



MIZORAM INFORMATION COMMISSION
MINECO, KHATLA,
MIZORAM: AIZAWL

No. S.A. 158/2024-MIC

Dated Aizawl, the 5th September 2024

Subaranta Chakma,
Ph: 8730927712

...Appellant

Vs

Buddhangkur Chakma,
SPIO & Sr. Finance & Accounts Officer,
Finance & Accounts Department, CADC
Ph: 7628973992

...Respondent

Relevant facts emerging from the appeal:

RTI application filed on : 27.06.2024
SPIO replied on : 09.07.2024
First Appeal filed on : 14.07.2024
DAA order made on : 30.07.2024
Second Appeal received on : 12.08.2024

ORDER

1. The appellant sought information as follows: -

- i. *Compile the list of TA, DA and MR Bill paid to all CADC councillors, Officers and others made after the formation of 11th CADC to till date with supporting documents.*
- ii. *Provide the rules/guidelines towards availing Sl.no.1 bills in CADC for CADC councillors, officers and others.*
- iii. *Provide the total number of staff and designations under finance and account department with supporting documents.*

2. The State Public Information Officer (SPIO) gave reply via the RTI Online portal. Here, the SPIO could have attached soft copies of the information and inform the appellant the amount to be deposited for access to the said information. However, instead, he uploaded a document informing the appellant to visit their office and deposit the information fee.

3. The appellant, not satisfied with the reply received from the SPIO, preferred First Appeal dt. 14.07.2024 to the Departmental Appellate Authority (DAA). The DAA passed judgement order No. A.32018/1/2019-20/CADC/GAD/1155 dt. 30.07.2024 instructing the SPIO to provide the information to the appellant after the requisite fee is paid.

4. The appellant then preferred Second Appeal to MIC and summons were issued to both the parties to appear before the CIC and IC on 04.09.2024 at 12:00 Noon. As scheduled, hearing was held in hybrid mode wherein the appellant attended in person and the respondent SPIO via Video Conferencing.
5. The appellant stated that the reply provided to him via the RTI Online portal was that of another information seeker and not the information he had requested. He also requested the Commission to help him get replies to the information sought and mentioned that the fee of Rs. 5 (Rupees five) per page as per the Chakma Autonomous District Council (CADC) RTI Rules, 2006 is considered too high.
6. The SPIO apologized for the lapse on their part and mentioned that the information is available with them and their office is ready to provide the requested information.

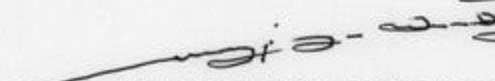
OBSERVATIONS:

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 did not furnish the required information and instead uploaded the reply of another information seeker on the RTI Online portal which is against the spirit of the RTI. He is advised to ensure that similar lapses on their part are not repeated.
2. The information to be provided by the SPIO in softcopy exceeds the maximum number of files that can be attached in a reply on RTI Online i.e., 8 numbers of files. Therefore, the SPIO is advised to make use of another data storage medium to provide the information.
3. The Department Appellate Authority (DAA), Mr. Pronit Bikash Chakma adhered to Section 19(6) of the RTI Act, 2005 by conducting a hearing and passing a speaking order giving justification for the decision arrived at.

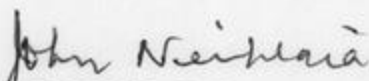
DECISION: -

In view of the above, the Commission hereby directs that **Mr. Buddhangur Chakma, SPIO & Sr. Finance & Accounts Officer, Finance & Accounts Department, CADC shall give the information required, free of cost, in softcopy not later than 14.09.2024 in a pendrive (the pendrive is to be provided by the appellant) with a copy to Mizoram Information Commission.** The pendrive for providing copy of the information to MIC will be provided by the SPIO.

The matter is hereby disposed of accordingly. Cost 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