

Case No: S.A. 193/2025-MIC

Moses,
V-II/32, Vanapa Section

...Appellant

Vs

Lalmuanawma,
State Public Information Officer
&
Deputy Director,
LESD&E

...Respondent

RTI application filed on	:	04.10.2024
SPIO replied on	:	NIL
First appeal filed on	:	20.11.2024
Appellate Authority order	:	NIL
Second Appeal dated	:	21.12.2024
Date of Hearing	:	21.01.2025 at 01:00 PM
Date of Decision	:	21.01.2025

The Chief Information Commissioner Pu John Neihlaia and the Information Commissioner Pu Mangjangam Touthang presided over the hearing.

Information sought

- 1. ITI training material atan hian budget ah sum dah ani em? dah anih chuan engzat nge dah anih? Budget-a dah anih chuan eng kaihhraina zulzui in nge dah anih a, naupang pakhat tan engzat nge dah anih? Budget-a Dah anih loh chuan engvang a dah loh nge anih a. dah tumna a awm em?*
- 2. 2022 - 2024 chhunga Assistant Electrician leh Data entry Operator, short course ITI Aizawl a kalpui atang in Fund engzah nge hmuh anih a. Engtiang a hmanral nge anih. ahmanralna kimchang min pek theih chuan ka lawm hle ang. 2024-2025 chhung hian tiang short course hi*

kalpui leh tumna a awm em? a awm chuan eng course nge kalpui tum anih a. batch engzah nge kalpui tum anih?

- 3. STRIVE programme hian enge a tum ber ni a, engtik atang a tan a eng hun chhung atan tur nge. STRIVE hnuai atang hian Fund engzat nge hmuh anih a engtiang a hmanral nge anih a, ahmanralna kimchang min pek theih chuan ka lawm hle ang?*
- 4. ITI Aizawl hi Tih changtlun/ sakthat tumna a awm em? a awm chuan eng sum atang in nge Tih changtlun/ sakthat tum anih a. pawisa engzah nge ruahhman anih a. engtik atang a tan tur nge?*
- 5. ITI Aizawl ah Staff indaihlohna a awm em? a awm chuan chinfel tumna a awm em? a awm chuan eng tiang a hmalak nge anih?*
- 6. ITI staff quarter repair nan hian Department sum hman a awm em? a awm anih chuan quarter repair engzah nge awm a sum engzah nge sen anih a sum sendan kim chang nen min pe thei em?*
- 7. 2024-2025 session atan admission ITI Aizawl ah engzah nge lak anih a. Admission fee lak ah fee hrang hrang lak dan eng te nge? fee atang engzah nge hmuh anih a, engtiang in nge hmanral anih?*

Grounds for the Second Appeal

Both the SPIO & DAA did not furnish any reply within the stipulated time.

Relevant facts emerging during the hearing

The respondent SPIO appeared in person while the appellant was absent without any intimation.

Respondent's statement:

The respondent SPIO stated that due to issues with their office's internet connection and replacement of his work computer, he could not access the RTI Online portal for which he apologized to the Commission.

He also mentioned that upon having access to the portal, the information was provided to the appellant via e-mail vide memo No. F-12013/5/2024-DTE(LESDE) dt. 16.01.2025.

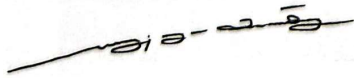
OBSERVATIONS:

1. As per Section 7(1) of the RTI Act, the SPIO shall, as expeditiously as possible, within 30 (thirty days) of the receipt of the request, provide the information. 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. Since the appellant did not attend the hearing and could not be contacted despite several attempts, it is not clear whether or not he is satisfied with the reply furnished.
3. 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 John Tanpuia, DAA/Director, LESDE 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.

DECISION:

In view of the above, **the Commission hereby directs that Pu Lalmuanawma, SPIO & Deputy Director, LESDE shall submit a copy of the reply dt. 16.01.2025 furnished to the appellant and upload the same on their office website latest by 24.01.2025 (Friday) and submit compliance report to this 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)
Chief Information Commissioner
Mizoram Information Commission