

MIZORAM INFORMATION COMMISSION  
NEW SECRETARIAT COMPLEX; KHATLA  
MIZORAM : AIZAWL

**SECOND APPEAL NO. 18/2010-MSIC U/S 19(3) OF R.T.I ACT,2005**

Pu Vanlalruata, President PRISM Mizoram Aizawl ..... Appellant.  
Office of PRISM,V-27/C, Venghlui Aizawl. M.No.9863373928.

Vrs

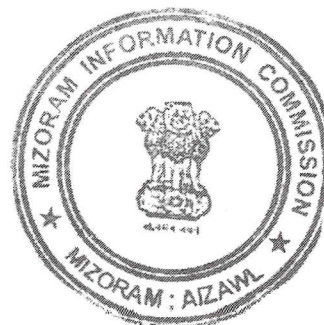
1. DAA, Vigilance Department, Govt.of Mizoram ..... Respondent No.1  
2. SPIO, Vigilance Department Govt. of Mizoram .....Respondent No. 2

**DECISION**

(07.01.2011)

The Mizoram Information Commission has received Second Appeal from Pu Vanlalruata, PRISM Mizoram Aizawl that his request for information under RTI Act,2005 seeking copy of Kau-Tlabung and Tuipanglui Mini Hydrel Project Inquiry Report has not been given to, even though the same was duly submitted to Respondent No.2 alongwith the requisite fee on 07.07.2010 but only Interim Reply was given to him on 26.07.2010. And First Appeal was preferred to Respondent No.1 on 11.08.2010 and again only Interim Reply was received by the Appellant on 27.08.2010. Reminder was served to Respondent No.1 on 09.11.2010 but in vain. His Second Appeal was submitted to the Mizoram Information Commission on 24.11.2010 with a request to provide copy of the required information on free of charge under Section.7(6) of the Right to Information Act, 2005 and also to punish the Respondent No.1 under Section.20(1) of the Right to Information Act, 2005.. The Commission admitted this application as Second Appeal under section 19(3) of the RTI Act, 2005.

The Respondent No.2 was ordered by the Mizoram Information Commission on 03.12.2010 to submit attested copy of the connected documents at the earliest possible and also to submit his explanation as to why the information required by the appellant was being delayed so long. Copy of this letter was also given to the Appellant for his information.

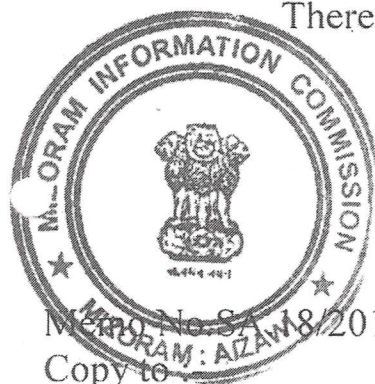


The Respondent No.2 appeared in person before the Commission on 22.12.2010 and make oral presentation. He also brought the connected documents, Files containing Inquiry Reports and follow up action taken by the Vigilance Department. The Commission retained the File for further examination at this time.

Written explanation was received from the Respondent No.2 by the Commission on 29.12.2010. File containing Report of Inquiry on Kau-Tlabung and Tuipanglui, File notings, all connected documents and correspondences were carefully study and examined with the provisions Section.8(1) of the Right to Information Act, 2005.

The Commission observed that Disiplinary proceedings against the so-called/erring 20(twenty) officials are going on and scrupulously enquired by the respective Inquiry Officers and Vigilance Department also vigorously and actively pursued. Disclosure of those documents to the public at this stage is not adviseable and will certainly hamper the on-going investigation process.

Therefore, the appeal is not granted.



(K.TLANTHANGA)  
INFORMATION COMMISSIONER,  
Mizoram Information Commission,  
Dated Aizawl, the 7<sup>th</sup> January, 2011

1. The SPIO, Vigilance Department for information and necessary action.
2. Pu Vanlalruata, President PRISM, Mizoram V-27/C, Venghlui Aizawl for information. He is informed that there is no provision for further appeal under RTI Act.

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