



MIZORAM INFORMATION COMMISSION
(Under the RTI Act, 2005)
MINECO, KHATLA,
MIZORAM: AIZAWL

Case No: S.A. 227/2025-MIC

Lalremsangi Fanai,
Falkawn

...Appellant

Vs

1. K. Lalremsanga,
SPIO & AIG(Hqrs),
Police Headquarters.

...Respondents

2. H. Ramthlengliana, IPS,
DAA & IGP,
Police Headquarters.

RTI application filed on	:	25.04.2025
SPIO replied on	:	NIL
First appeal filed on	:	26.05.2025
DAA order / reply on	:	06.07.2025
Second Appeal dated	:	09.07.2025
Date of Hearing	:	30.07.2025 at 12:00 Noon
Date of Decision	:	30.07.2025

1. The appellant sought information via RTI Online as follows: -

“April thla 2025 hian Police Department hnuaiah Driver engzat nge awm ? An hming, an grade theuh, an thawhna office hming, an duty na hmun, an nature of duty, (pool, truck/bus driver etc), officer an hrawn anih chuan an officer hrawn mek hming leh designation ka zawt bawk e.”

2. The SPIO did not furnish any reply within the stipulated period. However, on 13.06.2025, the SPIO informed the appellant that the information sought cannot be provided as per Notification No. F. 13011/16/2005-IPR dt. 27.03.2007.
3. The appellant then preferred First Appeal but the DAA remained silent on the matter resulting in Second Appeal being preferred to the Commission.

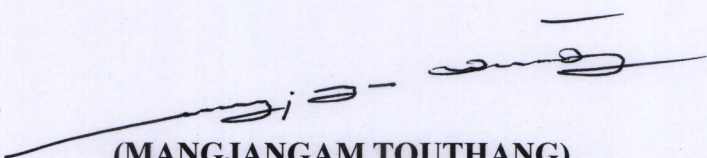
4. Summons were issued to the appellant and respondent(s) to appear before the Commission on 30.07.2025 (Wednesday) at 12:00 Noon. As scheduled, hearing was held wherein the appellant and the respondent SPIO appeared in person while the DAA was absent without any prior intimation to the Commission.
5. In the hearing, the appellant informed that the same RTI application was submitted to all the departments and positive replies were received from all of them. She believes that Police Headquarters has no reason to withhold the information sought on the ground that State Police is exempted from the purview of the RTI Act.
6. In reply, the SPIO mentioned that State Police is exempted from the purview of the RTI Act, 2005 vide notification No. F. 13011/16/2005-IPR dt. 27.03.2007 which is duly notified in the Mizoram Gazette and based on this, the information sought could not be provided to the appellant.
7. After hearing both the parties, the Commission observed the following:
 - i. As per Section 7(1) of the RTI Act, 2005, “...*the Central Public Information Officer or State Public Information Officer, 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 or reject the request...*”. In this case, the SPIO gave a reply after more than 2 months which is in contravention of the provisions of the Act. He is advised to be more careful in dealing with RTI cases in future.
 - ii. Being vested with quasi-judicial powers, the DAA should conduct hearing for every First Appeal received and inform the appellant of the date and time of hearing at least 7 (seven) clear days before that date as per Rule 5(a) of the Mizoram RTI Rules, 2010 instead of remaining silent on the matter. Order of the DAA shall be pronounced in open court and be in writing duly authenticated by the DAA for this purpose. Pu H. Ramthlengliana, DAA & IGP, Police Headquarters should keep this in mind so that such lapses do not occur in future. **He is further informed to appear before the Commission on 08.08.2025 (Friday) at 01:00 PM.**

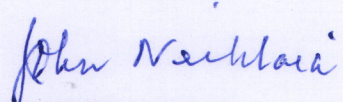
- iii. The Commission is of the opinion that with regard to the drivers' place of duty, nature of work, and officer to whom attached with designation, the information may be exempted as per Notification dated 27.03.2007 under Section 24 of the RTI Act as it involves details about specific individuals (both drivers and officers) and their assignments, which pertain to deployment and movement of Police personnel.

DECISION:

In view of the circumstances, **the Commission hereby directs that Pu K. Lalremsanga, SPIO & AIG(Hqrs), Police Headquarters shall provide the information sought pertaining to the number of drivers, their names and grades as on April 2025 under the State Police, free of cost, to the appellant not later than 14.08.2025 (Thursday) and submit compliance report to MIC with all the enclosures.**

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

