

Case No. S.A. 241/2025-MIC

Grace Lalchhuandiki, : ...Appellant
District Court Complex, MINECO

Vs

1. B. Malsawmtluangi, : ...Respondents
SPIO & Addl. Deputy Commissioner,
DC's Office, Kolasib
2. Robert C. Lalmangaiha,
DAA & Deputy Commissioner,
DC's Office, Kolasib

RTI application filed on : 27.01.2025
SPIO replied on : 21.02.2025
First Appeal filed on : 25.02.2025
DAA replied on : 04.04.2025
Second Appeal received on : 20.08.2025

Date & Time of hearing : 03.09.2025 at 12:00 Noon
Date of decision : 03.09.2025

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

FACTS:

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

“Name, Address, Phone Number of alleged beneficiary in Serial No.317 (Andrew Malsawmtluanga) and Serial No.320 (Maj.Lianhlira) with respect to Compensation Statement of 4-LANING NH-306 & 06 PACKAGE-5, with all the relevant documents submitted i.e Power of Attorney, Land Pass etc.”

2. The SPIO replied stating, ***“I document dil te hi pass thehlutuin a remtih loh avangin pekchhuah theih a ni lo”***.
3. Not satisfied with the SPIO's reply, the appellant preferred First Appeal stating, “The SPIO has erred in refusing the application and rejecting it without any reasonable base of law. Getting any information under RTI Act, 2005, if not expressly barred by this Act, is a lawful right of an Indian Citizen. Therefore, rejection by SPIO may be set aside and information sought for be disclosed to the applicant”.
4. The DAA informed the appellant via RTI Online - ***“Personal confidential thil a nih avangin hei bak hian chhan theih a ni lo”***.

5. Aggrieved by the SPIO and DAA's responses without specifying the legal basis for denying the information sought, the appellant submitted Second Appeal. Summons were issued to the appellant and respondent(s) to appear before the Commission on 03.09.2025 (Wednesday) at 12:00 Noon.
6. Hearing was held as scheduled where the appellant, accompanied by her counsel Pu Roger Lalruatfela were present in person and both the respondents attended the hearing via video conferencing.
7. The appellant stated that the information sought is not personal information of anyone but information pertaining to the documents submitted by Pu H. Lalhmingliana to Competent Authority for Land Acquisition (CALA), Kolasib for claiming compensation with regard to Package Award List (Gosen Veng to Thingdawl) Compensation Statement of 4-Laning NH-306 & 06 Package-5. She believes that the Power of Attorney of both the LSCs of her father Maj. Lianhlira (L) and her brother Andrew Malsawmtluanga were forged and submitted for claiming compensation by Pu H. Lalhmingliana. In this regard, she submitted a complaint to CALA, Kolasib where she believed the award with respect to the 2 (two) LSCs were stayed. However, she learned that when the compensation was disbursed, it was awarded to someone else.

The appellant also mentioned that the ground for rejection of the RTI application was not indicated by the SPIO and it is her right as an India citizen to get the requested information. She further stated that both the LSCs were kept under the custody of their relatives in Kolasib who sold to Pu Lalrinsanga without their knowledge.

8. In reply, the DAA (Deputy Commissioner, Kolasib District) informed the Commission that with regard to the complaint submitted by the appellant to CALA, an investigation was conducted where it was learned that the abovementioned LSCs were initially sold to Pu Lalrinsanga during the COVID pandemic who then afterwards sold it to Pu H. Lalhmingliana. The DAA also informed that the seller was, in fact, the appellant's mother who admitted to selling the LSCs. He also mentioned that hearing on the matter was held by CALA on 16.04.2025 and a decision to this effect was also issued on 19.05.2025 where the CALA advised the appellant and Pu H. Lalhmingliana to negotiate and come to an agreement with regard to the compensated amount.

OBSERVATIONS:

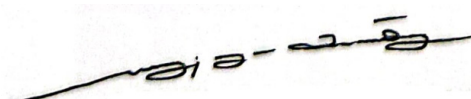
1. Section 7(1) of the RTI Act provides that, ***"...the Central Public Information Officer or State Public Information Officer, as the case may be, on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request..."***. In this case, though the SPIO responded within the stipulated period, she failed to quote the relevant Section of the RTI Act and reasons for not providing the information sought. Pi B. Malsawmtluangi, SPIO & Addl. Deputy Commissioner is advised to be more careful in future while disposing of RTI applications.

2. Being vested with quasi-judicial powers, the DAA should hear both the parties *viz* appellant and respondent for every First Appeal received by him. He 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. Pu Robert C. Lalmangaiha, DAA & Deputy Commissioner is advised to strictly adhere to the relevant provisions of the RTI Act/Rules for every First Appeal received in future as this is not the first instance wherein the DAA has failed to conduct hearing for First Appeals.
3. While notice for hearing before the Commission was issued 8 (eight) days prior to the date and time scheduled, it is surprising to see that both the SPIO and DAA failed to be present on time. They are instructed to take directions of the Commission seriously and ensure such lapses are not repeated.
4. The aim of the Right to Information Act, 2005 is to promote transparency and accountability in public authorities, contain corruption, and empower citizens by giving them access to government information. This Commission is of the opinion that as CALA has finalized the land acquisition by awarding compensation to the land owners and since a decision on the matter has been taken, the office of the Deputy Commissioner, Kolasib is bound to place the information in public domain as per the provisions of Section 4 of the Act so that information seekers do not need to resort to filing RTI applications.

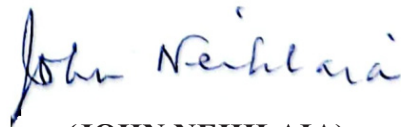
DECISION:

In view of the above, the Commission hereby directs that **Pi B. Malsawmtluangi, SPIO & Addl. Deputy Commissioner shall provide certified copies of the information sought to the appellant, free of cost, not later than 10.09.2025 (Wednesday)** via the online portal or through a special messenger 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. Grace Lalchhuandiki, District Court Complex, MINECO, Khatla, Ph: 9436133883.
2. B. Malsawmtluangi, SPIO & Addl. Deputy Commissioner, Kolasib District, Ph: 7627996733.
3. Robert C. Lalhmangaiha, DAA & Deputy Commissioner, Kolasib District, Ph: 9485114964.



(LILY)

Deputy Secretary
Mizoram Information Commission
Mizoram: Aizawl