

No. C. 22/08-MSIC
MIZORAM STATE INFORMATION COMMISSION
KHATLA : AIZAWL

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V.L. Nghaki, Tuikual South, Aizawl	...	Complainant
Vrs		
Deputy Director & SPIO, Directorate of Land Revenue & Settlement, Mizoram.	...	Respondent

ORDER
(5.12.2008)

A complaint has been submitted by V.L. Nghaki, Tuikual South, Aizawl, against the SPIO of the Directorate of Land Revenue & Settlement for not giving the information requested for. A complaint case was registered under No. C. 22/08-MSIC.

The short fact of the case is that the complainant-applicant requested the SPIO of the Directorate of Land Revenue & Settlement to give information on a number of queries submitted to him. However, as the SPIO has not given the required information, the complainant approached the Information Commission to get the required information.

The complainant stated that copy of the information requested for from the SPIO was enclosed with the complaint. However, the same was not enclosed with the complaint. Since it is not clear from the complaint itself what sort of information was required by the complainant, the complainant was required to submit copy of the information submitted to the SPIO. The complainant submitted copy of the required document. On perusal of the document, there is no indication that the required information was available with the Department, and the Department cannot be directed to give what is not available with it. The complainant also indicated her displeasure in a question form and her objection to writing her name as Vanlalnghaki instead of V.L. Nghaki.

The SPIO of the Directorate of Land Revenue & Settlement was noticed to appear before the Commission on 14.8.2008 with original file in the matter. The SPIO appeared in person and hearing was held. The SPIO also submitted relevant file to the Commission for examination. Subsequently, hearings were held on a number of occasions where representative of the complainant was also present. The SPIO also informed the Commission in writing that the information requested for was given to the applicant. The complainant, however, denied receipt of such information.

After discreet and careful study of the case, the Commission had the impression that the questionnaire put forth by the complainant to the SPIO contains more of the allegation of the Department on its bias attitude towards settling the dispute between the complainant and her neighbour rather than an appeal for extracting information from the Department. The Commission opines, therefore, that the nature of this case is a matter to be dealt with in the law court and not in the Information Commission.

The case is, therefore, closed accordingly.



(K. TLANTHANGA)
Information Commissioner



(ROBERT HRANGDAWLA)
Chief Information Commissioner

