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BEFORE THE MIZORAM STATE INFORMATION COMMISSION

Second Appeal No. S/A No. 4/07

Pu R.L. RUNGTHANG - Appellant

Vs.

Additional Deputy Commissioner
& the First Appellate Authority,
Lawngtlai. - Respondent

ORDER

(Passed this the 14th March, 2007)

This Second Appeal has been preferred by one Pu R.L. Rungthang, Lawngtlai Bazar, Mizoram against the failure of the First Appellate Authority namely; the Additional Deputy Commissioner, Lawngtlai, to pass orders in the first appeal within the prescribed period of limitation.

The First Appeal was preferred before the learned Additional Deputy Commissioner, Lawngtlai by the appellant on 17.1.2007. Under Sub-Section (6) of Section 19 of the Right to Information Act, 2005, the first appeal is to be disposed of within the 30 (thirty) days of the receipt of appeal or within such extended period not exceeding a total of 45 (forty five) days from the date of filing thereof, as the case may be, for reasons to be recorded in writing.

The appellant filed the First Appeal on 17.1.2007 from which date 30(thirty) days comes to 15.2.2007. The limitation prescribed under Sub-Section (6) of Section 19 can extend up to 45(forty five) days from the date of

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filing of the First Appeal which date would come to 2.3.2007. The learned First Appellate Authority, therefore, could have passed orders in the First Appeal up to 2.3.2007 and only after that the Appellant can exercise the right to file Second Appeal before this Commission. Since the Appellant has filed this Second Appeal on 26.2.2007, it is a premature appeal and can not be admitted for hearing.

The application stands rejected as premature and the papers are returned to the appellant for his record.


(K. TLANTHANGA)
Commissioner
State Information Commission
Mizoram: Aizawl


(ROBERT HRANGDAWLA)
Chief Information Commissioner
State Information Commission
Mizoram: Aizawl.

Copy to:

1. Pu R.L. Rungthang, Lawngtlai Bara Bazar, Mizoram for information.