

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

Dated Aizawl, the 4th August, 2026

ORDER

1. The present Second Appeal pertains to the request made by Prityrup Chakma for furnishing information relating to the evaluated answer script and examination records of Ribyeng Chakma under the Right to Information Act, 2005.
2. During the hearing conducted on 28.07.2026, the Commission had observed that it was first necessary to ascertain whether the RTI application had been submitted by the father himself in respect of his own son. The Commission further observed that, if the applicant was indeed the father seeking access to information concerning his son, such a request would not ordinarily attract the third-party procedure contemplated under Section 11 of the Right to Information Act, 2005, and that the information sought could be considered for disclosure, subject to there being no other exemption applicable under the Act.
3. Pursuant to the said observation, the Commission has examined the materials placed on record. It has now been established that **Prityrup Chakma is the biological father of Ribyeng Chakma**. The Commission further notes from the copies of the family's ration card, birth certificate and passport produced before it that Ribyeng Chakma's date of birth is **28.04.2010**, thereby establishing that he was a **minor** at the relevant point of time.
4. The Commission is of the considered view that, in the case of a minor child, the father or lawful guardian acts as the natural custodian and representative of the child. Consequently, a request made by the father seeking information relating to his minor son cannot ordinarily be regarded as a request involving a "third party" so as to require recourse to the procedure prescribed under Section 11 of the Right to Information Act, 2005. The Commission also finds that no other exemption under the Act has been shown to be applicable so as to justify denial of the information sought.

5. Further, the Commission finds that the denial of information solely on the ground that the time prescribed under the MBSE Examination Bye-Laws for obtaining copies of answer scripts has expired is not sustainable in law. As per Section 22 of the RTI Act, 2005, the provisions have an overriding effect over any inconsistent provision contained in any other law, rule, regulation, or institutional bye-law. Therefore, the seven-day limitation prescribed under the MBSE Examination Bye-Laws cannot curtail or extinguish a citizen's statutory right to seek information under the RTI Act. Unless the information sought is exempt from disclosure under any provision of the RTI Act, the request cannot be rejected merely on the basis of the Board's internal bye-laws.

DECISION: -

In view of the above, **Lalrinmawia Ralte, SPIO & Deputy Secretary, Mizoram Board of School Education shall provide the information, free of cost, to the appellant not later than 14.08.2026 (Friday)** and submit compliance report to the Commission along with copies of information given to the appellant.

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

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.



(LIEY)

Secretary

Mizoram Information Commission
Mizoram: Aizawl