



MIZORAM INFORMATION COMMISSION
MINECO, KHATLA,
MIZORAM: AIZAWL

Case No: S.A. 209/2025-MIC

*Abhishek Bhatt,
Gurugram, Haryana*

...Appellant

Vs

*T. Ramzauva,
SPIO & DIG Prisons,
Prisons Department*

...Respondents

*2. R. Vanlalsawta,
DAA & IG Prisons,
Prisons Department*

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|---------------------------|---|--------------------------|
| RTI applications filed on | : | 29.12.2024 & 08.02.2025 |
| SPIO replied on | : | 30.01.2025 & 04.03.2025 |
| First appeal filed on | : | 10.02.2025 & 05.03.2025 |
| DAA replied on | : | Nil |
| Second Appeal dated | : | 30.03.2025 & 12.04.2025 |
| Date of Hearing | : | 23.04.2025 at 12:00 Noon |
| Date of Decision | : | 23.04.2025 |

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

Information sought on 29.12.2024

- 1. Kindly provide me with the latest data on how many prisoners are currently accommodated in each Jail in Mizoram in a tabular format.*
- 2. Kindly provide me with the details of how many of those prisoners are currently undertrial and how many have been convicted of the offence and are currently serving punishment with reference to each jails individual data.*
- 3. Kindly provide me with the information of the maximum capacity of prisoners each Jail can accommodate.*

4. *Kindly provide me with the infection data of Tuberculosis(TB), Human immunodeficiency virus(HIV) and all the other contagious and non contagious diseases with which the prisoners have been held positive in all jails in Mizoram during 01.01.2022 to 01.12.24 , month wise data in a tabular format with reference of each Jail's individual data.*
5. *Kindly provide me details that how many prisoners have died by diseases in all the jails in Mizoram during 01.01.2022 to 01.12.24, month wise data in a tabular format with reference to each disease's death data and each Jail's individual data.*
6. *Kindly provide me with the details that how many prisoners in all jails in Mizoram are currently positive for Tuberculosis(TB), Human immunodeficiency virus(HIV) and all the other contagious and non contagious diseases, data in a tabular format with reference of each Jail's individual data.*

Information sought on 08.02.2025

1. *Kindly provide me the information that how many prisoners were entered in each Jail in Mizoram during 01.01.2025 to 08.02.2025 (Both Convicted and Undertrial Prisoners) with reference to each Jail's individual data of each individual day.*
2. Not satisfied with the reply received from the SPIO, the appellant preferred First Appeal to the Departmental Appellate Authority (DAA). However, as the DAA did not take any action on the matter, he preferred Second Appeal to Mizoram Information Commission (MIC) and hearing was fixed on 23.04.2025 (Wednesday) at 12:00 Noon. As scheduled, Hearing was held in hybrid mode wherein the appellant appeared via video conferencing (VC) and the respondents appeared in person.
3. In the Hearing, the appellant mentioned his dissatisfaction with the reply received in respect of his RTI applications and requested the Commission to help him get the required information.
4. The SPIO made clarifications on the reply provided pertaining to the RTI application dated 29.12.2024, and stated that with regard to point 1-3, the information is available in the department's website and for point 4-6 the report is Nil. Regarding the information furnished to him at page no 12, they missed out the information of District Jail, Kolasib and information pertaining to District Jail Mamit is in the last page. He also mentioned that wrong data was uploaded in the National Prisons Information Portal (NPIP) and discrepancy in the data given in the NPIP has now been rectified. With regard to the RTI application dated 08.02.2025, he stated that the information is available with the office and the same can be provided to the appellant.
5. In the Hearing, the DAA also mentioned that they had failed to mention the specific jail data in the information furnished to the appellant and that they are ready to provide the updated information and apologized for the lapse on their part.

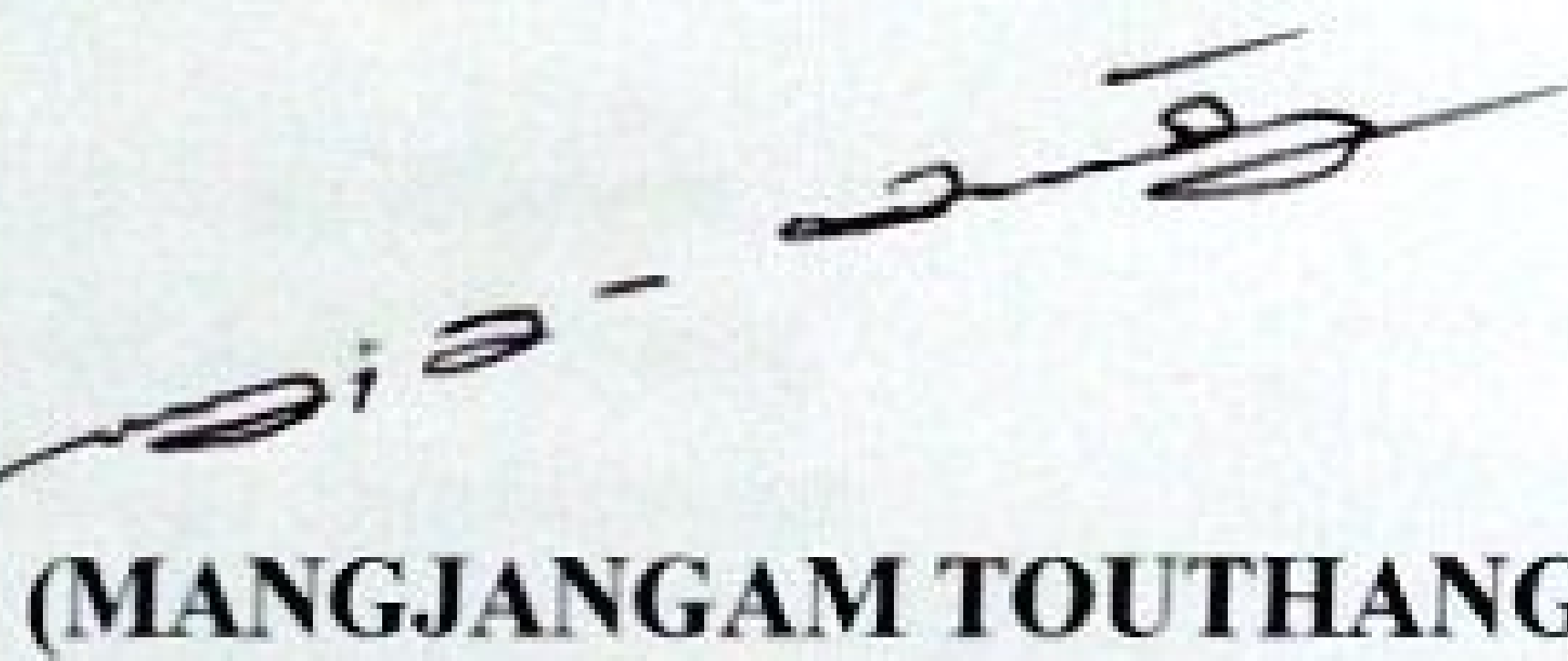
OBSERVATIONS:

