

Case No. S.A. 277/2025-MIC

Francis Lianmawia,
Chawnpui, Aizawl.

...Appellant

Vs

1. Lalremruata,
SPIO & Sr. Executive Engineer,
PWD, Project Division-III.

...Respondents

2. T. Lalnunsanga,
DAA & Superintending Engineer,
PWD, Project Division-III.

RTI application filed on	:	22.08.2025
SPIO replied on	:	NIL
First Appeal filed on	:	22.09.2025
DAA issued order/replied on	:	NIL
Second Appeal received on	:	23.10.2025

Date & Time of hearing	:	14.11.2025 at 01:00 PM.
Date of decision	:	14.11.2025

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

FACTS OF THE CASE:

1. The appellant sought information from the respondent SPIO as follows: -

HINT: Pu Lalmangaiha, Mission Vengthlang, Aizawl ram Land Settlement Certificate (LSC) No. 463/1979, Mualpui, Aizawl a mi chu kum 1998–2004 chhung khan Zirtiri Residential Science College sakna tur atan ‘surrender’ tawh angin RTI chhanna SPIO & Sr.Executive Engineer, PWD Project Division-III, Aizawl lehkha tih chhuah vide No. C-13015/1/2022/PD-III/40 dated 11.08.2025 ah tarlan a ni a, chumi avang chuan a hnuai zawhna te hi min chhang tur leh, certified document te min pe turin ka dil che a ni:

1) *The Mizo District (Land & Revenue) Act, 1956 / Rules hnuai ah Executive Engineer, PWD Project Division-III, Aizawl chu LSC surrender na hmun tur atan ruat a ni em,*

a bik in kum 1998-2004 inkar ah? A nih chuan Government Notification (duly certified) min pe turin.

2) *The Mizo District (Land & Revenue) Act, 1956 / Rules hnuai ah Executive Engineer, PWD Project Division-III, Aizawl chu LSC surrender na hmun tur atan ruat a ni em, a bik in kum 1998-2004 inkar ah? A nih loh chuan eng vanga LSC surrender chu lo dawng nge in nih?*

3) *RTI zawhna i chhanna vide No. C-13015/1/ 2022/PD-III/40 dated 11.08.2025-ah khan LSC No. 463/1979 hi surrender tih a ni a. Surrender a nih (i)Date, month and Year; (ii)Surrender deed; (iii)Relinquishment Form; (iv)Application for Surrender; (v)Acknowledgment by EE, PWD, Project Division-III, Aizawl, office file a mi xerox/photo copy duly certified min pe turin.*

4) *“LSC No. 463/1979 original photo copies” office file a mi xerox/photo copy duly certified min pe turin.*

2. The SPIO did not furnish any reply and the DAA was silent on the First Appeal. The appellant, preferred Second Appeal and summons were issued to the appellant and respondents to appear before the Commission on 14.11.2025 (Friday) at 01:00 PM. As scheduled, hearing was held where the appellant, accompanied by Jacinta Zothanmawii and Thuamrodinga and both the respondents were present in person.
3. The appellant stated that the inaction of both the SPIO and the DAA on the RTI application and First Appeal, respectively, is a denial of request on their part and requested for the Commission to help him acquire the information sought.
4. The SPIO apologized for the lapse on their part and stated that since the original copies of the information sought could not be located in their office, he was reluctant to provide certified copies of photocopied documents.

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...*”. Further, Section 7(2) provides that, “*If the Central Public Information Officer or State Public Information Officer, as the case*

may be, fails to give decision on the request for information within the period specified under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be, shall be deemed to have refused the request”..

This inaction of the SPIO is a serious violation of the provisions of the RTI Act as non-response is considered “**deemed refusal**” of the request and would amount to denial of information which can be dealt with as per Section 20 of the RTI Act, 2005.

2. For the information sought not available with the SPIO, PWD, Project Division-III, **Section 6(3) of the RTI Act, 2005 provides that where an application is made to a public authority requesting for any information which is held by another public authority or the subject matter of which is more closely connected with the functions of another public authority, the public authority to which such application is made, shall transfer the application to the other public authority and inform the applicant immediately about such transfer.** Public information officers are entrusted with the responsibility of providing information to the citizens under the RTI Act and it is expected that the SPIO on receipt of a request shall as expeditiously as possible provide the information sought for by the applicant. The SPIO should have transferred the RTI application to the concerned authority within 5 (five) days as provided under the Section 6(3) of the Act instead of remaining silent.

Pu Lalremruata is advised to strictly adhere to the provisions laid down under the RTI Act and be more careful in dealing with RTI cases in future.

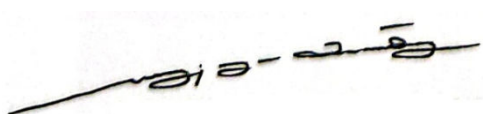
3. The Commission has also observed that the DAA neither conducted hearing nor furnished replies to his First Appeal. Pu T. Lalnunsanga is directed that he shall conduct hearing and, in every case inform the date of hearing at least seven (7) clear days before the date fixed as per Rule 7(5)(a) of the 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 and strictly adhere to the relevant provisions of the RTI Act/Rules for every First Appeal received by him in future.
4. Public authorities should give due importance to every Right to Information (RTI) application as it reflects and promotes the principles of transparency and accountability in governance. Each request represents a citizen’s legitimate effort to seek information concerning public affairs, and therefore must be handled with seriousness, fairness, and

within the prescribed time frame. Proper attention to RTI matters not only upholds the integrity of the institution but also strengthens public trust and participation in the democratic process. **The denial of information under the Right to Information (RTI) Act, 2005 goes against the very spirit and objective of the legislation**, which is to promote transparency, accountability, and participatory governance. The Act was enacted to empower citizens to access information held by public authorities, thereby reducing corruption and enhancing trust in government institutions. When information is unjustly withheld or delayed, it undermines citizens' right to know, creates barriers to democratic participation, and weakens mechanisms of public accountability. Such denials defeat the fundamental purpose of the RTI Act, which seeks to make government functioning open, responsible, and answerable to the people.

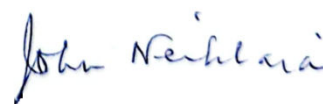
DECISION:

The Commission hereby directs that **Pu Lalremruata, SPIO & Sr. Executive Engineer, PWD, Project Division-III shall provide copies of the information sought to the appellant, free of cost not later than 21.11.2025 (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

Decision No. S.A. 277/2025-MIC

Dated Aizawl, the 14th November, 2025

Copy to: -

1. Francis Lianmawia, A7/A, Chawnpui (Bethel Rd.), Aizawl, Mizoram – 796009,
Ph: 9436352653.
2. Lalremruata, SPIO & Sr. Executive Engineer, PWD, Project Division-III,
Ph: 7628877843.
3. T. Lalnunsanga, DAA & Superintending Engineer, PWD, Project Division-III,
Ph: 9612089163.



(LILY)

Secretary

Mizoram Information Commission

Mizoram: Aizawl