



MIZORAM INFORMATION COMMISSION
MINECO, KHATLA,
MIZORAM: AIZAWL

No. S.A. 145/2024-MIC

Dated Aizawl, the 22nd May 2024

Mapuia Sailo,
Tanhiril,
Mob : 8794276629.

...Appellant

Vs

Lalsawmzuala,
State Public Information Officer,
Mizoram Public Service Commission,
Mob : 9436756439.

...Respondent

ORDER

1. The appellant submitted RTI application vide Mizoram RTI Online on 23.02.2023 seeking information on the following: -
 - i. *Kum 2024 ah hian Combined Civil Services Exam hi neih a ni dawn em?*
 - ii. *Kum 2024 ah hian Combined Civil Services Exam hi neih anih dawn chuan Post engzat nge lak tur (MCS, MPS, MFAS, MIS)?*
 - iii. *Kum 2024 ah hian Combined Civil Services exam hi neih anih dawn chuan engtik ah nge Advertisement chhuah tum anih, engtik ah nge Prelims, Mains, Interview neih tum anih?*
 - iv. *Kum 2024 ah hian Group B Gazetted Combined Exam hi neih a ni dawn em?*
 - v. *Kum 2024 ah hian Group B Gazetted Combined Exam hi neih anih dawn chuan Post engzat nge laktur, a Post hming theuh leh a Department theuh te?*
 - vi. *Kum 2024 ah hian Group B Gazetted Combined Exam hi neih anih dawn chuan engtik ah nge Advertisement chhuah tum anih, engtik ah nge Exam leh Interview hi neih tum anih?*
 - vii. *Kum 2024 ah hian, a chung ami te pahnih tel lo in, tun dinhmun ah, Exam dang hrim hrim hi MPSC hnuai ah eng zawng nge neih tum anih, Post ruak zat nen, engtik nge Advertisement chhuah leh exam neih tum anih?*
2. The State Public Information Officer (SPIO) furnished reply on 20.03.2024. However, not satisfied with reply received from the SPIO, the appellant preferred First Appeal on 21.03.2024 wherein the Departmental Appellate Authority (DAA) did not take any action on the matter. The appellant then preferred Second Appeal on 23.04.2024.
3. Summon was issued to both the appellant and the respondent to appear before the Commission on 16.05.2024 (Thursday) at 03:00 PM. As scheduled, hearing was held in Hybrid Mode wherein the appellant appeared via Video Conferencing and the respondent appeared in person.

4. The appellant informed that as the reply received by him is not clear, he asked the respondent SPIO if he could let him know the exact dates for prelims, mains and interviews for Combined Civil Services Exam and Group 'B' Gazetted Combined Exam. The respondent SPIO clarified the doubts raised by the appellant pertaining to points no. 3 and 6 of the RTI application dt. 23.02.2024.

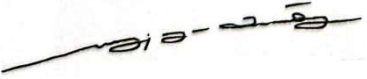
OBSERVATIONS:


1. As per Section 2(f) of the RTI Act, '*information*' means '*any material in any form*' and a citizen, under the Act, has a right to get '*material*' from a public authority. Only such information can be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority. The SPIO is not supposed to create information; or to interpret information; or to solve the problems raised by applicants; or to furnish replies to hypothetical questions. The applicant could have been more careful with his words/queries so that the information sought comes under the ambit of the RTI.
2. Deciding appeals is a quasi-judicial function as per the provisions laid down in the RTI Act, 2005. 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 Zosangzuali Pachuau, DAA, MPSC is advised to be more mindful in handling RTI cases in future and see that hearing is conducted for every First Appeal received by her.

DECISION:

In view of the above, **the Commission hereby decides that as the appellant is satisfied with the verbal explanation and information provided by Pu Lalsawmzuala, SPIO & Deputy Secretary, MPSC, no written reply is required as stated by the appellant.**

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


(JOHN NEIHLAIA)
Chief Information Commissioner
Mizoram Information Commission