

MIZORAM INFORMATION COMMISSION
NEW SECRETARIAT COMPLEX; KHATLA
MIZORAM : AIZAWL

SECOND APPEAL NO. 16/2010-MSIC U/S 19(3) OF R.T.I ACT,2005

Pu K.Laldinliana s/o K.Lalrinzuala
C/O Roliana, Mission Vengthlang, Aizawl

..... Appellant.

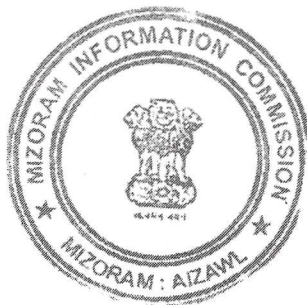
Vrs

Vigilance Department, Govt. of Mizoram, Mizoram Aizawl Respondent.

DECISION

(07.01.2011)

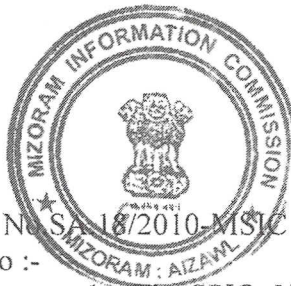
Pu K.Laldinliana s/o K.Lalrinzuala C/O Roliana Mission Vengthlang Aizawl submitted his request to the SPIO, Vigilance Department for information under RTI Act, 2005 seeking copy of the Inquiry Report submitted by Shri S.L.Sailo, Inquiry Commissioner, Builum Enquiry Commission on 09.06.2010. The then SPIO had informed the Appellant that the information sought for is under consideration and cannot be given in accordance with Section.8(1) of the RTI Act, 2005. First Appeal was preferred to DAA, Vigilance Department by the Appellant on 24.06.2010 but it was rejected again under Section 8(1)(h) of the RTI, Act,2005. He is not satisfied and stated that the reason for rejection given by the DAA is rather vague and failed to specify as to how the information sought by him would impede the process of investigation or apprehension or prosecution of offenders since the Report was already concluded and submitted to the Government. The Appellant submitted his Second Appeal to the Mizoram Information Commission on 14.10.2010. The Commission admitted his application under section 19(3) of the RTI Act, 2005.



The concerned SPIO was summoned to appear before the Commission with original copy of relevant documents and connected Files. He appeared in person on 22.12.2010 and explained as to how further investigation is being done by the Vigilance Department in the case of Builum Inquiry Report. He is asked to give his explanation in writing indicating detail of those actions being taken by the Department. Written explanation was received by the Commission from the SPIO on 29.12.2010.

On detailed study and examined the Report of the Inquiry Commission and follow up action being taken by the Vigilance Department on the recommendation of the Report, the Commission come to a conclusion that disclosure of the Report at this stage will not be a public interest and will certainly hamper departmental inquiry being taken by the Vigilance Department against the erring officials.

The appeal is not granted at this time.



Memo No SA 18/2010-MISC
Copy to :-

: Dated Aizawl, the 7th January, 2011

(K.TLANTHANGA)
INFORMATION COMMISSIONER,
Mizoram Information Commission,

1. The SPIO, Vigilance Department for information and necessary action.
2. Pu K.Laldinliana C/O Roliana Mission Vengthlang Aizawl for favour of information. He is informed that there is no provision for further appeal under RTI Act.

(K.ZADAWLA)
Under Secretary,
Mizoram Information Commission,
Mizoram Aizawl.