(52)

No.S.A.64/2018-MIC
MIZORAM INFORMATION COMMISSION
NEW SECRETARIAT COMPLEX, KHATLA
MIZORAM, AIZAWL

Appellant:	Pu. C. Lalhmahruaia, Venghnuai, Aizawl
Respondent:	Pu Sanghmuna Pachuau District Transport Officer / Deemed SPIO Aizawl District (Urban) & In-Charge, IT Cell Aizawl, Mizoram
Date of Hearing:	23.08.2018
Second Appeal heard by:	Pu Lalduhthlana Ralte, State Chief Information Commissioner, and Pu Zorammawia, State Information Commissioner, Mizoram

ORDER
(23.08.2018)

Respondent is present in person whereas Appellant is absent.

2. Original RTI request had been made on 2.8.2017 by the Appellant to the SPIO, Directorate of Transport (Motor Vehicle Wing), Mizoram for information on:

i. the number of Aizawl Local Taxis registered since 15 January 2014 till date, and
ii. replacement registration number of such taxis, if replaced.

3. In his Second Appeal dated 17.01.2018 Appellant stated that he had received incomplete reply from the SPIO, DoT (MV Wing) for which he had submitted his First Appeal on 13.11.2017. However, since he did not receive any reply within the stipulated time under the RTI Act, he was preferring his Second Appeal to the Commission. Since there were some anomalies in his appeal, the Commission requested the Appellant to specify the areas where he felt there were deficiencies and inconsistencies in the reply he had received. Having received the Appellant's response, the Commission vide its letter of even number dated 27.02.2018 instructed SPIO, Department to supply complete information to the Applicant. Appellant reported back to the Commission on 29.05.2018 that till date he had received no additional information. However, from attachments included by the Applicant, it was discovered that his original application had

been forwarded to the District Transport Officer, Aizawl District (Urban) on 6 March 2018. In view of this, the Commission had decided to treat the District Transport Officer, Aizawl District (Urban) as deemed SPIO under Section 5(4) & (5) of the RTI Act 2005 and, therefore, summoned him for the hearing on 23.08.2018 so that he could have an opportunity to clear himself on why a fine should not be imposed upon him as per the RTI Act 2005 for delayed response.

4. Pu Sanghnuna Pachuau, District Transport Officer, Aizawl District (Urban), Deemed SPIO stated during hearing that forwarding letter dated 6 March 2018 received by him from Directorate of Transport (MV Wing) only mentioned request for information regarding Replacement taxis which he had provided. He also stated that he was ready with all the information requested for by the Applicant which had, in fact, been compiled in a book form since Taxis were registered in Aizawl.

5. On examination of documents, it was found that indeed, complete information had been provided to the Applicant in respect of Replacement taxis. It was also found that Deemed SPIO, District Transport Officer, Aizawl District (Urban), had not been negligent in providing information but that the transferring SPIO had not given full details of the application. Since the information requested by the Applicant is readily available, it was decided that the information be provided to him without cost since there has been considerable delay in providing it to him.

6. District Transport Officer, Aizawl District (Urban), Deemed SPIO in this matter is directed to provide the information applied for, free of cost, within 30 days of receipt of this order, if not already done.

Appeal of Pu Lalhmahruaia is disposed of accordingly.

27/8/18

(ZORAMMAWIA)
State Information Commissioner

(LALDUHTHLANA RALTE)
Chief Information Commissioner
27. 8. 2018

MIZORAM INFORMATION COMMISSION ★ MIZORAM ★