



## 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. S.A. 317/2026-MIC

Sanjeev Jain,

...Appellant

Mc Donald Hill, Zarkawt.

Vs

1. Lalitlanthangi,

SPIO & Chief Engineer (Planning),

P&E. E-in-C Office.

...Respondents

2. J. H. Malsawma,

DAA & Engineer in Chief,

P&E Department.

|                             |   |            |
|-----------------------------|---|------------|
| RTI application filed on    | : | 28.11.2025 |
| SPIO replied on             | : | NIL        |
| First Appeal filed on       | : | 30.12.2025 |
| DAA issued order/replied on | : | 30.01.2026 |
| Second Appeal received on   | : | 31.01.2026 |

|                        |   |                           |
|------------------------|---|---------------------------|
| Date & Time of hearing | : | 18.03.2026 at 12:00 noon. |
| Date of decision       | : | 18.03.2026                |

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. Fixing of Qualifying Criteria – NIT No. P-13012/3/14-E-in-C(PM)/52 (19.09.2025)

a). Please provide the file notes, internal discussions, correspondences, and approvals through which the qualifying criteria for this NIT were drafted, examined, and finally approved.

b). It is known within the Department that Mizoram currently has infrastructure only for handling:

o 6.3 MVA 132/33 kV transformers, and

o 12.5 MVA 132/33 kV transformers,

but no existing infrastructure for handling 25 MVA 132/33 kV transformers within the State.

*Hence, please provide the documents/notes/approvals showing the basis on which relaxation was given for bidders with lower-capacity 132/33 kV transformer experience, and how such capacities were considered comparable for qualification purposes.*

*Or it was intentionally done to favor any particular favorite - yes/no*

*2. Fixing of Qualifying Criteria – NIT No. P-37117/1/25-E-in-C(PM)/13 (06.11.2025)*

- a). Please provide the file notes, committee minutes, internal movement, and approvals showing how the qualifying criteria for this NIT were fixed.*
- b). Please provide the note/approval explaining the consideration under which the mandatory requirement of work experience within Mizoram or similar hilly terrain (applicable earlier) was deleted or relaxed in this NIT.*

*3. Please provide documents showing whether the Department examined the impact of deleting this criterion on bidder eligibility, including GK FISCON–IDEA JV*

*4. Decision Analysis Regarding Qualification of GK FISCON–IDEA JV*

- a). Please provide any document, analysis, or note recorded by the Engineer-in-Chief (E-in-C) or evaluation committee indicating whether the deletion/relaxation of criteria would result in GK FISCON–IDEA JV becoming eligible for this tender.*

*b). Kindly provide a clearly recorded departmental position (if available in file) on the following:*

*Whether the Department noted or considered that awarding the work to a bidder without experience in handling 25 MVA 132/33 kV transformers within Mizoram or similar hilly terrain could impact the execution capability*

*5. Ultra-Short period of submission within 5 working days, please provide the following information regarding the 5-day submission period for NIT No. P-37117/1/25-E-in-C(PM)/13:*

*a). Feasibility Approval*

*The feasibility note, approval or justification through which the Department concluded that 5 working days were sufficient for a new bidder to complete all mandatory requirements.*

*b). Mandatory Survey Requirements*

*Documents showing how the Department determined that a bidder can complete within 5 days:*

- a. Site survey of 7 substations in different districts,*
- b. Survey of ~60 km 132 kV line (Aizawl–Bukpui),*
- c. Survey of ROW at Melriat & Bawktlang,*
- d. Obtaining AE/SDO-certified survey certificates for all sites.*

*c). Additional Mandatory Documentation*

*Documents showing how the Department assessed that a bidder can, within 5 days:*

- a. Arrange EMD,*
- b. Finalise JV documents,*
- c. Obtain client completion certificates,*
- d. Obtain manufacturer support letters,*
- e. Compile all required SBD technical and financial documents.*

