent to appear before the Commission on 20th October 2023 (Friday) at 02:00 PM. As scheduled, hearing was held in my office chamber wherein both the appellant and the respondent were present.

5. In the hearing, the appellant narrated his grievances, made a submission and also verbally requested for information on the following points in connection with point no. 2 of his RTI application: -

- 1) *Purpose with amounts of usage of funds received*
- 2) *Locations where works were executed*
- 3) *Duration/Year of the works and*
- 4) *Names of the Contractors*

He also requested to take action on the SPIO for not adhering to the provisions of the RTI Act.

6. The SPIO apologized for the lapse on her part and narrated her side of the story. She also informed that she will be able to furnish a more detail information to point no. 2 of the RTI application as requested by the appellant in the hearing.

7. After hearing both the parties, my observations are as follows: -
- a. The SPIO is required to provide the information available in the office as expeditiously as possible, and in any case within thirty days of the receipt of the request as per Section 7(1) of the RTI Act, 2005. In this case, information was provided after a lapse of more than 45 (forty-five) days and that too which is incomplete. The SPIO should have been more cautious in adhering to the time frame provided in the Act.
 - b. As per Section 19(6) of the RTI Act, 2005, deciding appeals is a quasi-judicial function. It is, therefore, necessary that the DAA should see to it that justice is not only done but it should also appear to have been done. In order to do so, the order passed by the DAA should be a speaking order giving justification for the decision arrived at. In this case, the DAA did not conduct any hearing nor responded to the appeal of the appellant which is against the spirit of the RTI Act. Pu John Tanpuia, DAA/Secretary, Mizoram State Sports Council is advised to be more mindful in handling RTI cases in future.
 - c. Both the SPIO and DAA need to note that RTI applications/appeals are to be given due importance as prescribed by the Law.
8. In view of the above, Pi Laldawngliani, SPIO & Administrative Officer, Mizoram State Sports Council **shall provide the information, free of cost, to the appellant immediately, in any case, not later than 15.11.2023 (Wednesday)** with a copy to Mizoram Information Commission.

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

Sd/-
(JOHN NEIHLAIA)
Chief Information Commissioner
Mizoram Information Commission