

Case No. S.A. 240/2025-MIC

*Raj Vishvas Tamhankar,
Mumbai*

...Appellant

Vs

*Sangliana,
SPIO & Joint Director,
Directorate of Institutional Finance & State Lottery*

...Respondent

RTI application filed on	:	21.03.2025
SPIO replied on	:	19.05.2025
First Appeal filed on	:	03.06.2025
DAA issued order on	:	19.06.2025
Second Appeal received on	:	14.08.2025
Date & Time of hearing	:	03.09.2025 at 01:00 PM
Date of decision	:	03.09.2025

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

FACTS:

1. The appellant submitted an RTI application seeking information on the following: -

- i) *Please provide the details as on date, the present status of Agreement Executed on dated 19/08/2019 for the Appointment of Marketing Agent with M/s Teesta Distributors for 5 years.*
- ii) *Please provide the details of any Extension given to M/s Teesta Distributors with regards to the Agreement Executed on dated 19/08/2019 for the Appointment of Marketing Agent after completion of 5 years Agreement term from 19/08/2024 onwards.*
- iii) *Please provide the details of the facts & reasons for the continuation of above-mentioned Agreement dated 19/08/2019 beyond the completion of 5 years i.e., dated 18/08/2024 executed with M/s Teesta Distributors for the Appointment of Marketing Agent.*

- iv) *Please provide the month wise details of the Amount payable and actual amount paid towards Sale Proceeds i.e., MGR and Draw charges for the Period of 19/08/2024 to 28/02/2025 by the Teesta Distributors under their Agreement Executed on dated 19/08/2019 for the Appointment of Marketing Agent.*
- v) *Please provide the date wise details of Waiver / Relaxation requested by Teesta Distributors and Waiver / Relaxation given by Government of Mizoram to Teesta Distributors with regards to the MGR and Draw charges payable for the Period of 19/08/2024 to 28/02/2025 under their Agreement Executed on dated 19/08/2019 for the Appointment of Marketing Agent.*
- vi) *Please provide the Copies of all the request letters Submitted by M/s Teesta Distributors and File Notings along with all the Letters issued by Finance Department and Directorate of Institutional Finance & State Lottery, Government of Mizoram with respect to the above Point No. 1 to 5.*

2. The SPIO furnished a reply where he denied the information sought under Section 8(1)(d) of the RTI Act citing it as third-party information. The appellant then preferred First Appeal. Here, the DAA conducted hearing and decided as follows: -

“Keeping in view the facts of the case and the submissions made by both the parties, the DAA instructs the Respondent to re-examine the RTI application and disclose only Regulatory Information held and available with them after obliterating the information exempted u/s 8(1)(d) of the RTI Act, 2005 within a period of 15 days from the date of receipt of this order.”

- 3. Not satisfied with the information received from the SPIO following the DAA’s decision, Second Appeal has been preferred. Summons were issued to the appellant and respondent to appear before the Commission on 03.09.2025 (Wednesday) at 01:00 PM.
- 4. As scheduled, hearing was held in hybrid mode where the appellant attended via video conferencing and the respondent Pu Sangliana, being unwell and unable to attend, was represented by Dr. K. Lalnghinglova, SPIO & Deputy Director, Directorate of Institutional Finance & State Lottery, Govt. of Mizoram, who appeared in person (He shall be referred to as the “respondent” in the case going forward).
- 5. The appellant reiterated the contents of his RTI application and stated that he is satisfied with the information provided for points no. (i), (ii) and (iii). He, however, is aggrieved by the fact that the SPIO denied him information for points no. (iv), (v) and (vi) on the basis of Section 8 (1)(d) of the RTI Act. The appellant stated that this exemption does not apply in this case, as the tender process has already been concluded and the contract awarded to M/s Teesta Distributors. He further stated that the documents submitted by the marketing agent, along with all related correspondence with the government, should now be considered public records.

6. The respondent informed the Commission that regarding point no. (iv) of the RTI application, since there is a contractual dispute between M/s Teesta Distributors and Government of Mizoram, no payment was made and therefore, month wise details of the Amount payable and actual amount paid towards Sale Proceeds i.e., MGR and Draw charges for the Period of 19/08/2024 to 28/02/2025 by the Teesta Distributors does not exist.

For point no. (v) of the RTI application, the respondent also informed that such request from the marketing agent has not been received by Directorate of Institutional Finance & State Lottery and there is no official order for granting waiver / relaxation with regard to the MGR and Draw charges payable for the Period of 19/08/2024 to 28/02/2025 to M/s Teesta Distributors by Government of Mizoram.

For point no. (vi) of the RTI application, the respondent stated that the same can be provided.

DECISION:

Considering the facts of the case and the statements made by both the parties, the Commission directs that **Pu Sangliana, SPIO & Joint Director, Directorate of Institutional Finance & State Lottery, Government of Mizoram to inform the appellant officially that records for points no. (iv) and (v) of the RTI application does not exist with detailed clarifications and to furnish information for point no. (vi) of the RTI application, free of cost, not later than 12.09.2025 (Friday) with compliance report to this Commission along 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. Raj Vishvas Tamhankar, Office No. 11, 2nd Floor, 22 Rajabhadur Mansion, Bombay Samachar Marg, Fort, Mumbai – 400 001, Ph: 81691 72822.
2. Sangliana, SPIO & Joint Director, Directorate of Institutional Finance & State Lottery, Government of Mizoram, Ph: 9436146529.
3. Dr. K. Lalnghinglova, SAPIO & Deputy Director, Directorate of Institutional Finance & State Lottery, Government of Mizoram, Ph: 8575051577.



(LILY)

Deputy Secretary
Mizoram Information Commission
Mizoram: Aizawl