*d). Internal Feasibility Studies*

*Any internal analysis, map/time-distance study, route feasibility analysis, or logistical assessment used to justify the 5-day timeline.*

*e). Fairness & Equal Opportunity Examination*

*Any file note, approval or discussion examining whether the 5-day period:*

- a. Ensured fairness and equal opportunity to all bidders, including those outside Mizoram, or*
- b. Could restrict or disadvantage new bidders.*

*f). Assessment of Possible Bidder Advantage*

*Documents assessing whether the retender conditions may have had the effect of enabling only GK FISCON-IDEA JV to qualify*

2. The SPIO remained silent and the appellant preferred First Appeal to the Departmental Appellate Authority (DAA) and was given a reply on 30.01.2026.
3. 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 18.03.2026 at 12:00 noon. As scheduled, hearing was held where the appellant appeared in person and the respondent SPIO and DAA accompanied by Pu Patrick P.C. Malsawmtluanga, Executive Engineer, P&E appeared in person. Both the parties subscribed to an oath before the proceeding.
4. In the hearing, the appellant mentioned that he wanted to know on what basis the decision was taken for selecting the supplier on the tender floated for strengthening of transmission and transformation system in Mizoram under NESIDS and requested the Commission in helping him get the required information.
5. In reply, the respondent SPIO informed that she believed that they have already furnished the documents in the reply provided by the DAA. The respondent DAA also stated that they feel that the reply is very clear as it is based on the technical specifications already mentioned in the tender.

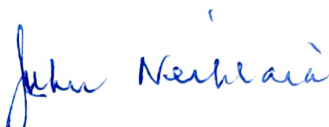
## **OBSERVATIONS: -**

1. Section 7(1) of the RTI Act, 2005 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 appellant did not receive any information during the stipulated period. Pi Laltlanthangi, SPIO & Chief Engineer (Planning) is informed to adhere to this provision of the Act and give priority to RTI applications in future.
2. 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.
3. As per DoPT O.M. No. 1/18/2011-IR dt. 16.09.2011, 'only such information can be supplied under the Act which already exists and is held by the public authority or held under the control of the public authority. The SPIO is not supposed to create information or interpret information or to solve the problems raised by the applicants or to furnish replies to hypothetical questions'. The RTI Act provides access to all information that is available and existing, and the appellant is informed that not every query raised in his RTI application qualifies as a request for "information" within the meaning of Section 2(f) of the RTI Act.
4. Being vested with quasi-judicial powers, the DAA 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. H Malsawma, DAA & Engineer in Chief, P&E Department 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 Laltlanthangi, SPIO & Chief Engineer (Planning) to provide whatever information is available including file notes/notings, to the appellant free of cost not later than 25.03.2026 (Wednesday) with intimation to the appellant and submit compliance report to the Commission.

The appeal is disposed of accordingly. Copy of decision to be given, free of cost, to all parties.



**(JOHN NEIHLAIA)**  
**State Chief Information Commissioner**  
Mizoram Information Commission



**(MANGJANGAM TOUTHANG)**  
**State Information Commissioner**  
Mizoram Information Commission



**Sd/-**  
**(DR.LALZIRMAWIA CHHANGTE)**  
**State Information Commissioner**  
Mizoram Information Commission

Decision No. S.A. 317/2026-MIC

Dated Aizawl, the 18<sup>th</sup> March, 2026

Copy to: -

1. Sanjeev Jain, Near Chief Minister's Office & Bungalow, Mc Donald Hill, Zarkawt.  
Ph: 8822776655.
2. Laltlanthangi, SPIO & Chief Engineer (Planning), P&E, E-in-C Office.  
Ph: 9612100277.
3. J.H. Malsawma, DAA & Engineer in Chief, P&E Department. Ph: 9863437836.

  
(LILY) 18/3/26

**Secretary**

Mizoram Information Commission

 Mizoram: Aizawl