The Mizoram Information Commission (MIC) received Second Appeal dtd.10.08.2016 from Mr. K. Lalhunmawia, Paniel Veng, Hnahthial, Mizoram against the State Public Information Officer (SPIO), Directorate of Land Revenue & Settlement Department, Mizoram. The Appellant has sought information under RTI Act, 2005 in 18 points to the SPIO, Directorate of Land Revenue & Settlement Department concerning the matter for delay in issuance of Land Settlement Certificate (LSC) and re-demarcation of house site at Hnahthial village. As he did not receive any reply from the SPIO within the time frame under the RTI Act, 2005, the Appellant preferred his First Appeal to the Departmental Appellate Authority (DAA), Directorate of Land Revenue & Settlement Department, Mizoram. Being aggrieved and not satisfied with the reply of the Departmental Appellate Authority (DAA), he preferred his Second Appeal to the Mizoram Information Commission with a request to help him in getting his requested information.
2. Hearing was conducted by the Chief Information Commissioner in his Office Chamber on Tuesday, 31 January 2017 at 11.00 A.M. Both parties were present at the Hearing.

3. The Appellant stated that he had submitted an RTI Application to the SPIO, Directorate of LR & S Department but he did not receive any reply and after a lapse of 47 days and he filed his First Appeal to the DAA, Directorate of LR & S Department. In reply, Appellant stated that he received a letter from the DAA, Dte. of LR & S Department, which was only a copy of a letter which had been addressed to the Settlement Officer, Lunglei. He added that this could not be admitted as a reply to his application. He, therefore, still insisted to be provided the desired information on the 18 points that had been indicated in his RTI application.

4. The SPIO, Directorate of Land Revenue & Settlement Department stated that he had joined as SPIO subsequent to the application being in First Appeal. It seemed to him that since the information asked for is not under their custody the Directorate could not give the same within the time frame under the RTI Act, 2005. They had instructed the Settlement Officer, Lunglei with whom the pertinent information would be available to take necessary action.

5. The Commission after considering the matter and getting clarifications from the Appellant and the Respondent, came to the conclusion that the Appellant was not aware that the SPIO of the Department of Land Revenue and Settlement, Lunglei has jurisdiction over his query and, at the same time the SPIO, Directorate of L R & S, Aizawl, has not transferred the RTI Application in the correct manner. It is true that there is some confusion as the Settlement Officer based in Lunglei and designated as SPIO is
placed under the main Revenue Department. Revenue Directorate does not indicate having a separate SPIO / SAPIO in Lunglei. It was ascertained from the Petitioner that he would be satisfied if he was given the information he requested in good time.

6. In view of above, the Commission has come to the conclusion that since the transfer of the RTI Application had not been made in a proper manner, SPIO of Revenue Directorate, Aizawl will collate the data and provide the same to the Petitioner. Since the information has to be collected from another office, SPIO, Revenue Directorate is given an additional 5 days to the normal 30 days for providing the information to the Petitioner under copy to the Commission. The days being counted from the date of issue of this order.

The appeal is disposed of accordingly.

(LALDUHTHLANA RALTE )
Chief Information Commissioner
Mizoram Information Commission