

*Order*

No. C. 24/08-MSIC  
**MIZORAM STATE INFORMATION COMMISSION**  
**KHATLA : AIZAWL**

Ngurthansanga Sailo  
Tuikhuahtlang, Aizawl

-

Complainant

Vrs

Joint Director & SPIO,  
Directorate of Health Services, Mizoram

-

Respondent

**ORDER**  
(27.8.2008)

This complaint is filed by Ngurthansanga Sailo, Tuikhuahtlang, Aizawl, against Dr. C. Lalthanmawia, SPIO and Joint Director of Health Services, Mizoram, for giving incomplete information on his request. A case was registered under No. C. 24/08-MSIC.

The short facts of the case are that the complainant requested the SPIO of the Health Services Department to give information on audit report of AYUSH wing of Health Services and utilization certificate for Rs. 352.5 lakhs under AYUSH. A reply to the request was made by the SPIO. However, dissatisfied with the sketchy information given by the SPIO, the complainant approached the Information Commission for fishing out the required information.

Hearing was fixed on 31.7.2008 and the SPIO was required to appear before the Commission. The SPIO appeared in person and submitted original files and documents to the Commission for perusal. The complainant was also required to appear before the Commission on 18.8.2008. The complainant appeared and was heard. Again, both the complainant and the SPIO were noticed to appear before the Commission for argument on 27.8.2008. The complainant was absent; the SPIO appeared and was heard.

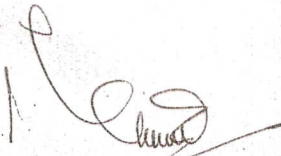
During hearing, the SPIO admitted that due to wrong interpretation of Section 8 of the RTI Act, the complete information was not given to the complainant. The SPIO further informed the Commission that at the time of application of information under Section 6 of the RTI Act, the audit report was incomplete since the full amount of



*extra*

the allotted fund was not yet utilized; only building component of Rs. 350 lakhs has been fully utilized for which utilization certificate of Rs. 350 lakhs has been made and the remaining components amounting to Rs. 2.5 lakhs comprising salary, drug testing laboratory, etc. are yet to be utilized for which utilization certificate cannot be made. The SPIO also indicated that the information on the above points can be given to the complainant.

There is nothing on the record to show that the required information comes under Section 8 or Section 9 of the RTI Act. The presentation of the SPIO also appears to show that there is nothing intentional in not giving complete information to the complainant. The SPIO is, therefore, directed to give certified copies of audit report of AYUSH wing of Directorate of Health Services and utilization certificate of Rs. 350 lakhs expended under AYUSH to the complainant within 7 days from receipt of this order under intimation to the Commission.



(K. TLANTHANGA)  
Information Commissioner



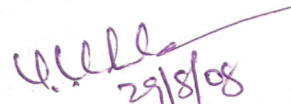
(ROBERT HRANGDAWLA)  
Chief Information Commissioner

Memo No. C. 24/08-MSIC

Dated Aizawl, the 29<sup>th</sup> August, 2008.

Copy to:- 1) The Joint Director & SPIO, Directorate of Health Services, Mizoram, for information and necessary action. 5 nos. of files and audit report submitted to the Commission are returned herewith.

✓ 2) Pu Ngurthansanga Sailo, Tuikhuahtlang, Aizawl, for information and necessary action.



(R. VANLALDUHA)  
Sr. PPS and Deputy Secretary,  
Mizoram State Information Commission.