



MIZORAM INFORMATION COMMISSION

(Under the RTI Act, 2005)

MINECO, KHATLA, AIZAWL

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Case No. S.A. 353/2026-MIC

*Jacinta Zothanmawii,
Anlen Law Firm, Khatla.*

...Appellant

Vs

*1. Dr. Zonunsiamia,
SPIO & Joint Director,
Health & Family Welfare Department.*

...Respondents

*2. Dr. Lalthlengliani,
FAA & Principal Director,
Health & Family Welfare Department.*

RTI application filed on	:	17.02.2026
SPIO replied on	:	24.02.2026
First Appeal filed on	:	24.02.2026
FAA issued order/replied on	:	24.03.2026
Second Appeal received on	:	06.05.2026

Date & Time of hearing	:	04.06.2026 at 12:00 Noon.
Date of decision	:	04.06.2026

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.

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

FACTS EMERGING DURING THE HEARING:

1. The applicant sought information on the following points: -

- i. Health Services Department hnuaia Recruitment Rules for Laboratory Technician duly certify copy min pe turin ka ngen a che.*
- ii. In Department hnuaia Final Inter-Se-Seniority lists of Laboratory Technician awm zawng zawng duly certify copy min pe turin ka ngen a che.*

iii. *In Department hnuaia Final Inter-Se-Seniority lists of Laboratory Technician list in siam dan zawng zawng min chhang turin ka ngen che a, supporting documents a awm theih chuan duly certify copy min pe tel turin ka ngen a che.*

2. Although the SPIO furnished information to the appellant, she preferred First Appeal stating that she was not provided information for point No. 2 as per her RTI application. The FAA then furnished her the Final Inter-se-Seniority list of Laboratory Technician under Health & Family Welfare Department that is similar to the information provided by the SPIO.
3. The appellant preferred Second Appeal on grounds that the FAA, without even conducting a hearing, gave her the exact same reply as the SPIO; just as the SPIO failed to answer her questions, the FAA has also not answered her questions. Summons were issued to the appellant and respondents to appear before the Commission and as scheduled, hearing was held where all the concerned parties appeared in person. The appellant Pi Jacinta Zothanmawii was accompanied by her colleagues, Pu Vanlaltanpuia and Pu Lalthafamkima.
4. In the hearing, the appellant informed the Commission that she is aggrieved as she was not provided information as per her queries in her RTI application and requested the Commission's help in getting the required information.
5. The SPIO informed that the RTI application was transferred to him from Directorate of Health Services and that they had provided whatever information that was available in their office. However, as they have now collected the required information from the Directorate of Health Services, they can provide all the information sought by the appellant.

OBSERVATIONS: -

1. The Right to Information (RTI) Act, 2005 empowers citizens to secure access to information under the control of public authorities, effectively shifting the administrative culture from institutional secrecy to open governance. By mandates of the Act, Public Information Officers (PIOs) are legally obligated to provide requested information within a period of 30 days. Ultimately, the RTI Act serves as a vital tool for participatory democracy, transforming citizens from passive onlookers into active stakeholders.

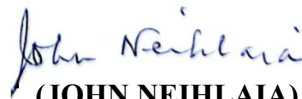
2. As per Section 7(9) of the RTI Act, *“An information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question”*. The RTI Act, 2005, under Section 2(j)(ii), explicitly guarantees citizens the right to obtain certified copies of official records. For public documents, the legal standard for a certified copy is governed by Section 76 of the Indian Evidence Act. It explicitly states that the officer must write at the foot of the copy that it is a true copy of such document or part thereof. In this case, the official certifying the documents failed to indicate that it is a true copy of the document/record supplied under RTI Act in line with O.M. No. 10/1/2013-IR dt. 06.10.2015 issued by DoPT, Government of India wherein the format for giving information to the applicants under RTI Act is clearly mentioned. Dr. Zonunsiana, SPIO & Joint Director should note this in future.
3. The Commission observes with profound dissatisfaction that the First Appellate Authority (FAA) completely failed to exercise its quasi-judicial mandate by reproducing and endorsing the deficient response already furnished by the SPIO. The FAA is duty-bound under the Act to apply an independent mind to the specific grounds of appeal, which explicitly contested the lack of certification on the supplied documents. By simply re-furnishing the same uncertified photocopies and failing to conduct a proper hearing, the FAA denied the appellant a vital statutory forum for grievance redressal. Had the FAA convened a hearing and actively intervened to direct the SPIO to certify the records, the matter could have been settled decisively at the first appellate stage. This administrative lapse on the first appeal not only frustrated the spirit of the RTI Act but also unnecessarily escalated a preventable appeal to the Commission.
4. Under the RTI Act, the First Appellate Authority (FAA) is required to function as a quasi-judicial arbiter rather than an administrative extension of the SPIO. Adhering to the principles of natural justice demands a shift from passive written replies to mandatory formal hearings, ensuring appellants are genuinely heard. Bypassing this process risks turning the appellate stage into a mere bureaucratic formality that shields departmental lapses. Conducting a hearing establishes a transparent forum to test the legality of a denial and hold the SPIO to a higher standard of justification. Ultimately, a reasoned "speaking order" resulting from a hearing establishes the FAA as a proactive guardian of transparency, resolving disputes at the source. Accordingly, Dr. Lalhlengliani, FAA & Principal Director

is directed to strictly adhere to the relevant provisions of the RTI Act and Rules for all future First Appeals.

DECISION: -

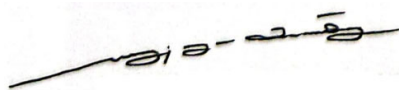
In view of the above, **the Commission hereby directs that Dr. Zonunsiam, SPIO & Joint Director, Health & Family Welfare Department, as per his commitment in the hearing, shall provide the information, free of cost, to the appellant not later than 05.06.2026 (Friday) and submit compliance report to the 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. 353/2026-MIC

Dated Aizawl, the 4th June, 2026

Copy to: -

1. Jacinta Zothanmawii, Anlen Law Firm, Near Assam Rifle Gate, Mineco Road, Khatla Aizawl, Ph: 8974391037.
2. Dr. Zonunsiam, SPIO & Joint Director, Health & Family Welfare Department, Ph: 9436151903.
3. Dr. Lalthlengliani, FAA & Principal Director, Health & Family Welfare Department, Ph: 9436142265.



(LIEY)

Secretary

Mizoram Information Commission

Mizoram: Aizawl