

(15)

No.S.A. 70/2018 – MIC  
MIZORAM INFORMATION COMMISSION  
MIZORAM : AIZAWL

Baplu Chakma  
Guwahati

:

*Appellant*

A.Zainuntluanga  
SPIO/Assistant Education Officer(P/S)  
Lai Autonomous District Council  
Lawngtlai, Mizoram

:

*Respondent*

**ORDER**  
(28.05.2019)

The Mizoram Information Commission (MIC) received **Second Appeal dt.08.11.2018** from **Baplu Chakma, Guwahati** against the **State Public Information Officer (SPIO) & Assistant Education Officer (P/S), Lai Autonomous District Council, Lawngtlai, Mizoram**. The Appellant, Baplu Chakma alias Ajay Chakma sought information under the RTI Act, 2005 on the following points:-

- 1) Details of Shanti Joy Chakma who got permanent Government Employment at Education Department as Primary School Teacher during the tenure of 1988 to 1992 in LADC under Sakeilui Constituency.
  - 2) Date and termination letter
  - 3) Date of Appointment letter
  - 4) Designation and pay scale of starting.
2. On 02.08.2018, Baplu Chakma preferred his **First Appeal** to the Appellate Authority, Lai Autonomous District Council, Lawngtlai stating that he has not received any reply from the SPIO, LADC and has requested the **Departmental Appellate Authority (DAA)** to help him in getting the required information. On 10.08.2018, Pu A.Zainuntluanga, SPIO & Assistant Education Officer (P/S), Lawngtlai sent him a reply stating that **"No details were found as there are no Service Book maintained for the Lai Autonomous District Council employees during the year 1988-1992."**
3. Since the RTI Application was submitted in the name of Ajay Chakma and First & Second Appeal in the name of Baplu Chakma, Baplu Chakma was informed to submit the details of his RTI Application and First Appeal respectively to MIC vide Memo No.S.A.70/2018 dt.16.01.2019.
4. Baplu Chakma vide letter no. NIL dt.30.01.2019 informed this Commission that he had filed the RTI application using his family name i.e. Ajay Chakma and that First and Second Appeal were filed in his documented name viz. Baplu Chakma which are in all his records now. On 14.02.2019, he was instructed to submit a copy of his EPIC and Aadhaar Card as proof of his identity. Baplu Chakma then submitted a copy of his EPIC ID with his address as Lawngtlai and Aadhaar Card with his address as Telengana.
5. **Hearing** was conducted by the Chief Information Commissioner (CIC) and the 2(two) Information Commissioners (ICs), Mizoram Information Commission in the office chamber of the CIC on **23<sup>rd</sup> May 2019 (Thursday) at 11:00 A.M.** The SPIO, LADC Pu A.Zainuntluanga was present in person. However, Baplu Chakma sent a letter dt.13.05.2019 wherein he has informed this Commission about his inability to attend the hearing and has enclosed letter numbers believed to be the appointment letter and termination letter of Shanti Joy Chakma. Copies of the letter sent by Baplu Chakma along with its enclosure was handed over to the respondent for further necessary action.


The Respondent, Pu A.Zainuntluanga informed the Commission that he had replied to the RTI application dt.19.06.2018 within the specified period of thirty (30) days. However, as the applicant had informed him that he did not receive the reply, another reply dt.10.08.2018 was furnished to him (which Baplu Chakma enclosed in his Second Appeal to MIC). On being asked if he has brought a copy of his first reply sent to Baplu Chakma, the Respondent informed that he has not brought along with him any documents as he was of the opinion that he was supposed to bring only the documents (which is unavailable in their office) relating to information sought for in the RTI Application dt.19.06.2018. He also reiterated that even after a thorough search for the documents required by the Appellant, the same could not be located/traced out in their office.

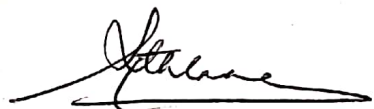
7. After hearing the position of the Respondent, the Commission has observed that the office of Lai Autonomous District Council (LADC) has not maintained a proper record of some of its employees and that as per the provisions of the RTI Act, 2005, the authorities in LADC are required to maintain proper record of all the departments in future.


8. Therefore, the Commission hereby orders that:-

- 1) The Office of Lai Autonomous District Council shall collect all the information relating to the appointment, etc of Shanti Joy Chakma and furnish whatever information is available to the Appellant, Baplu Chakma.
- 2) Pu A.Zainuntluanga, Respondent shall find out the Primary School in Sakeilui Constituency where Shanti Joy Chakma was believed to have worked during 1988-1992 and collect any information available with local village chiefs and schools.
- 3) During his tour to Sakeilui Constituency, the Respondent shall meet Shanti Joy Chakma and obtain his permission with regard to disclosing the details of his appointment, etc to Baplu Chakma, the Appellant as the information sought for relates to third party information.
- 4) The entire process shall be completed within two (2) months from the date of issue of this order.

Another round of hearing will be fixed for final order when the above process is completed.

  
 (ZORAMMAWIA)  
 Information Commissioner  
 Mizoram Information Commission

  
 (LALDUHTHLANA RALTE)  
 Chief Information Commissioner  
 Mizoram Information Commission

  
 (DR.C.LAL ZIRLIANA)  
 Information Commissioner  
 Mizoram Information Commission

