

No. S.A. 115/2023 – MIC
MIZORAM INFORMATION COMMISSION
MIZORAM NEW CAPITAL COMPLEX
KHATLA, AIZAWL

Pu Moses Lalvenhima, : *Appellant*
College Veng, Lawngtlai,
Ph: 9612800331.

Pi Vanbawithasung Chinzah, : *Respondent*
State Public Information Officer (SPIO)
&
Assistant Education Officer,
Elementary Education Department (Middle),
Lai Autonomous District Council.

ORDER
(13.06.2023)

1. Pu Moses Lalvenhima submitted an RTI application to the SPIO, Elementary Education Department (Middle), LADC on 26.02.2023 seeking information on the following points: -
 - i) *LADC Elementary Education Department (M/S) hian, LADC hnuaia thawk nilo emaw LADC hnuaia thawk nghet nilo tupawh Mizoram chhunga Zirtirtu training college hrang hrang eg.DIET, Mizoram Hindi Training College etc ah te hian LADC thuneihna hmanga deputation a training tir theihna dân a nei em?*
 - ii) *LADC Elementary Education Department (M/S) hian kum 2015 atanga 2022 chhungin Mizoram Hindi Training College Durtlang ah LADC hnuaia thawk nghet nilo emaw LADC hnuaia thawk ni silo deputation a training tir a nei em?*
 - iii) *LADC Elementary Education Department (M/S) hian kum 2015 atanga 2022 chhungin Mizoram Hindi Training College Durtlang ah LADC hnuaia thawk nghet nilo emaw LADC hnuaia thawk ni silo deputation a training tura tirh aneih chuan, chung mi te hming list chu an training kum nen ka rawn dil e.*
 - iv) *LADC Elementary Education Department (M/S) in kum 2015 atanga 2022 chhunga Mizoram Hindi Training College Durtlang ah deputation a training tura a tirhte hming list an training kum nen ka rawn dil e.*
2. The SPIO gave reply on 24.03.2023. Not satisfied, the appellant preferred First Appeal on 23.04.2023 on grounds that the information provided by the SPIO is doubtful in connection with his awareness of the fact. The DAA furnished reply on 19.05.2023.
3. Not satisfied with the reply received from the DAA, the appellant preferred Second Appeal to Mizoram Information Commission on 24.05.2023. Summon was issued to both the appellant and the respondent to appear before the Chief Information Commissioner on 12.06.2023 (Monday) at 12:00 noon. As scheduled, hearing was held wherein the appellant's representative and the respondent SPIO were present.
4. In the hearing, the appellant's representative mentioned that the information provided by the SPIO and DAA to point no. 3 of the RTI application is found to be incomplete and incorrect and has requested to be provided with correct information as per the RTI Act, 2005.

5. The respondent SPIO informed that she had furnished whatever information was given to her by the Hindi Education Officer, LADC and apologized for the lapse on her part for not bringing along all the related documents.
6. After hearing both parties, my observations are under: -
- i) On perusal of the documents brought by the appellant's representative, it has been noticed that there is some contradiction in the employment status of some of the trainees provided by the SPIO.
 - ii) 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 give opportunity of being heard to appellant and respondent and 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, instead of conducting hearing, the DAA simply sent a reply to the appellant which is against the spirit of the RTI Act. The DAA, Elementary Education Department (Middle), LADC is advised to be more mindful in handling RTI cases in future.
 - iii) While Zionlalnghakhleli has been classified as In Service teacher in the list of persons sponsored for training to Mizoram Hindi Training College, Durtlang furnished to the appellant, she is classified as temporary CSS teacher in the list of selected candidates for temporary engagement of Middle School Hindi Teachers under CSS with place of posting, 2020-2021 under DEO, Lawngtlai. The SPIO needs to ascertain the facts and give information to the appellant accordingly.
7. In view of the above, **the Commission hereby directs that Pi Vanbawithasung Chinzah, SPIO & Assistant Education Officer, Elementary Education Department (Middle), LADC shall provide, free of cost, the information i.e., the list of persons who are not under employment of LADC either as permanent or temporary, who are sponsored for the training to Mizoram Hindi Training College by LADC and also clarify the actual employment status of Zionlalnghakhleli to the appellant not later than 19.06.2023 (Monday) 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 both the parties.

(LALNUNMAWIA CHUAUNGO)

Chief Information Commissioner
Mizoram Information Commission