MIZORAM STATE INFORMATION COMMISSION
NEW SECRETARIAT COMPLEX KHATLA
MIZORAM : AIZAWL

SECOND APPEAL NO.C.58/2010-MSIC U/S 19(3) OF THE RTI ACT, 2005

1. Pu H.Laitanpuia, Advocate
   Chanmari West, Aizawl Mizoram
   .....                      Appellant No.1.

2. Pu A.Lairengpuia s/o Huanzauva
   Vrs
   Mizoram Public Service Commission
   Mizoram : Aizawl
   .....                      Respondent.

HEARING

The Mizoram State Information Commission has received Second Appeal under Section 19(3) of the RTI Act, 2005 from the Appellant No.1 and the Appellant No.2. They complained that the Respondent was requested on 14.10.2010 to supply:

(i) Certified copy of answer sheet of 7 (seven) selected candidates and 2 (two) panel list of Mizoram Finance & Accounts Service (Junior Grade Limited Department Examination, 2010) conducted by the Mizoram Public Service Commission;

(ii) Answer Sheets of Pu A.Lairengpuia, ATA Aizawl North Treasury (Roll No.73) of the said Examination (Appellant No.2);

(iii) A certified copy of File relating to tabulation of marks; and

(iv) Inspection of answer scripts of Appellant No.2 and answer scripts of the selected Candidates alongwith the Panel lists.

The Respondent rejected their request for supply of such information. First Appeal was submitted to the Departmental Appellate Authority, MPSC but still aggrieved with the reply of the Departmental Appellate Authority. Second Appeal was preferred to the Mizoram State Information Commission seeking to obtain the required information.

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The Appeal was Heard on 22.02.2011. The SPIO, Shri Vanrambeiseia, Deputy Secretary, MPSC appeared in person but the Appellants did not attende. The concerned SPIO had produced and submitted connected documents and answer papers of all successful Candidates and answer scripts of the Respondent No.2. The Commission take deep concern and wanted to study and to examine the case in details. The First Hearing was posted for the Second Hearing to be held on 11.04.2011. The SPIO, MPSC and the Appellants were informed in writing to appear before the Commission and to take part in the Second Hearing.

The Second Hearing was held in the office chamber of the Information Commissioner, MSIC on 11.04.2011 (Monday) at 11.00 A.M. The SPIO, Pu Vanrambeiseia Dy.Secretary, MPSC attended hearing on time. But the Appellants did not attend the hearing nor intimate the reason for not attending the hearing. However, the Ex-Parte hearing was conducted. The Respondent was given a chance to submit any other documents in his possession or to tell the Commission in connection with the present case but he stated that he had already submitted the connected documents and have nothing more to submit or to tell the Commission in connection with the present case.

The Mizoram State Information Commission had carefully studied and examined the documents submitted by the Respondent, like answer sheets of the successful candidates, answer scripts of the Appellant No.2 etc. The Commission opined that the Mizoram Public Service Commission had maintained fair and correct evaluation with proper checks and balances and not exhibited unfair advantage in this case.
However, the Commission has agreed to allow inspection of the requisite answer sheets of the Appellant No.2; answer sheets of seven selected candidates and answer sheets of two panel list of Mizoram Finance & Accounts Service (Junior Grade Limited Departmental Examination, 2010) in the presence of the Departmental Appellate Authority, MPSC and Appellant No.1. Consequently, the SPIO/Dy.Secretary, MPSC is directed to facilitate the inspection of the requisite answer sheets by the Appellant No.2 and to fix date and time for inspection under intimation to the State Information Commission.

(K.TLANTHANGA)
Information Commissioner,
Mizoram State Information Commission
Memo No.03-10-10-MSIC
Copy to:-
Dated Aizawl, the 9th May, 2011.
1. The Departmental Appellate Authority/Jt.Secretary, MPSC for necessary action.
2. The SPIO, Mizoram Public Service Commission for necessary action.

(K.ZADAWLA)
Under Secretary & SPIO
Mizoram State Information Commission.
Mizoram : Aizawl.