

MIZORAM INFORMATION COMMISSION

(Under the RTI Act, 2005)

MINECO, KHATLA, AIZAWL

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Case No. S.A. 328/2026-MIC

*Lalrozara Ralte,
Bungkawn, Aizawl.*

...Appellant

Vs

*1. Dr. Lalthanpuui,
former SPIO & Addl. Director,
Directorate of Health Services.*

...Respondents

*2. Dr. V. Lalhmingliani,
present SPIO & Joint Director,
Directorate of Health Services.*

*3. Dr. Vanlalfela,
FAA & Director,
Directorate of Health Services.*

RTI application filed on	:	28.07.2025
SPIO replied on	:	NIL
First Appeal filed on	:	06.09.2025
FAA issued order/replied on	:	24.09.2025
Second Appeal received on	:	13.03.2026
Date & Time of hearing	:	09.04.2026 at 12:00 noon.
Date of decision	:	09.04.2026

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

The appellant and the respondents took an oath before commencement of the hearing.

FACTS OF THE CASE:

1. The appellant sought information as follows: -

“1.1.2025 - 31.7.2025 chhunga AMC area leh Falkawn (ZMC&H awmna) a Food & Drugs Administration in Damdawi dawr/pharmacy/drugs store hrang hrang vawi engzahnge inspection a neih tawh? Inspection report zawng zawng ka dil e.”

2. The then SPIO Dr. Lalthanpuui did not provide any response and thus, First Appeal was preferred. The FAA furnished information; however, it appears that the appellant is not satisfied as he has preferred Second Appeal.
3. Summons were issued to the appellant and respondents to appear before the Commission on 09.04.2026 (Thursday) at 12:00 Noon. As scheduled, hearing was held where the appellant and the respondent SPIOs were present in person. However, the FAA submitted a letter stating that Pu F. Vanlaltluanga, Joint Director will attend the hearing on his behalf as he is more acquainted and involved with the facts of the case.
4. The appellant stated that Food & Drugs Administration conducted an inspection at his pharmacy, and without providing any reason, they abruptly cancelled his pharmacy license the next day. He informed that he would like a copy of his pharmacy inspection report along with all the reports in Falkawn area.
5. Pu F. Vanlaltluanga, Joint Director informed the Commission that since the RTI application dt. 28.07.2025 was received from the SPIO only on 20.08.2025, they had very little time to collect the required information and they decided to provide a reply to the appellant without the inspection reports. He also informed the Commission that they could provide him the desired information.

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 attract penalty as per Section 20 of the RTI Act, 2005. **Dr. Lalthanpuui, Addl. Director should note that such lapses do not recur.**
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. Under the RTI Act, the First Appellate Authority (FAA) must function as a robust quasi-judicial arbiter rather than a mere administrative extension of the SPIO. Transitioning from a culture of written replies to a mandate of formal hearings is essential to satisfy the principles of natural justice; it ensures that the appellant's grievances are not just received, but actively heard. When an FAA bypasses the hearing process, they risk reducing the appellate stage to a bureaucratic formality that serves only to shield departmental lapses. By conducting a hearing, the FAA creates a transparent forum where the legality of a denial is tested and the SPIO is held to a higher standard of justification. Ultimately, a reasoned "speaking order" born of a hearing transforms the FAA into a proactive guardian of transparency, resolving disputes at the source and preserving the integrity of the democratic right to information. **Dr. Vanlalfela, FAA & Director 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 Dr. V. Lalhmingliani, SPIO & Joint Director, Directorate of Health Services shall provide the inspection reports at Falkawn area, free of cost, to the appellant not later than 23.04.2026 (Thursday) and submit compliance report to the Commission with all the enclosures.**

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

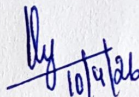
(DR. LALZIRMAWIA CHHANGTE)
State Information Commissioner
Mizoram Information Commission

Decision No. S.A. 328/2026-MIC

Dated Aizawl, the 10th April, 2026

Copy to: -

1. Lalrozara Ralte, Bungkawn, Ph: 9862365305.
2. Dr. Lalthanpuui, SPIO/Addl. Director (former SPIO), Directorate of Health Services, Ph: 9436155823.
3. Dr. V. Lalhmingliani, SPIO/Joint Director (present SPIO), Directorate of Health Services, Ph:9436141214.
4. Dr. Vanlalfela, DAA/Director, Directorate of Health Services, Ph:9436146630.


(LILY)

Secretary

Mizoram Information Commission

Mizoram: Aizawl