

Second Appeal No. S.A. 408/2026-MIC

K. Lalngaizuala,

...Appellant

E. Lungdar, Zion Veng.

Vs

Samuel Ramdinhara,

...Respondent

SPIO & Superintending Engineer (P),

PWD, Engineer-in-Chief.

Date & Time of hearing : 23.09.2026 at 02:00 Noon.

Date of decision : 24.09.2026

Relevant facts emerging from the Second Appeal

RTI application filed on	: 01.06.2026
SPIO replied on	: 01.07.2026
First Appeal filed on	: 04.07.2026
FAA issued order/replied on	: 13.08.2026
Second Appeal received on	: 07.08.2026

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 respondent took an oath before commencement of the hearing.

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

- 1. Artahkawn to Zawlsei Road siam tumna a awm em?. Siam tumna a awm chuan a siamna tur eng atanga ruahman nge a nih a, a sum ruahman zat min hrilh tu-rin.*
- 2. Artahkawn to Zawlsei Road siamna tur atana sum lo ruahman tawh PWD Min-ister in kan lo hmang puk tih Assembly Session a a sawi kha engtik ah nge rulh leh a nih ang?*

2. The SPIO furnished a reply for each point of the application as follows: -

(1) Zawlsei-Mualcheng-Keitum Road hi Zawlsei-Artahkawn-Keitum Road tih hming puin 69.94km a thui,estimated amount Rs.416.53Cr niin, Planning & Program Implementation Department-ah Detailed Project Report (DPR) thawn a ni. PMDevine atanga ruahman tum a ni.

(2) Artahkawn to Zawlsei road siamna tur atana sum lo ruahman tawh PWD Minister in kan lo hmang puk tih Assembly Session a a sawi I tih hi PWD chuan kan record-ah kan hmu lo.

3. Not satisfied with the SPIO's reply, the appellant preferred First Appeal stating, ***“Keitum to Zawlsei road siamna tur sum kan lo hmang puk tih hi PWD Minister hian ka hriatsual loh chuan kum 2024 Assembly Session ah a sawi ngei niin hriat a ni a. Assembly Session record min ensaka min lo chhang nawn leh turin ka appeal leh e.”*** Here, the FAA did not take action and Second Appeal was preferred.

4. After submission of Second Appeal by the appellant, the FAA gave a reply scheduling a date of hearing for 28.08.2026. The FAA informed the appellant to bring written submissions regarding his grievance and that failure to appear would result in the presumption that the appellant has no further submission in connection with his appeal. However, the appellant informed the FAA that he could not attend the hearing due to some personal problems.

5. In connection with the Second Appeal received, the Commission fixed a date and time of hearing and as scheduled, hearing was held. Both the appellant and respondent attended the hearing in person.

6. With regard to Point No. 2 of the RTI application, the appellant submitted that, instead of merely informing him that the information sought was not available in the records of the public authority, the SPIO ought to have transferred the relevant part of the RTI application to the concerned department under Section 6(3) of the Act.

7. The SPIO stated that all reasonable efforts had been made to locate the information sought. He stated that the records of the Assembly proceedings relating to the Budget Session had been searched, but the information sought could not be found therein.

OBSERVATIONS: -

1. The Commission observes that the information sought under the instant point does not constitute information that is available and existing in the records of the public authority within the meaning of Section 2(f) of the RTI Act, 2005. The query is in the nature of a speculative or hypothetical question, requiring the SPIO to undertake an exercise of interpretation, inference or deduction from the available records. The RTI Act extends only to information which exists in material form and is held by or under the control of a public authority. As also clarified by the Department of Personnel and Training (DoPT) in OM No. 1/8/2007-IR, a public authority or SPIO is not required to interpret information, draw inferences or conclusions, conduct research, or provide clarifications, legal opinions or advice in response to queries which require assumptions or the creation of information that is not already available on record. Accordingly, the SPIO cannot be required under the RTI Act to compile or analyse separate materials in order to arrive at an answer to a speculative or hypothetical query. The Commission, therefore, finds that the information sought under this point does not fall within the scope of information contemplated under Section 2(f) of the RTI Act. However, the SPIO should note that information, the subject matter of which is more closely connected with the functions of another public authority should be transferred to the concerned SPIO as per Section 6(3) of the RTI Act.
2. The Commission observes that the Pu David Sapzova, FAA & Engineer-in-Chief, PWD, E-in-C ought to have acted more promptly upon receipt of the First Appeal. Although he subsequently scheduled a date and time for hearing the appeal, such action was taken only after the appellant had already preferred the Second Appeal before the Commission. The FAA is expected to discharge the responsibilities entrusted to it under the RTI Act, 2005 within the prescribed statutory framework and within a reasonable period, so as to provide an effective first appellate remedy to the applicant. The Commission, therefore, informs the FAA to ensure that First Appeals are taken up and disposed of expeditiously in accordance with the provisions of the Act.

DECISION: -

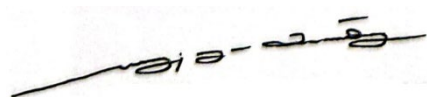
In view of the above, and upon due consideration of the matter, the Commission is of the view that the information sought does not constitute information available and existing in the records of the public authority within the meaning of Section 2(f) of the Right to Information Act, 2005. The query is speculative and hypothetical in nature and would require the SPIO to undertake interpretation, inference or analysis beyond the information already available on record.

Accordingly, **the Commission finds that no further action is warranted on the matter.** The appeal is disposed of accordingly.

Although there is no provision for appeal in the RTI Act, 2005 on the decision of the Commission, concerned parties are hereby informed that a constitutional remedy of judicial review by way of Writ Petition under Article 226 of the Constitution before the High Court having jurisdiction is available, in case they are not satisfied with this decision.



(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. 408/2026-MIC

Dated Aizawl, the 24th September, 2026

Copy to: -

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2. Samuel Ramdinthara, SPIO & Superintending Engineer (P), PWD, E-in-C,
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3. David Sapzova, FAA & Engineer-in-Chief, PWD, E-in-C, Ph: 9436142209.



(LIEY)

Secretary

Mizoram Information Commission

Mizoram: Aizawl