

MIZORAM INFORMATION COMMISSION*(Under the RTI Act, 2005)***MINECO, KHATLA, AIZAWL****Landline:** 0389-2334833 / **Email:** mic.mizoram@gmail.com / **Website:** mic.mizoram.gov.in

Case No. C. 158/2024-MIC

*Cicily Zonunfeli,
Advocate, MINECO.*

...Complainant

Vs

- 1. F. Zirliana,
SPIO & Assistant Survey Officer,
Land Revenue & Settlement Department, Aizawl North.*
- 2. Lalsanglura,
SPIO & Settlement Officer,
Land Revenue & Settlement Department, Aizawl South.*

...Respondents

RTI application filed on	:	07.09.2023
Complaint filed on	:	01.09.2025
Date & Time of hearing	:	16.01.2026 at 12:00 Noon.
Date of decision	:	16.01.2026

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

FACTS OF THE CASE:

1. The complainant sought information on the following: -
 - i. *LSC No. 516 of 1994, Zuangtui, Aizawl in the name of Lalrinchhana Varte*
 - ii. *LSC No. 517 of 1994, Zuangtui, Aizawl in the name of Lalengmawia*
 - iii. *LSC No. 524 of 1994, Zuangtui, Aizawl in the name of Varthansangi Varte*
 - iv. *LSC No. 531 of 1994, Zuangtui, Aizawl in the name of Nithangi*
 - v. *LSC No. 525 of 1994 and LSC No. 534 of 1994, Zuangtui, Aizawl in the name of Lalthankhumi and all connected papers.*
2. The complainant, in the past, had submitted a complaint on the same case for not receiving information to MIC. However, she decided to withdraw her complaint after she had been told by the concerned office that they could not find any record on the information requested. As she had found new information that there indeed exists documents for the LSCs requested, she believes

that the department had intentionally withheld the information sought and re-submitted her complaint.

3. Summons were issued to the complainant and respondents to appear before the Commission on 16.01.2026 (Friday) at 12:00 Noon. As scheduled, hearing was held where the complainant was represented by K. Lalnunsiami, Advocate and Laltluangkima, Advocate and both the respondent SPIOs were present.
4. During the hearing, the complainant's representatives submitted a written submission to the Commission as follows: -

1. *That the present submission is filed against the false, misleading and contradictory reply furnished by the State Public Information Officer, Revenue Department, wherein it has been stated that no connected documents relating to the issuance of Land Settlement Certificate Nos. 516, 517, 524, 531, 525, 534 of 1994, Zuangtui are available with the department.*
2. *That the reply of the Revenue Department is factually incorrect and contrary to their own official records as revealed during the official Spot Verification Report prepared by the Surveyor from the Revenue Department as the abovementioned LSC is a disputed land pending before the Hon'ble Court.*
3. *That during the Spot Verification, the Surveyor has categorically recorded in his report that:*
 - a) *The land in question was surveyed and verified on the basis of the previous Village Council Pass.*
 - b) *And that the LSC was prepared through macro maps derived from such earlier records*
4. *That the Surveyor's Spot Verification Report itself establishes the existence of connected documents of the said LSC; namely: Previous Village Council Pass, Macro Maps, Survey records and assessment notes, any verification and recommendation documents forming the basis of issuance of the LSC in question.*
5. *That despite these official admissions, the Respondent/SPIO has taken a contradictory stand under RTI, denying the existence of such connected documents which amounts to suppression of material facts.*
6. *That it is also pertinent to mention that although the Land Settlement Certificates (LSC) bearing Nos. 516, 517, 524, 531, 525, 534 pertains of 1994, the same was officially stamped as 'Assessed' on 19.09.2022 by the Revenue Department. That the assessment and stamping of the LSC in the year 2022 conclusively proves that the original LSC file and its connected records were physically available, examined and relied upon by the Authorities of the Revenue Department at that time.*
7. *That assessment cannot be carried out without verification of connected documents including original LSC records, Survey and demarcation reports, Macro Maps, Previous*

Village Council Pass, Revenue Assessment and Valuation Files. Therefore, the Respondents claimed under RTI that no connected documents are available is false and misleading as the department itself assessed and stamped the very same LSC on 19.09.2022.

8. *That this Hon'ble Commission may draw an adverse inference that the records are either being deliberately withheld, suppressed or denied in violation of the Right to Information Act, 2005.*
9. *In view of the above facts and circumstances, it is most respectfully prayed that this Hon'ble Mizoram Information Commission may be pleased to*

a) Direct Respondent/SPIO to furnish certified copies of all connected documents relating to the issuance of LSC in which RTI is sought, including:

i) Previous Village Council Pass

ii) Macro – Maps

iii) Detailment order.

iv) Surveyor field notes and Spot Verification records.

v) File Notings recommendations and approval sheets.

vi) Records relied upon for issuance of the Land Valuation Certificate, 2022, assessment and stamping dated 19.09.2022 of the said LSC.

b) Call for and examine the original records to reconcile the contradiction between RTI reply and the spot verification report by the surveyor.

c) Initiate action under Section 20 of the RTI Act, 2005 against the Respondents for furnishing false and misleading information.

d) Pass any other order or direction deemed fit in the interest of justice, transparency and good governance.

5. Pu F. Zirliana, SPIO informed that after bifurcation of the 2 (two) district offices i.e., Land Revenue & Settlement Office, Aizawl South & Aizawl North respectively, there are still several files that could not be located and efforts would be given to trace out the related files/documents by their office.

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, the SAPIO, who is not the authorized signatory for providing information under the Act

sent a reply which is in contravention of the provisions of the RTI Act, 2005. In future, the SPIO should note that all RTI replies should be sent under his signature.

2. This Commission is of the view that the information sought was not denied under any grounds but not provided due to the records being not available. The excuse of the file being missing/untraceable resulting in the SPIO not being able to provide information cannot be accepted by the Commission. Cases of office files/records missing indicate the incompetency and negligence of the public authority.

The Commission, therefore, deems the public authority as continuously holding the information, until and unless they prove that the information was destroyed in accordance with the existing rules provided for the same. Any claim of defence that the file is missing without any proven effort to trace the same, would amount to denial of information which can be dealt with as per Section 20 of Right to Information Act, 2005.

3. Both the complainant and the respondent not being able to produce/locate the original RTI application to the Commission is considered as a very serious negligence on their part and both are cautioned to be extremely careful in dealing with RTI applications/matters in future.

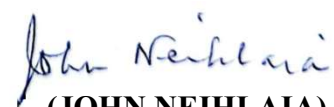
DECISION:

In view of the above, since the original application remains untraceable, **the complainant Pi Cicily Zonunfeli is hereby directed to submit a fresh RTI application to Pu F. Zirliana, SPIO & Assistant Survey Officer, Land Revenue & Settlement Department, Aizawl North.** The SPIO shall also furnish a copy of all the information provided to the Complainant to the Mizoram Information Commission not later than 27.02.2026 (Friday).

The complaint 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. Cicily Zonunfeli, Advocate, Bar Room 1, District Court, MINECO, Ph: 9862384323.
2. F. Zirliana, SPIO & Assistant Survey Officer, Land Revenue & Settlement Department, Aizawl North, Ph: 8974744651.
3. Lalsanglura, SPIO & Settlement Officer, Land Revenue & Settlement Department, Aizawl South, Ph: 7085979191.



(LILY)

Secretary

Mizoram Information Commission

Mizoram: Aizawl