



MIZORAM INFORMATION COMMISSION

MINECO, KHATLA,
MIZORAM: AIZAWL

No. S.A. 131/2023-MIC

Dated Aizawl, the 19th December 2023

Laltleipuia

...Appellant

Sesawng Venghlun

Mob : 8974981077

Vs

Lalrinzuala

...Respondent

State Public Information Officer,

DC Office, Aizawl

Mob : 9612226077

ORDER

1. The appellant submitted an online RTI application on 15.09.2023 to the State Public Information Officer (SPIO), DC's Office, Aizawl seeking information on the following points :-
 - (i) *Tun hnaia adhaar update ngai tia CSC hrang hrang ten thu an chhuah hi update ngai tak tak a ni em?*
 - (ii) *Update ngai tih hi enge a awmzia?*
 - (iii) *Update ngai tih hian eng chin nge a huam?*
 - (iv) *CSC te hian tihsak man mipuite hnenah engzahnge an lak theih?*
 - (v) *CSC pan kher lovin mahniin alo tih ve theih em?*
 - (vi) *Update lo ta ila enge effect a neih theih?*
2. Since he did not receive any reply from the SPIO he preferred First Appeal to the DAA on 17.10.2023. As the DAA also did not send any reply, he submitted Second Appeal on 17.11.2023 to Mizoram Information Commission. Notice was issued to both the appellant and the respondent to appear before the Commission on 15.12.2023 (Friday) at 12:00 noon. As scheduled, hearing was held wherein only the respondent was present. The appellant absented himself without any intimation.
3. The respondent submitted a copy of reply dt. 12.10.2023 to be sent to the appellant and informed with regret that the letter was misplaced and later on when they tried to contact him to collect the reply/letter, the phone of the appellant remained unanswered.

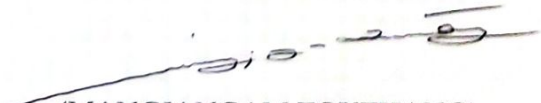
OBSERVATION:

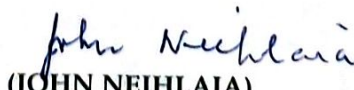
- i) The SPIO is required to provide the information available in the office as expeditiously as possible, and in any case within thirty days of the receipt of the request as per Section 7(1) of the RTI Act, 2005. In this case, information was not provided which is in contravention of the provisions of the Act.
- 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 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 should have conducted hearing instead of remaining silent which is against the spirit of the RTI Act. Pi Nazuk Kumar DAA/DC, Aizawl District is advised to be more mindful in handling RTI cases in future.
- iii) Both the SPIO and DAA need to note that RTI applications/appeals are to be given due importance as prescribed by the Law.
- iv) Reply dated 12.10.2023 to point no.2 and 6 should be more precise for easy understanding of the appellant.

DECISION:

In view of the above, the Commission hereby directs that **Pu Lalrinzuala, SPIO & Addl. Deputy Commissioner, DC's Office, Aizawl shall provide the information, free of cost, to the appellant, not later than 22.12.2023 (Friday)** 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.


(MANGANGAM TOUTHANG)
Information Commissioner
Mizoram Information Commission


(JOHN NEIHLAIA)
Chief Information Commissioner
Mizoram Information Commission

