

MIZORAM INFORMATION COMMISSION

(Under the Right to Information Act, 2005)

MINECO, KHATLA, AIZAWL - 796001

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Second Appeal No. S.A. 416/2026-MIC

*Vanlaluata,
Khatla, Aizawl.*

...Appellant

Vs

*Denny Lalchhuanawma,
SPIO & Under Secretary,
Tourism Department.*

...Respondent

Date & Time of hearing : 25.09.2026 at 12:00 Noon.

Date of decision : 25.09.2026

Relevant facts emerging from the Second Appeal

RTI application filed on	: 30.05.2026
SPIO replied on	: NIL
First Appeal filed on	: 16.07.2026
FAA issued order/replied on	: NIL
Second Appeal received on	: 13.08.2026

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 RTI application seeking information on regarding submission of utilization certificate for utilization of Rs. 48.79 crores for construction of PM Ekta Mall at Aizawl as follows: -

- (1) *The names and addresses of parties/persons to whom payments were made.*
- (2) *The amounts paid to each party/person and dates of each payment.*
- (3) *Cheque numbers and dates, amounts of each cheque and names of each payee/beneficiary.*

- (4) *If any payment is made other than by cheques, the modes of each such payments along with amounts and dates, and names and addresses of such payees.*
- (5) *If any portion of Rs. 48.79 crores remain undisbursed to the contractor as on 2nd June, 2025 please give the Bank account numbers, amounts in each such accounts and the names of holders of each such Bank accounts in which the undisbursed amounts are kept.*
- (6) *The bank account numbers and names and addresses of the Bank branches in which the balance amount of Rs. 14.71 crores from out of the first instalment of Rs. 63.50 crores are kept.*
2. The present Second Appeal has been preferred by the appellant against the inaction of both the SPIO and FAA. As scheduled, hearing was held where the respondent SPIO and the appellant accompanied by Pu R. Vanlalvena and Pu Samuel Lalchhandama were present in person.
3. The appellant submitted that neither the SPIO nor the FAA had taken any action on the RTI application and the First Appeal. He stated that such inaction indicated that due importance had not been accorded to matters arising under the RTI Act, 2005. The appellant further submitted that RTI applications and appeals should be given due importance and attended to promptly and in accordance with the provisions of the Act in future.
4. The SPIO apologized to the Commission for the lapse on their part and informed that the RTI Online portal continued to reflect the account of the former SPIO, while the account of the former FAA also continued to remain reflected in the system. The SPIO further stated that his account has been updated, whereas the process of updating the FAA's account is presently underway. He also informed the Commission that they can provide the required information.

OBSERVATIONS: -

1. The Commission cautions the SPIO for having failed to take appropriate action on the RTI application within the time on the RTI Online portal and in the manner prescribed under the Right to Information Act, 2005. The SPIO is reminded that, upon receipt of an RTI application, it is incumbent upon the SPIO to deal with the application in accordance with the provisions of the Act, including the requirement under Section 7(1) to dispose of the request within the prescribed period and to communicate the decision to the applicant. The

failure to take any action on the application amounts to a lapse in the discharge of the statutory responsibilities entrusted to the SPIO. The SPIO is, therefore, directed to exercise due diligence in future and to ensure strict compliance with the provisions of the RTI Act so that such lapses do not recur.

2. The Commission observes that the lapse in updating the RTI Online profiles of the concerned officers cannot be overlooked. The RTI Online system is intended to facilitate the effective and timely processing of RTI applications and First Appeals, and it is therefore incumbent upon the concerned Public Authority to ensure that the profiles and particulars of the designated SPIO and First Appellate Authority are kept duly updated.

The explanation that the accounts of the former SPIO and FAA continued to remain reflected in the system indicates that the necessary administrative steps for updating the RTI Online profiles were not taken in a timely manner. Such failure may cause confusion regarding the officer responsible for dealing with an RTI application or First Appeal and may, as in the present case, contribute to a matter remaining unattended.

The Commission therefore cautions the Tourism Department (Secretariat) to ensure that the details of the SPIO and FAA in the RTI Online portal are promptly updated whenever there is a change in the incumbent officer. The Department shall also ensure that such administrative or technical lapses do not impede the timely discharge of the statutory functions under the Right to Information Act, 2005.

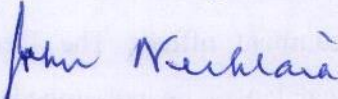
3. The Commission observes that the First Appellate Authority (FAA) failed to take appropriate action on the First Appeal, including conducting a hearing and disposing of the appeal in accordance with the provisions of the Right to Information Act, 2005. The FAA, being the authority designated to examine the grievance of an applicant at the first appellate stage, is expected to consider the appeal objectively and provide the appellant a reasonable opportunity to present his case, where necessary, before passing an appropriate order. Failure to conduct a hearing and dispose of the appeal in a timely manner defeats the purpose of the first appellate mechanism contemplated under the Act. The FAA, Tourism Department (Secretariat) is, therefore, informed to accord due importance to RTI matters and to ensure strict compliance with the statutory requirements and prescribed timelines in future.

DECISION: -

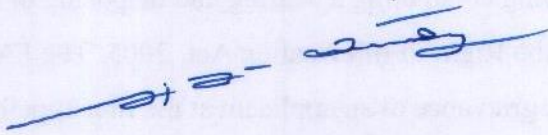
In view of the above, **the Commission hereby directs Pu Denny Lalchhuanawma, SPIO & Under Secretary, Tourism Department to furnish the information sought, free of cost, to the appellant not later than 05.10.2026 (Monday).**

The SPIO shall also submit compliance report along with copies of all the information provided to MIC.

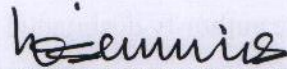
The appeal is disposed of accordingly. Although there is no provision for appeal in the RTI Act, 2005 on the decision of the Commission, concerned parties are hereby informed that a constitutional remedy of judicial review by way of Writ Petition under Article 226 of the Constitution before the High 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

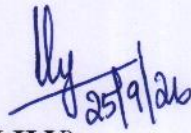


Memo No. S.A. 416/2026-MIC

Dated Aizawl, the 25th September, 2026

Copy to: -

1. Vanlalzuata, B-9(A) Khatla, Aizawl, Mizoram, Ph: 08974116790.
2. Denny Lalchhuanawma, SPIO & Under Secretary, Tourism Department,
Ph: 9862359169.
3. Dr. Lalrozama, FAA & Commissioner/Secretary, Tourism Department,
Ph: 9436141549.


(LILY)

Secretary

Mizoram Information Commission

✓ Mizoram: Aizawl