



MIZORAM INFORMATION COMMISSION

(Under the RTI Act, 2005)

MINECO, KHATLA, AIZAWL

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Case No. S.A. 292/2026-MIC

*Lal Remruata,
Thakthing Veng, Aizawl.*

...Appellant

Vs

*B. Vanlalhruii,
SPIO & Superintending Engineer (P),
Engineer-in-Chief's Office, PWD.*

...Respondent

RTI application filed on	:	25.09.2025
SPIO replied on	:	29.09.2025
First Appeal filed on	:	10.10.2025
DAA issued order/replied on	:	17.10.2025
Second Appeal received on	:	10.12.2025

Date & Time of hearing	:	28.01.2026 at 12:00 Noon.
Date of decision	:	28.01.2026

Pu John Neihlaia, Chief Information Commissioner presided over the hearing.

FACTS OF THE CASE:

1. The appellant filed an application before the respondent State Public Information Officer (SPIO), seeking information on the following: -
 - i. *Tualpui leh Aiduzawl inkar kawng laihna tur proposal a awm em? Forest Clearance dil a ni em?*
 - ii. *Silsury atanga Bangladesh pawh tur kawngpui laihna tur project ah Forest Clearance dil a ni em?*
 - iii. *Kumin a Vairengte leh Sairang inkar kawngpui chhiat rei chhan hi Forest clearnce neih theih loh vang a ni em? Kawngpui chhia siam nan forest clearance mamawh na chhan a awm em?*
2. The SPIO gave a reply informing the appellant that the information sought was not available in their office and gave an advice to submit new RTI application to other offices namely - EE, PWD, Khawzawl Division, EE, PWD, Mamit Division and National Highway Division-III.

3. Not satisfied with the SPIO's reply, the appellant preferred First Appeal as he expects the SPIO to coordinate with the concerned divisional offices, collect the relevant records, and provide a consolidated response. On receipt on the First Appeal, the DAA informed the appellant that he verbally instructed the SPIO to transfer the RTI application to the concerned divisions and that the appellant can reach out to him if he had further problems.
4. Since the appellant did not receive any information, Second Appeal was preferred to MIC. Summons were issued to the appellant and respondent to appear before the Commission. As per schedule, hearing was held where the appellant was absent without any prior notice to the Commission. The respondent was present in person and she was accompanied by Pu Z.D. Laltlanzova, EE (Bridge) and Pu Lalnunnema Tohhawng, HRD Manager.
5. The SPIO submitted a written submission wherein she tried to justify her action/inaction based on the guidelines issued by DoPT, Government of India. The SPIO also informed the Commission that the RTI Online portal does not facilitate the transfer of an RTI application to multiple public authorities at one time.

OBSERVATIONS: -

1. It is observed that while the SPIO gave a prompt reply to the appellant after submission of his RTI application, she erred by failing to perform her duty under **Section 6(3) of the RTI Act, 2005**, which mandates the **mandatory transfer** of an application. When the SPIO receives a request for information held by another public authority, the Act does not give her the discretion to "advise" the applicant to file a fresh request elsewhere. Instead, the SPIO is legally obligated to **transfer the application to the concerned authority within five days** and inform the applicant of this transfer immediately. By asking the applicant to start the process over, the SPIO has effectively caused an unnecessary delay, shifted their legal burden onto the citizen, and obstructed the right to information. Pi B. Vanlalhruii is cautioned to be more mindful and careful in disposing of RTI applications in future as such violations of her mandatory duties as a public information officer under the RTI Act can invite penalties under Section 20.
2. The Commission observes that the inability of the SPIO to transfer an RTI application to multiple public authorities through the online RTI portal cannot be accepted as a valid excuse for failure to discharge statutory duties under the RTI Act. Administrative or technical limitations of an online system do not override the clear mandate of Section 6(3) of the RTI Act, which obligates the SPIO to facilitate access to information held by other public authorities. The Commission emphasizes that the SPIO is expected to adopt appropriate alternative measures—such as offline transfer i.e., in hardcopy to ensure compliance with the Act.
3. Further, the Commission finds it wholly unacceptable that the Departmental/First Appellate Authority (DAA/FAA) confined itself to merely informing the appellant that the SPIO had been verbally instructed to transfer the RTI application to the concerned offices. Such an approach reflects a casual and non-transparent discharge of statutory responsibility, as

verbal directions leave no verifiable record of compliance and provide no assurance that the defect was actually cured. The DAA/FAA is required to pass a reasoned and enforceable order in writing, clearly directing the SPIO to take specific action within a defined timeframe. By failing to do so, the DAA/FAA not only abdicated its appellate role under the RTI Act but also undermined the accountability mechanism envisaged under the law, thereby causing avoidable uncertainty and prejudice to the appellant.

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. Pu H. Zoramliana, DAA & Engineer-in-Chief, PWD is informed to strictly adhere to the relevant provisions of the RTI Act/Rules for every First Appeal received by him in future.

DECISION: -

In view of the circumstances, **the Commission hereby directs Pi B. Vanlalhruaii, SPIO & Superintending Engineer (P), Engineer-in-Chief's Office, PWD to transfer the RTI application to the concerned divisions not later than 06.02.2026 (Friday)** with intimation to the appellant and submit compliance report to the Commission.

The appeal is hereby disposed of accordingly. Copies of decision to be given to all the parties.



(JOHN NEIHLAIA)
Chief Information Commissioner
Mizoram Information Commission

Decision No. S.A. 292/2026-MIC

Dated Aizawl, the 28th January, 2026

Copy to: -

1. Lal Remruata, T-23, Thakthing Veng, Aizawl, Ph: 9862057040.
2. B. Vanlalhruii, SPIO & Superintending Engineer (P), PWD, E-in-C's Office,
Ph: 9436143007.
3. H. Zoramliana, DAA & Engineer-in-Chief, PWD, Ph: 9436141635.



(LILY)

Secretary

Mizoram Information Commission

Mizoram: Aizawl