

No. S.A. 152/2024-MIC

Dated Aizawl, the 30<sup>th</sup> July 2024

*Lalsangzuala,  
Saipum, Kolasib District,  
Mob : 8794608140.*

*...Appellant*

*Vs*

*David H. Lalthangliana,  
SPIO & Sr. Superintendent of Police,  
Kolasib District, Mizoram,  
Mob: 9436195233*

*...Respondent*

**Relevant facts emerging from appeal:**

RTI application filed on : 04.03.2024  
SPIO replied on : NIL  
First Appeal filed on : 12.04.2024  
DAA order made on : NIL  
Second Appeal received on : 24.06.2024

**ORDER**

1. The appellant sought information as follows: -
  - i. *Ni 07/01/2024 zing lama Saipum All NGO in Saiphai leh Saipum inkar a Kuhva ro dan lo anga lo phur luh kha, report felfai tak a awm em*
  - ii. *Saipum All NGO ten an man Saiphai Police a hlan chhawn kha khawng a kal bo tak.*
  - iii. *Kuhva hi man tak tak a ni nge nilo.*
2. The respondent State Public Information Officer (SPIO) did not give any reply.
3. The appellant preferred First Appeal wherein the Departmental Appellate Authority (DAA) did not take any action on the matter.
4. The appellant then preferred Second Appeal to Mizoram Information Commission (MIC) and summons were issued to both the parties to appear before the Chief Information Commissioner on 29.07.2024 at 12:00 Noon. As scheduled, hearing was held wherein both the appellant and respondent were present via Video Conferencing.
5. The appellant narrated his grievances and requested the Commission to help him get the required information sought by him in his RTI application dated 04.03.2024.
6. The respondent SPIO apologized for not replying on time and assured not to let such lapses recur in future. He also gave a verbal reply to the RTI queries and appellant is found to be satisfied.

**OBSERVATIONS: -**


1. 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.
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. Pu H. Ramthlangiana, DAA/DIG(NR) is advised to be more mindful in handling RTI cases in future and see that hearing is conducted for every First Appeal received by him."*
3. Both the respondent SPIO and DAA need to note that RTI applications/appeals are to be given due importance as prescribed by the Law.

**DECISION: -**

In view of the above, **the Commission hereby directs that Pu David H. Lalthangiana, MPS, SPIO/Sr. Superintendent of Police, Kolasib District shall give a written reply, free of cost, either through Mizoram RTI Online or manually to the appellant within July 2024 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

  
**(JOHN NEIHLAIA)**  
Chief Information Commissioner  
Mizoram Information Commission