



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

Case No. S.A. 228/2025-MIC

Dated Aizawl, the 8th August 2025

***Rustom Chakma,
Lawngtlai***

...Appellant

Vs

***1. David Lalrinauma,
SPIO & Addl. Deputy Commissioner,
DC's Office, Lawngtlai***

...Respondents

***2. Cheemala Siva Gopal Reddy,
DAA & Deputy Commissioner,
DC's Office, Lawngtlai***

RTI application filed on	: 19.06.2025
SPIO replied on	: NIL
First appeal filed on	: 21.07.2025
DAA order / reply on	: 24.07.2025
Second Appeal dated	: 24.07.2025
Date of Hearing	: 08.08.2025 at 12:00 Noon
Date of Decision	: 08.08.2025

The Chief Information Commissioner and Information Commissioner presided over the hearing.

Information Sought:

- 1. How many court judgements are there with respect to payment of interest and solatium in Indo-bangla Border Fencing within Chawngte Sub-division of Lawngtlai District.*
- 2. Furnish copies of such court judgement as stated in the Sl.No. Above.*

Grounds for the Second Appeal:

As the State Public Information Officer (SPIO) did not provide any reply on the RTI application submitted, First Appeal was preferred. The DAA did not conduct hearing on the matter but instead gave a reply vide No. C.11016/04/2025-DC(LTI) dated 24.07.2025 informing the appellant to seek information from the concerned law courts.

Relevant facts emerging during the hearing:

The appellant and both the respondents attended the hearing via Video Conferencing.

Appellant's Statement:

The appellant reiterated the details of the information sought and the unfortunate silence of the SPIO on the matter.

Respondents' Statements:

The SPIO stated that the reason for not being able to dispose of the RTI application was due to the Dealing Assistant (DA) being on tour and the stipulated period as per the Act for disposal of a request had already passed when the DA returned. He also stated that it was difficult for them to take action because the appellant failed to specify the judgment order of a particular court in his RTI application.

The DAA also informed the Commission that the delay on their part is due to the absence of the DA and also that their RTI Online login credentials were not updated. He, then, gave an assurance that such lapses will not occur in future and RTI matters will be disposed of within the stipulated period as per the Act.

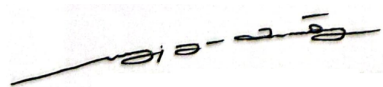
OBSERVATIONS:

1. 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 failed to send a reply and remained silent which is in contravention of the provisions of the Act. He is advised to be more careful in dealing with RTI cases in future.
2. **The SPIO is informed that non-availability of a dealing assistant cannot not be used to justify the SPIO’s inability to dispose of an RTI application.** The spirit of the RTI Act is to facilitate citizens in order for them to get the information requested. Here, the SPIO should have contacted the appellant in order to clarify which court judgement he is referring to in order to expeditiously dispose of the RTI application at hand. Further, the SPIO cannot simply ignore a request for information if it is not directly related to their department. He has a duty to transfer the application to the appropriate public authority with intimation to the applicant.
3. 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 as per Rule 7(5)(a) of the Mizoram RTI Rules, 2010. Order of the DAA shall be pronounced in open court and be in writing duly authenticated by the DAA for this purpose. Mr. Cheemala Siva Gopal Reddy, DAA & Deputy Commissioner, DC’s Office, Lawngtlai District is informed to strictly adhere to the relevant positions of the RTI Act/Rules for every First Appeal received by him in future.

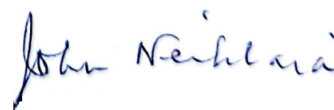
DECISION:

In view of the above, **the Commission hereby directs that DC's Office, Lawngtlai District shall establish a proper line of communication with the appellant in order to sort out the issue at hand and Pu David Lalrinawma, SPIO & Addl. Deputy Commissioner shall provide any available information to the appellant, free of cost, not later than 22.08.2025 (Friday)** with 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

Copy to: -

1. Mr. Rustom Chakma, H.No-8, Borapansury, po/ps-Borapansury, CADC, Lawngtlai, Mizoram-796770, Ph: 8686457050.
2. Mr. David Lalrinawma, SPIO & Addl. Deputy Commissioner, DC's Office, Lawngtlai, Ph: 8416075016.
3. Mr. Cheemala Siva Gopal Reddy, DAA & Deputy Commissioner, DC's Office, Lawngtlai, Ph: 8008143608.


(LILY)

Deputy Secretary

Mizoram Information Commission
Mizoram: Aizawl