



MIZORAM INFORMATION COMMISSION
MINECO, KHATLA,
MIZORAM: AIZAWL

Case No: S.A. 213/2025-MIC

Dated Aizawl, the 15th May, 2025.

K. Vanlalneihpuia,
Zotlang, Aizawl

...Appellant

Vs

1. Zosangliana,
SPIO & AIG
Prisons Department

...Respondents

2. R. Vanlalsawta,
DAA & IG
Prisons Department

RTI application filed on	:	04.02.2025
SPIO replied on	:	NIL
First appeals filed on	:	25.03.2025
Appellate Authority order	:	NIL
Second Appeal dated	:	26.04.2025
Date of Hearing	:	14.05.2025
Date of Decision	:	15.05.2025

The appellant sought information as follows: -

- 1. The total number of custodial deaths that have occurred in the state of Mizoram, along with details of each jail where these deaths took place.**
- 2. The reasons for each custodial death, along with supporting documentation, such as post-mortem reports.**
- 3. Whether the individuals who died in custody had applied for bail or a medical check-up prior to their death. Please provide relevant proof.**
- 4. The names of the doctors on duty at the time of each custodial death. If they were absent/present, kindly provide proof of their absence/present, such as attendance records or other relevant documentation.**
- 5. The names of the jailor and jail warden on duty at the time of each custodial death. Please provide proof of their presence or absence, as applicable.**

2. Since he did not receive any reply from the SPIO even after a lapse of more than 40(forty) days he preferred First Appeal to the Departmental Appellate Authority (DAA) on 25.03.2025.

3. However, as the DAA did not take any action on the matter, he approached the Mizoram Information Commission with a request to help him get the information sought as per the provisions of the RTI Act, 2005.

Summon was issued to both the parties and as Scheduled hearing was held on 14.05. 2025 at 01:00 PM wherein the appellant and the respondents were present.

4. In the hearing, the appellant narrated his grievances and mentioned that on 08.04. 2025 he received a phone call from Prisons department in connection with his RTI application but till date no reply has been received by him.

5. The SPIO apologized for the lapse on their part for not responding to the RTI query submitted by the appellant. He also stated that the RTI application was submitted during the tenure of the former SPIO Pu T. Ramzauva who retired from service on 28.02.2025. Since he was not informed nor handed over any such RTI application he was unaware of the fact that an RTI application was pending with the SPIO, Prisons department.

6. On behalf of their department the DAA also apologized for the lapse that occurred and assured that in future such lapses will not occur again. He informed that RTI matters will be treated on top priority as required under the RTI Act. 2005 and the department will collect all the information available from all the districts where jails have been set up.

OBSERVATIONS :

1. As per section 7(1) of the RTI Act, 2005, the State Public Information Officer (SPIO) on receipt of a request shall, as expeditiously as possible, and in any case within 30 (thirty) days of the receipt of the request, either provide the information or reject the request. In this case, the SPIO to whom the RTI application was submitted viz. Pu T. Ramzauva did not take any action on the matter. The Commission views this case as pure negligence of the SPIO and hereby warns the present SPIO Pu Zosangliana to see that such negligence does not occur again in their Department, else the Commission would have to take action as per Section 20 of the RTI Act, 2005.

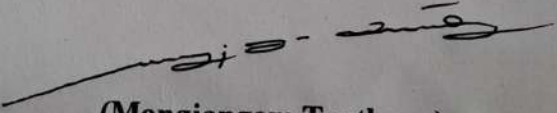
2. Being vested with quasi-judicial powers, the DAA is bound to conduct hearing for every First Appeal received by him. The appellant, as the case may be, shall in every case be informed of the date of hearing at least seven clear days before that date. After the hearing, order of the DAA shall be pronounced in open court and be in writing duly authenticated by the DAA for this purpose as provided under Rule 7(5) and (6) of the Mizoram RTI Rules, 2010. Since this is not the first time that the DAA is summoned, Pu R. Vanlalsawta is hereby warned to take RTI matters seriously and see that he hears both the parties i.e appellant and SPIO in every First Appeal preferred by the appellants.

3. The basic object of the RTI Act, 2005 is to empower the citizens, to promote transparency and accountability in the working of the Government, to contain corruption, and to enhance people's participation in a democratic process thereby making our democracy work for the people in a real sense. Therefore, as required under Section 4 of the RTI Act, 2005 the department shall provide as much information suo motu to the public by putting as much information in public domain viz website so that the public have minimum resort to use the Act to obtain information.

DECISION:

In view of the above, **the Commission hereby directs that Pu Zosangliana, SPIO & AIG Prisons** shall give whatever information is available in their office to the appellant, free of cost and submit compliance report to MIC not later than 23.05.2025 (Friday)

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


(Mangjangam Touthang)
State Information Commissioner
Mizoram

