



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

Case No: S.A. 222/2025-MIC

***K. Lalhunmawia,
Peniel Veng, Hnahthial***

...Appellant

Vs

***1. Jennifer Vanlalhruaii Pachuau,
SPIO & Settlement Officer,
Land Revenue & Settlement Department (Lunglei)***

...Respondents

***2. Beitlotha Nohro,
former SPIO & Settlement Officer,
Land Revenue & Settlement Department (Lunglei)***

RTI application filed on	:	19.03.2025
SPIO replied on	:	25.03.2025
First appeal filed on	:	15.04.2025
DAA order / reply on	:	NIL
Second Appeal dated	:	04.06.2025
Date of Hearing	:	09.07.2025 at 12:00 Noon
Date of Decision	:	09.07.2025

1. The appellant sought information as follows: -

“Please provide me with a photocopy of the land lease issued by your good office for what is known as HBSC Ground No. 1 Hnahthial located at Bazar Veng, Hnahthial under the jurisdiction of Hnahthial North II VC and also photocopy of all attachment files thereof. The GPS camera image of the said location is attached for your kind reference.

If you feel the above requested information does not pertain to your department, please follow the provisions of section 6(3) of the RTI Act, 2005.”

2. The SPIO furnished reply stating, *“I dilnaa i sawi HSBC Ground No. 1 Hnahthial ti hian Revenue Office, Lunglei ah land lease a awm lo va, Village Council President, Hnahthial N-II, Bazar Veng hming erawh chuan Land Lease a awm thu ka han hriattir che a ni. A ram neitu phalna lo chuan documents hi pek chhuah phal a ni lo”.*

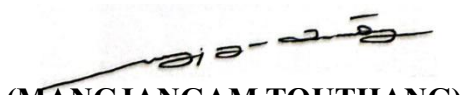
3. Not satisfied with the reply received from the SPIO, the appellant preferred First Appeal. As the DAA remained silent on the matter, Second Appeal has been preferred to MIC.
4. Summons were issued to the appellant and respondent(s) to appear before the Commission on 09.07.2025 (Wednesday) at 12:00 Noon. As scheduled, hearing was held in hybrid mode wherein the appellant, the present SPIO & former SPIO, Land Revenue & Settlement Department (Lunglei District) all appeared via Video Conferencing.
5. In the hearing, the appellant informed that the SPIO did not mention under which Section he is unable to provide the information. If it falls under third party information, as per Section 11 of the RTI Act, no action taken by the SPIO is to be seen with regard to acquiring consent of the third party. He then requests the Commission to help him get the information.
6. Both the former and present SPIO said that they are of the opinion that the matter relates to third party information and without their consent, it is not appropriate for them to furnish the requested information to the appellant. The former SPIO also informed that all files relating to Land Revenue & Settlement Department, Hnahthial District were already transferred to the Settlement Officer, Hnahthial, and that Land Revenue & Settlement Department, Lunglei District is not the custodian of the information sought.
7. After hearing both the parties, the Commission observed the following:
 - i. As per Section 7(1) of the RTI Act, 2005, the former SPIO sent a reply to the appellant informing him that the land lease for HBSC Ground No. 1 Hnahthial is not available in their office but the land lease is in the name of the Village Council President, Hnahthial N-II and that the documents cannot be provided without the consent of the land owner. Here, the former SPIO should have attempted to acquire the consent of the land owner before informing the appellant that the documents could not be provided as he is required take action as per Section 11 of the RTI Act.
 - ii. While the former SPIO informed that all the files relating to Hnahthial District were already transferred to Land Revenue & Settlement Office, Hnahthial, he should have transferred the RTI application as per Section 6(3) of the RTI Act to the concerned SPIO rather than giving vague reply to the appellant. Pu Beitlotha Nohro should have adequate knowledge of record management prevailing with the office and should be more careful in future while dealing with RTI cases as giving incorrect, incomplete or misleading information can invite penalty on the SPIO as per Section 20 of the Act.

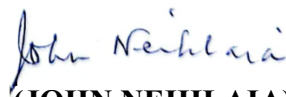
- iii. Being vested with quasi-judicial powers, the DAA should conduct hearing for every First Appeal received and inform the appellant of the date and time of hearing at least 7 (seven) clear days before that date as per Rule 7(5)(a) of the Mizoram RTI Rules, 2010 instead of remaining silent on the matter. Pu R. Lalthazuala, DAA & Director, LR&S should keep this in mind so that such lapses do not occur in future.

DECISION:

In view of the above, the Commission hereby directs that **Pi Jennifer Vanlalhruii Pachuau, SPIO & Settlement Officer, Land Revenue & Settlement Department, Lunglei shall transfer the RTI application to the SPIO & Settlement Officer, Hnahthial District immediately from the date of receipt of this order with a direction to provide the information requested under intimation to the appellant and submit compliance report to MIC not later than 18.07.2025 (Friday).** The concerned SPIO & SO, Hnahthial shall certify the photocopy of the land lease mentioning that it is meant for RTI purpose only.

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