

Case No. S.A. 322/2026-MIC

Ravi Gulgulia,

...Appellant

G.S. Road, Guwahati.

Vs

1. Lalbiakkila,

SPIO & Superintendent of Police,

Anti Corruption Bureau.

...Respondents

2. J. Lalthafamkima,

DAA & Director,

Anti Corruption Bureau.

RTI application filed on	:	12.12.2025
SPIO replied on	:	07.01.2026
First Appeal filed on	:	15.01.2026
DAA issued order/replied on	:	27.01.2026
Second Appeal received on	:	17.02.2026
Date & Time of hearing	:	12.03.2026 at 12:00 Noon.
Date of decision	:	12.03.2026

Pu John Neihlaia, State Chief Information Commissioner presided over the hearing. Pu Mangjangam Touthang, State Information Commissioner and Dr Lalzirmawia Chhange, State Information Commissioner were present and participated in 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: -

1.1 Current Custody and Location of Seized Documents: Provide a certified true copy of the Official Register Entry, Property/Case Custody Record, or File Noting that documents the current status and physical location of all documents seized by the ACB in connection with ACB PS Case No. 3 of 2017 as of the date of reply.

1.2 Requests for Copies of Seized Documents by Government Departments: Provide certified true copies of ALL inward correspondence (Letters/File Notings), including request(s), received by the ACB, Mizoram from either the Department of Commerce & Industries, Government of Mizoram, or the Department for Promotion of Industry and Internal Trade (DPIIT), Government of India, or any other Government Department

(State or Central), which specifically requested photocopies or access to the documents seized in connection with ACB PS Case No. 3 of 2017 (State of Mizoram -Vrs- Ravi Gulgulia & Ors.), from the date of seizure until the present.

1.3 Procedure for Document Disposal/Handover: *Provide a certified true copy of the relevant Standing Order, Departmental Manual Chapter, Rule, or Official Guideline that governs the procedure for the final handing over or disposal of documents seized during an investigation (e.g., in ACB PS Case No. 3 of 2017) after the final judgment or conclusion of the related judicial proceedings.*

2. The SPIO gave a reply informing the appellant that the information sought was not available in their office as the case in question was already chargesheeted and all related exhibits were sent to the Special Judge, PC Act Court, Aizawl and the case is lying pending at the Court as 'Further Hearing' stage and advised that the required documents may be sought from the relevant court.
3. Not satisfied with the SPIO's reply, the appellant preferred First Appeal to the Departmental Appellate Authority (DAA) as he believed that the DAA would direct the SPIO to provide a comprehensive, point-by-point response to each question, supply certified copies of all records etc. On receipt on the First Appeal, the DAA gave a reply on 27.01.2026.
4. Since the appellant was not satisfied with the reply of the DAA, Second Appeal was preferred to MIC. Summons were issued to the appellant and respondent to appear before the Commission on 05.03.2026 at 12:00 noon which was re-scheduled for 12.03.2026. As scheduled, hearing was held where the appellant appeared via video conferencing and the respondent SPIO and DAA accompanied by Pu H. Lalremsanga, Legal Adviser appeared in person.
5. In the hearing the appellant narrated his grievances and stated that para 1.2 of his RTI application requested for certified copies of correspondence and not copies of the chargesheet. Referring to 2 (two) letter nos. viz No.B.23011/15/2007-DTE/IND dated 15.12.2017 and No.B.23011/15/2007-DTE/IND dated 08.01.2018, he mentioned that they are official correspondences requesting for documents from ACB and not exhibits. He also requested the Commission to help him get the required information.
6. In reply, the respondent SPIO informed that all the requested documents are part of the chargesheet and no documents on the information sought are available with ACB.

OBSERVATIONS: -

1. In respect of the two specific correspondences dated 15.12.2017 and 08.01.2018 at para 5, the respondents could not explain how the documents became part of the exhibits or case records.
2. Section 7(1) of the RTI Act, 2005 provides that on receipt of a request, an SPIO shall within 30 days provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in Section 8 and 9.
3. In the matter of the SPIO's reply to the appellant, **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.** Instead of informing the appellant that the information sought is not available with them, the SPIO should have transferred the application to the concerned public authority not later than 5 (five) days from the date of receipt of the RTI application. Pu Lalbiakkila, SPIO is cautioned in this regard and such lapses should not be repeated in future.
4. 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 J. Lalthafamkima, DAA & Director, ACB is informed to strictly adhere to the relevant provisions of the RTI Act/Rules for every First Appeal received by him in future.
5. 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. Authorities should ensure that RTI applications are properly recorded, acknowledged, and forwarded to the concerned officers without delay. Proper attention to RTI matters not only upholds the integrity of the institution but also strengthens public trust and participation in the democratic process.

DECISION: -

In view of the circumstances, the Commission hereby directs Pu Lalbiakkila, SPIO & Superintendent of Police, Anti Corruption Bureau to provide whatever information is available with him to the appellant free of cost not later than 20.03.2026 (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

(JOHN NEIHLAIA)

State Chief Information Commissioner
Mizoram Information Commission

Mangjangam Touthang

(MANGJANGAM TOUTHANG)
State Information Commissioner
Mizoram Information Commission

Dr. Lalzirmawia Chhangte

(DR.LALZIRMAWIA CHHANGTE)
State Information Commissioner
Mizoram Information Commission

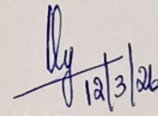


Decision No. S.A. 322/2026-MIC

Dated Aizawl, the 12th March, 2026

Copy to: -

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2. Lalbiakkila, SPIO & Superintendent of Police, Anti Corruption Bureau.
Ph: 9612185775.
3. J. Lalthafamkima, DAA & Director, Anti Corruption Bureau. Ph: 7005034108.


(LILY)

Secretary

Mizoram Information Commission

 Mizoram: Aizawl