

No C. 46/2010-MSIC
MIZORAM INFORMATION COMMISSION
KHATLA : AIZAWL

H. Lianmawia,
C/o PCCF's Office,
Aizawl, Mizoram.

Complainant

Vrs

SPIO & Asst. Settlement Officer-I,
Lunglei District,
Lunglei, Mizoram.

Respondent

ORDER
(9.4.2010)

A complaint was submitted by H. Lianmawia, Office of the Principal Chief Conservator of Forests, Mizoram, against the SPIO of the Land Revenue and Settlement Branch of the Office of the Deputy Commissioner, Lunglei District, Mizoram, for not giving the information requested for under RTI Act, 2005. A complaint case was registered under No. C. 45/2010-MSIC.

The short fact of the case is that the complainant requested the SPIO of the Land Revenue & Settlement Branch of the Office of the Deputy Commissioner, Lunglei District, Lunglei, to give information on authenticated verification report of Keltan Safety Reserve Forest submitted by Malsawmtluanga, Surveyor. However, as the required information was not given by the SPIO, the complainant lodged a complaint with the Mizoram Information Commission to get the information.

The SPIO was noticed to appear before the Commission on 8.4.2010 with all related documents. The SPIO appeared and was heard. The SPIO also submitted relevant file to the Commission for perusal. In the course of hearing, the SPIO informed the Commission that the information application of the complainant-applicant was submitted to his office by proxy who stated that the information will be collected by him later. The SPIO also informed the Commission that the required information was immediately prepared and made ready for despatch, but the proxy never turned up for collection. The SPIO further stated that there was no denial or mala fide intention to give the required information to the applicant.

Perusal of the documents submitted by the SPIO indicates that the required information was made ready by the SPIO on 10.2.2010. However, as the information was not collected by the proxy despite the assurance given to collect the same, the required information never reached the applicant. It is seen, therefore, that there is no malafide intention or denial to provide information on the part of the SPIO and the reason for non-receipt of the required information by the complainant was due to non-collection by the proxy reportedly appointed by the complainant. The Commission, therefore, finds that no responsibility can be fixed on the SPIO for delay in giving the required information to the complainant.

In the light of the above, the SPIO is directed to provide the required information to the complainant within 7 days from receipt of this order under intimation to the Commission. The SPIO is further directed to provide the information requested in the manner in which it is sought in the application form so as to avoid communication gap in future.

Ordered accordingly.




(K. TLANTHANGA)
Information Commissioner