

Second Appeal No. S.A. 370/2026-MIC

*Jacinta Zothanmawii,
Anlen Law Firm.*

...Appellant

Vs

*Jennifer Vanlalhruaii Pachuau,
SPIO & Asst. Commissioner (Revenue),
Land Revenue & Settlement Department, Lunglei.*

...Respondent

Date & Time of hearing : 04.08.2026 at 12:00 Noon.

Date of decision : 04.08.2026

Relevant facts emerging from the Second Appeal

RTI application filed on	: 05.02.2026
SPIO replied on	: 24.03.2026
First Appeal filed on	: 17.03.2026
FAA issued order/replied on	: 15.05.2026
Second Appeal received on	: 09.06.2026

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 respondent took an oath before commencement of the hearing.

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

- 1. Duly certified copies of registered Sale Deed documents between March 2018 to 2021 in the area of Lunglei Town, Sethlun and Hauruang.***
- 2. Duly certified copies of registered Sale Deed documents between March 2018 to March 2021 in the area of Tlabung.***

2. The SPIO replied stating that the information sought pertains to personal information, the disclosure of which has no relationship to any public activity or public interest. Moreover, as it constitutes third-party information, it is hereby informed that the requested documents cannot be disclosed.

3. The appellant preferred First Appeal and hearing was conducted. The FAA decided that if the information is to be provided in the manner and scope as applied for by the appellant, it would disproportionately divert the resources of the public authority, and thus, he allowed the disclosure of only the certified copy of registered Sale Deed pertaining to LSC No. 860 of 1989.
4. Aggrieved and not satisfied with the decision of the FAA, Second Appeal has been preferred. Summons were issued to the appellant and respondents to appear before the Commission and as scheduled, hearing was held. The appellant was present in person while the SPIO attended the hearing via video conferencing.
5. The appellant stated that the SPIO refused to furnish the requested information by invoking Section 7(9) of the RTI Act, 2005. It was contended that Section 7(9) does not provide any ground for denial or rejection of information, but merely relates to the form in which information is to be supplied. The appellant therefore argued that the SPIO had incorrectly relied upon Section 7(9) to refuse the requested information.
6. The SPIO mentioned about the shortage of staff in their office and stated that as the appellant had sought certified copies of all the requested documents, the compilation and certification would require considerable time and effort.

OBSERVATIONS: -

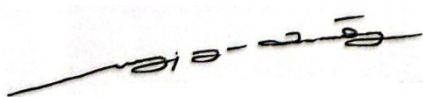
1. The Commission observes that the RTI application was submitted by the appellant on 05.02.2026. However, the SPIO failed to furnish any response within the period prescribed under Section 7(1) of the RTI Act, 2005. It was only after the appellant preferred a First Appeal on 17.03.2026 that the SPIO furnished a reply on 24.03.2026. Such belated action clearly indicates that the SPIO failed to discharge the statutory obligation of responding to the RTI application within thirty days as mandated under Section 7(1) of the Act. The Commission observes that an appellant should not have to file a First Appeal before the SPIO responds to an RTI application. SPIOs are expected to comply with the timelines prescribed under the Act in letter and spirit so as to uphold the objective of ensuring timely access to information. The conduct of the SPIO in the present case amounts to a contravention of Section 7(1) of the RTI Act, 2005.
2. The Commission observes that the SPIO denied the requested information on the grounds that it relates to personal information having no relationship to any public activity or interest and that it constitutes third-party information. However, having taken the stand that the information pertains to a third party, the SPIO ought to have examined the applicability of Section 11 of the RTI Act, 2005. Where disclosure of information relating to or supplied by a third party is under consideration, the procedure prescribed under Section 11 requires the SPIO to issue notice to the concerned third party and invite its representation before arriving at a decision. In the present case, there is nothing on record to indicate that such procedure was followed. The Commission is therefore of the view that the SPIO did not adequately examine the matter in accordance with the provisions of the RTI Act.

3. At the same time, the Commission notes that the appellant has sought certified copies of every registered Sale Deed executed over a period of nearly three years covering several localities. Compliance with such a broad request would require the public authority to locate, scrutinize and copy a substantial number of records. While Section 7(9) of the Act cannot be invoked as a ground for denying information altogether, the Commission accepts that supplying the records in the exact manner sought would place a disproportionate burden upon the resources of the public authority.
4. The appellant is directed to produce before the Commission, **not later than 31.08.2026**, the Vakalatnama establishing that she is the authorized person in respect of the information sought, namely the Registered Sale Deed documents in the areas of Lunglei Town, Sethlun, Hauruang and Tlabung. Upon receipt of the said document, the Commission shall proceed with further consideration of the case.

This is an interim order. The matter shall be taken up for further consideration upon compliance with the directions contained herein.



(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. 370/2026-MIC

Dated Aizawl, the 5th August, 2026

Copy to: -

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2. Jennifer Vanlalthruaii Pachuau, SPIO & Asst. Commissioner (Revenue), Land Revenue & Settlement Department, Lunglei District.



(LIEY)

Secretary

Mizoram Information Commission

Mizoram: Aizawl