



MIZORAM INFORMATION COMMISSION

MINECO, KHATLA,

MIZORAM: AIZAWL

No. S.A. 142/2024-MIC

Dated Aizawl, the 7th May 2024

B. Anantasen Chakma,
Kamalanagar-V,
Mob : 8413028983.

...Appellant

Vs

Roy Manikyo Chakma,
State Public Information Officer,
District School Education Board (DSEB),
Chakma Autonomous District Council
Mob : 8974413098.

...Respondent

ORDER

1. The appellant submitted RTI application via Mizoram RTI Online to the State Public Information Officer (SPIO), District School Education Board (DSEB), CADC on 10.02.2024 seeking information on the following: -
 - i. *All notifications related to Common Examinations for the academic sessions of 2022-2023 and 2023-2024.*
 - ii. *Total amount collected from the candidates of PSCE and MSCE.*
 - iii. *Notification for first time introduction of Chakma subject in CI-8.*
2. The respondent SPIO did not furnish any reply within the stipulated period of 30 days and thus, the appellant preferred First Appeal to the Departmental Appellate Authority (DAA) on 13.03.2024.
3. The DAA conducted hearing wherein the respondent SPIO informed the DAA that he could not receive RTI application on grounds of technical issues. The judgement made by the DAA instructs the appellant to either submit a fresh RTI application offline or to wait until the technical issue is resolved.
4. Not satisfied with the decision of the DAA, he preferred Second Appeal on 10.04.2024. Summon was issued to both the appellant and the respondent to appear either in person or through Video Conferencing before the Commission on 06.05.2024 (Monday) at 12:00 Noon. As scheduled, hearing was held wherein the appellant appeared via Video Conferencing and the respondent SPIO appeared in person.
5. The appellant narrated his grievances and informed that he was not furnished the required information as sought in his RTI application dt. 10.02.2024 and requested the Commission to help him get the requested information.
6. The respondent SPIO then informed that as the SIM card of his phone was damaged, he could not access Mizoram RTI Online and that the departmental e-mail was found corrupt and no online RTI application could be received. He also apologized for the lapse on their part and mentioned that he can provide the information sought as the same is available in their office.

OBSERVATIONS:

1. As per Section 7(1) of the RTI Act, 2005, *"The State Public Information Officer (SPIO), as the case may be, on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee as may be prescribed"*. However, in this case, the respondent SPIO could not access the RTI application received via Mizoram RTI Online due to technical issues.
2. While the appellant informed that he could not attend the hearing conducted by the Departmental Appellate Authority (DAA) without proper information from the official, it is found that the hearing notice was sent via WhatsApp from the mobile phone of an employee of GAD, CADC which is considered to be appropriate.
3. The respondent SPIO should have checked whether he could access Mizoram RTI Online on a regular basis so that technical issues that arise are resolved quickly and information seekers are no longer inconvenienced in future.
4. Section 4(1)(b) of the RTI Act lays down the information which should be disclosed by public authorities on a suo motu or proactive basis. The purpose of suo motu disclosure under Section 4 is to place large amount of information in public domain to make the functioning of the public authorities more transparent and also to reduce the need for filing individual RTI applications. The authorities in CADC should also, henceforth, place such type of information as sought for by the appellant in public domain in future.

DECISION:

In view of the above, the Commission hereby directs that **Mr. Roy Manikyo Chakma, SPIO & Secretary, District School Education Board, Chakma Autonomous District Council shall provide the required information, free of cost, to the appellant in hard and soft copy (WhatsApp), not later than 14.05.2024 (Tuesday) 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.




(MANGJANGAM TOUTHANG)
Information Commissioner
Mizoram Information Commission