

Second Appeal No. S.A. 381/2026-MIC

Prityrup Chakma,
Parva IV.

...Appellant

Vs

R. Lalthlamuana,
former SPIO & Director (Academic),
Mizoram Board of School Education.

...Respondent

Date & Time of hearing : 28.07.2026 at 12:00 Noon.

Date of decision : 28.07.2026

Relevant facts emerging from the Second Appeal

RTI application filed on : 30.05.2026

SPIO replied on : 03.06.2026

First Appeal filed on : 04.06.2026

FAA issued order/replied on : NIL

Second Appeal received on : 07.07.2026

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 respondent took an oath before commencement of the hearing.

1. The appellant filed an online RTI application as follows: -

“Please provide the answer sheets/scripts (theory paper) for the subjects Mathematics and Chemistry in respect of the below mentioned student who appeared his HSSLC examination 2026.

Name: RIBYENG CHAKMA

Roll No: 2603002389

Reg. No: 24112094238

Exam Centre: Govt. Kamalanagar Higher Secondary School.”

2. The SPIO response to the RTI application was, **“As per the MBSE Examination Bye-Laws, HSSLC answer papers can be acquired within seven (7) days after the declaration of results. As for HSSLC Examination 2026, the last date to apply for answer scripts copy was 06th May, 2026.”**.
3. The appellant submits that no information was furnished by the SPIO. Aggrieved, he preferred a First Appeal and as no action was taken by the FAA, the appellant has preferred Second Appeal to MIC. Summons were issued to the appellant and respondent to appear before the Commission and as scheduled, hearing was held.
4. The appellant did not provide a valid mobile phone number for communication but instead had furnished only an email address, to which the notice of hearing along with the link for attending the hearing through video conferencing was duly sent. No acknowledgement or response was received from the appellant in respect of either communication. Despite due service of the notice through the email address provided, it appears that the appellant had opted not to be present in the hearing as per Rule 7(5)(b) of the Mizoram RTI Rules, 2010. The SPIO, however, was present in person.
5. The Commission recorded that Pu R. Lalthlamuana, presently serving as the Controller of Examinations recently, appeared in the hearing in connection with this case, as the matter pertains to the period when he was functioning as the SPIO.
6. During the course of the hearing, the Commission observed that it should first be ascertained whether the RTI application was made by the father himself in respect of his own son. If the applicant is indeed the father seeking access to his son's information, the Commission is of the view that such a request need not ordinarily be treated as one involving a third party under Section 11 of the Right to Information Act, 2005. Consequently, the information sought may be considered for disclosure, subject to there being no other applicable exemption under the Act.
7. The Commission noted that Paragraph 42 of the MBSE Examination (Amendment) Bye-Laws, 2026 provides that *"the answer book shall be maintained for a period of three months after publication of results and shall thereafter be disposed of in the manner as decided by the authority from time to time."* As the HSSLC Examination, 2026 results were declared on 29.04.2026, the prescribed period of three months has nearly expired. However, having regard to the appellant's contention that he is the father of the examinee, the Commission observed that the evaluated answer script should not be destroyed until the said claim is duly verified and the matter is appropriately disposed of.
8. The Commission further observed that the MBSE Examination Bye-Laws are not readily available on the official website of the Board. In fact, even the Commission had to obtain a copy by approaching the office of the Board in person. The Commission, therefore, reminds the respondent authority that under Section

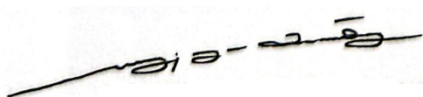
4(1)(b) of the Right to Information Act, 2005, every public authority is under a statutory obligation to proactively disclose information through *suo motu* publication. Accordingly, the Board is advised to upload the MBSE Examination Bye-Laws on its official website without delay. The Board is further advised to ensure that all other information required to be proactively disclosed under Section 4(1)(b), including information relating to its organisation, functions, procedures, and other particulars necessary for public guidance, is also made available on its website. **The respondent authority shall submit a compliance report to the Mizoram Information Commission on or before 14.08.2026**, confirming the action taken in this regard.

9. The Commission further finds that the First Appellate Authority failed to discharge its statutory obligation by not deciding the First Appeal within the period prescribed under Section 19(6) of the Act. Such inaction defeats the appellate mechanism established under the RTI Act and cannot be allowed.

Therefore, the Commission decided that, upon clarification and resolution of all the issues discussed hereinabove, its final decision in the matter shall be pronounced accordingly.



(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

Copy to: -

1. J.H. Zoremthanga, Chairman, Mizoram Board of School Education for necessary action.
2. Sarah Lalengzami Pachuau, FAA & Secretary, Mizoram Board of School Education.
3. R. Lalthlamuana, former SPIO & Director (Academic), Mizoram Board of School Education, Ph: 9774149119.
4. Prityrup Chakma, Parva IV, Email: cheng_miz@yahoo.com.



(LILY)

Secretary

Mizoram Information Commission
Mizoram: Aizawl