1. As per Section 20 (1) of the RTI Act, 2005, "Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, **incomplete** or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees". Pu T. Ramzauva, SPIO should have been more careful while furnishing reply to the information sought by the appellant.
2. It is surprising to learn that the SPIO summoned has already retired from service and his successor viz Pu Zosangliana has not registered himself in Mizoram RTI Online. The department is informed to promptly update the registration of SPIOs/DAAs on RTI Online when on transfer or retirement of the officials concerned. Further, information relating to service matters, recruitment, promotion, transfers, etc should be brought into public domain promptly as per O.M. No.1/3/2013-IR dt.29.06.2015 issued by DoPT, Government of India.
3. Section 7(9) of the RTI Act, 2005 provides that "*An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question*". Therefore, the SPIO should keep this in mind while dealing with RTI applications
4. For every First Appeal received, the DAA, being vested with quasi-judicial powers, should hear both the parties viz appellant and respondent. The DAA, shall in every case inform the date of hearing at least seven (7) clear days before the date fixed. Order of the DAA shall be pronounced in open court and be in writing duly authenticated by the DAA for this purpose. Pu R. Vanlalsawta, DAA & IG Prisons is informed to strictly adhere to the relevant provisions of the RTI Act for every First Appeal received by him in future.

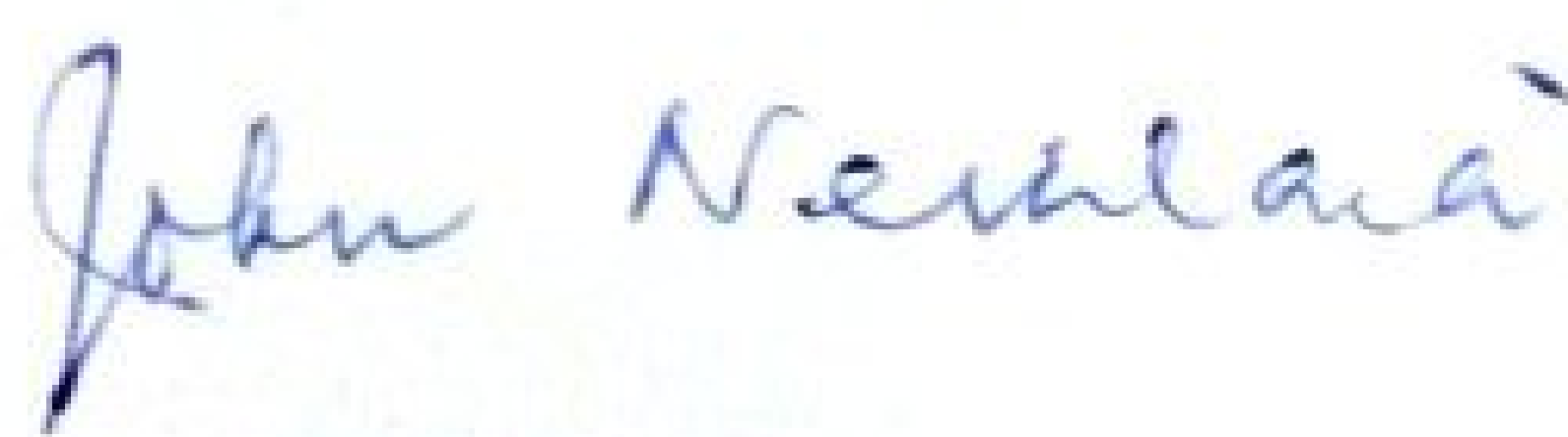
DECISION:

In view of the above, the Commission hereby directs that **Pu Zosangliana, SPIO & AIG Prisons** shall give the required information for both the RTI applications in PDF format to the appellant, free of cost and submit compliance report to MIC not later than 30.04.2025 (Wednesday).

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

