



## MIZORAM INFORMATION COMMISSION

*(Under the RTI Act, 2005)*

MINECO, KHATLA, AIZAWL

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**Case No. S.A. 348/2026-MIC**

*Moses Lalvenhima,  
Lawngtlai.*

*...Appellant*

*Vs*

*1. Chingthanmawi Guite,  
SPIO & Adviser cum Joint Secretary,  
Planning & Programme Implementation Department (RDB).*

*...Respondents*

*2. Dr. Lalrinchhana,  
FAA & Principal Adviser cum Addl Secretary,  
Planning & Programme Implementation Department (RDB).*

|                             |   |            |
|-----------------------------|---|------------|
| RTI application filed on    | : | 30.01.2026 |
| SPIO replied on             | : | 02.04.2026 |
| First Appeal filed on       | : | 01.03.2026 |
| FAA issued order/replied on | : | NIL        |
| Second Appeal received on   | : | 01.04.2026 |

|                        |   |                         |
|------------------------|---|-------------------------|
| Date & Time of hearing | : | 20.05.2026 at 02:00 PM. |
| Date of decision       | : | 20.05.2026              |

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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 had sought a comprehensive official information regarding the status and implementation of four Pradhan Mantri Jan Vikas Karyakram (PMJVK) projects approved in 2013–14 at Zochachhuah, which include an additional classroom, a health sub-centre, an Anganwadi kitchen, and a primary school building reconstruction. The applicant requests the exact physical status of each project; for completed or partial works, completion dates, contractor details, photographs, work completion certificates, and Utilization Certificates

(UCs). For unstarted or delayed projects, the application asks for details on financial sanctions, fund releases, expenditure, the location of unspent funds, and specific reasons for non-execution, alongside relevant file notings and correspondence. Finally, the applicant requests that all documents be provided digitally and stipulates that any information held by other departments be transferred under Section 6(3) of the RTI Act, 2005.

2. The SPIO provided a response by uploading a four-page PDF to the RTI Online portal only on April 2, 2026, which was one day after the Second Appeal had already been filed. Because the SPIO initially failed to respond within the legally mandated timeframe, the appellant filed a First Appeal; however, the FAA's subsequent silence on the matter ultimately compelled the appellant to escalate the issue by submitting a Second Appeal to the Commission.
3. Summons were issued to the appellant and respondents to appear before the Commission and as scheduled, hearing was held wherein all the concerned parties were present in person.
4. The appellant stated that because he was denied the requested information within the statutorily mandated 30-day period, he filed a First Appeal before the First Appellate Authority (FAA), who failed to take any action on the matter. It was only after he submitted a Second Appeal to the Commission that the SPIO finally provided a response. Furthermore, he noted a discrepancy in the disclosure, pointing out that the reply subsequently received from the SPIO differs from the information he had previously obtained from the Government of India regarding the same case.
5. The respondent explained that the administrative custody of the relevant records was fragmented, having initially been under the purview of the Social Welfare Department, then transferred to the District Council & Minority Affairs Department, and eventually placed with the Planning & Programme Implementation Department only from 2024 onward. Consequently, tracing and consolidating the legacy data across these multiple departments proved time-consuming, resulting in the failure to meet the statutory deadline. The respondent has placed on record an unconditional apology before the Commission for this procedural delay.

## **OBSERVATIONS: -**

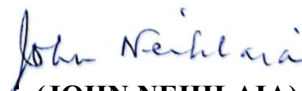
1. As per Section 7(1) of the RTI Act, a Public Information Officer is legally bound to process a request as expeditiously as possible, and strictly within thirty days, by either disclosing the information upon payment of prescribed fees or formally rejecting the application. Under Section 7(2), any failure to convey a decision within this statutory timeframe constitutes a "deemed refusal." In the instant case, the SPIO's complete inaction represents a grave statutory breach; such unresponsiveness amounts to an unauthorized denial of information, rendering the official liable for penal proceedings under 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. Since RTI applications are to be treated as top priority, the SPIO is informed to take RTI matters seriously in future.
3. The Right to Information (RTI) Act, 2005, is one of the most important laws for democracy because it replaces government secrecy with openness. By giving citizens the legal right to ask for and receive information from public authorities, the law makes it much harder for officials to hide corruption or abuse their power. It ensures that the government is open, responsible, and answerable to the people regarding how decisions are made and how public money is spent. Ultimately, the RTI Act empowers citizens, turning them from passive onlookers into active participants who can hold their government accountable.
4. Under the RTI Act, being vested with quasi-judicial powers, the First Appellate Authority (FAA) must function as an independent, fair judge. To ensure justice, the FAA should conduct formal hearings so that the applicant's grievances are genuinely heard. Holding a hearing creates an open, transparent space to test whether a denial of information was actually legal. Ultimately, writing a clear, well-reasoned decision after a hearing allows the

FAA to protect the democratic right to information. The FAA 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 FAA shall be pronounced in open court and be in writing, duly authenticated by the FAA, for this purpose. Therefore, the FAA & Principal Adviser cum Additional Secretary is directed to strictly follow these RTI rules for all future appeals.

**DECISION: -**

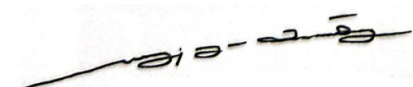
In view of the above, **the Commission hereby directs that Pi Chingthanmawi Guite, SPIO & Adviser cum Joint Secretary, Planning & Programme Implementation Department (RDB) shall provide the information, free of cost, to the appellant not later than 26.05.2026 (Tuesday) and submit compliance report to the Commission with all the enclosures.**

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



(JOHN NEIHLAIA)

**State Chief Information Commissioner**  
Mizoram Information Commission



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



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

**Memo No. S.A. 348/2026-MIC**

**Dated Aizawl, the 20<sup>th</sup> May, 2026**

Copy to: -

1. Moses Lalvenhima, College Veng, Lawngtlai, Ph: 9612800331.
2. Chingthanmawi Guite, SPIO & Adviser-cum-Joint Secretary, Planning & Programme Implementation Department (RDB), Ph: 9436353075.
3. Dr. Lalrinchhana, FAA & Principal Adviser-cum-Addl. Secretary, Planning & Programme Implementation Department (RDB), Ph: 9436140323.



(LILY)

**Secretary**

Mizoram Information Commission

Mizoram: Aizawl