



MIZORAM INFORMATION COMMISSION

(Under the RTI Act, 2005)

MINECO, KHATLA, AIZAWL

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Case No. S.A. 339/2026-MIC

*Sanjeev Jain,
Zarkawt, Aizawl.*

...Appellant

Vs

*1. Lalthankimi,
SPIO & Chief Engineer,
P&E, E-in-C.*

...Respondents

*2. Ngursailova Sailo,
FAA & Engineer-in-Chief,
P&E, E-in-C.*

RTI application filed on	:	22.12.2025
SPIO replied on	:	NIL
First Appeal filed on	:	26.01.2026
FAA issued order/replied on	:	26.02.2026
Second Appeal received on	:	10.04.2026

Date & Time of hearing	:	12.05.2026 at 12:00 noon.
Date of decision	:	12.05.2026

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 submitted an RTI application seeking information on certified records from the Engineer-in-Chief Office, P&E Department, Mizoram, regarding two 2025 tenders involving M/s GK FISCON-IDEAS JV. The request specifically demands proof of Tender Processing Fee payments (including Demand Draft details and departmental ledger entries), the exact timing and official minutes of both technical and financial bid openings, and a comprehensive record of all amendments or corrigenda. This includes the underlying justifications, internal file notings, official approvals, and evidence of public circulation for any changes made to the original tender conditions.

2. As the SPIO remained silent on the RTI application, the appellant preferred First Appeal to the FAA with a request to instruct the SPIO to furnish complete, point-wise, and certified information as sought in the RTI application. The FAA, however, instead of conducting hearing, furnished information directly to the appellant.
3. Not satisfied with the information received from the FAA, Second Appeal has been preferred to MIC and summons were issued to the appellant and respondents to appear before the Commission. As scheduled, hearing was held where the appellant and the respondents were all present in person. However, the respondents who were present at the hearing were newly designated SPIO and FAA as the officials at the time of submission of the RTI application/First Appeal had both retired on superannuation pension recently.
4. In the hearing, the appellant stated that he sought information regarding two tenders, but was only provided with one and has requested for information regarding the other tender to be given to him.
5. In response, the FAA explained that the tender under NIT No. P-13012/3/14-E-in-C(PM)/52 dated 19.09.2025 was cancelled because only one bid was received on the opening date of 25.10.2025. Following government approval, the department issued a fresh tender (NIT No. P-37117/1/25-E-in-C(PM)/13) on 06.11.2025. Consequently, the processing fees paid for the original cancelled tender were credited toward the re-tendered work. He also informed that they can provide the information sought to the appellant.

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 nonresponse is considered “**deemed refusal**” of the request and would amount to denial of information which can be dealt with as per Section 20 of the RTI Act, 2005.
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. The FAA & Engineer-in-Chief 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 above, **the Commission hereby directs Pi Lalthankimi, SPIO & Chief Engineer, P&E, E-in-C office shall provide the information, free of cost, to the appellant not later than 13.05.2026 (Wednesday)** 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)

State Chief Information Commissioner
Mizoram Information Commission



(MANGANGAM TOUTHANG)
State Information Commissioner
Mizoram Information Commission



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

Decision No. S.A. 339/2026-MIC

Dated Aizawl, the 12th May, 2026

Copy to: -

1. Sanjeev Jain, near Chief Minister's Office & Bungalow MacDonald Hill, Zarkawt, Ph:8822776655.
2. Lalthankimi, SPIO & Chief Engineer, P&E, E-in-C, Ph: 9436155329.
3. Ngursailova Sailo, FAA & Engineer-in-Chief, P&E, E-in-C, Ph: 9436156141.



(LIEY)

Secretary

Mizoram Information Commission

Mizoram: Aizawl