



**MIZORAM INFORMATION COMMISSION**  
**MINECO, KHATLA,**  
**MIZORAM: AIZAWL**

**Case No:** S.A. 174/2024-MIC

**J. Lalremruata Hmar,**  
**Luangmual, Aizawl**

**...Appellant**

**Vs**

**Lalsanglura,**  
**State Public Information Officer**  
**&**  
**Settlement Officer,**  
**Land Revenue & Settlement Department,**  
**Aizawl District**

**...Respondent**

RTI application filed on	:	16.07.2024
SPIO replied on	:	No reply
First appeal filed on	:	28.08.2024
DAA order	:	23.09.2024
Second Appeal dated	:	27.09.2024
Date of Hearing	:	30.10.2024 at 12:00 Noon
Date of Decision	:	30.10.2024

The hearing was presided over by the Chief Information Commissioner and the Information Commissioner.

**Information sought**

*LSC No. 103701/01/615 of 2005 Luangmual ami hi tu hming a awm nge? He LSC hi a neitu hian Dan ang thlap a hralh/dahkham/mi dang hnen a peke maw a remlohna a aw mem? A awm chuan eng vang nge? A document min pe thei em? Tin, a LSC copy (full) min pe thei em?*

**Grounds for the Second Appeal**

The State Public Information Officer (SPIO) did not furnish any reply and the information provided by the Departmental Appellate Authority (DAA) is incomplete.

### **Relevant facts emerging during the hearing**

The appellant was absent but sent 2 (two) representatives viz Pu Obeda Muanzuala, Advocate and Pi Vanlalhruaii, Advocate; they both appeared in person.

The respondent also appeared in person.

Both the appellant and the respondent gave their statements as below: -

#### **Appellant's statement:**

The SPIO did not give any reply within the 30 days as stipulated by the RTI Act. The information sought was a copy of LSC No 103701/01/615 of 2005 and upon submitting First Appeal, the information received from the DAA was incomplete.

The appellant also requested for the SPIO to be penalized as per the provisions of the Act.

#### **Respondent's statement:**

The respondent is aware of the information already given to the appellant by the DAA. He believes the reason for the appellant's claim that incomplete copy of the LSC was given may be due to the fact that the cover of the LSC, i.e., Summary of Land Holder and 3 (three) other documents were not included, namely: -

1. Certificate of Land Valuation.
2. Non-Encumbrance Certificate.
3. No Objection Certificate.

The respondent also made a mention of how he considers copies of LSCs as third-party information and that their department, now, acquires consent before disclosure of LSCs. However, in this case, as only a part of the whole has not been provided, he is willing to give the remaining documents.

#### **OBSERVATIONS:**

1. Pu R. Lalnghakliana, SAPIO & Asst. Survey Officer's duty is not to furnish replies to RTI applications. Rather, upon receipt of RTI applications or First Appeals, he should immediately forward them to the SPIO or the DAA respectively. The SAPIO is advised to acquaint himself of his role as SAPIO as per the provisions of the RTI Act so that such error is not repeated in future.

2. Regarding the respondent's statement that LSC copies may be third-party information, it appears that prior to the incumbency of Pu Lalsanglura as SPIO, copies of LSCs were disclosed to information seekers without acquiring consent. It should be noted that change in SPIO should not affect the manner in which RTI application is disposed of. A proper policy needs to be established by their department in this regard.
3. The appellant's request for imposing penalty on the respondent is denied.
4. Upon receiving First Appeal, the DAA should have summoned the parties concerned and conducted a hearing in order to solve the issue and pass an order on the decision arrived at. If the DAA had done so, the appellant would not have needed to approach the Commission. The DAA's resolve in simply furnishing information to the respondent is against the spirit of the RTI Act. Pu V. Lalduhzuala, DAA & Director, Land Revenue & Settlement Department is advised to be more mindful in handling RTI cases in future and conduct hearing for every First Appeal received.
5. The respondent SPIO is willing and ready to furnish the documents.

**DECISION:**

In view of the above, the Commission hereby directs that **Pu Lalsanglura, SPIO & Settlement Officer, Land Revenue & Settlement Department shall provide complete copy of the desired LSC, free of cost, to the appellant latest by 08.11.2024 (Friday)** with a copy to Mizoram Information Commission.

**The appeal is disposed of accordingly. Copy of decision to be given, free of cost, to all parties.**



**(MANGJANGAM TOUTHANG)**  
**Information Commissioner**  
Mizoram Information Commission

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