

RTI APPEAL DETAILS		
RTI Appeal Registration No. :	PGCIL/A/2016/60014	RTI Appeal Received Date : 09/05/2016
RTI Request Registration No. :	PGCIL/R/2016/50052	RTI Request Registration Date : 16/03/2016
Name :	K B VASANTH	Gender : Male
Address :	13/4, Kottavadi Road Valapady Post & Taluk Salem District	
Pin Code :	636115	
State :	Tamilnadu	Country : India
Phone :	Details not provided	Mobile No : +91-9994693333
Email :	kbvasanthcivil@gmail.com	
Status :	Urban	Educational Status : Above Graduate
Citizenship :	Indian	Is Appellant below poverty line ? : No
CPIO of Public Authority Approached :	11922	CPIO's Order/Decision Date : Details not provided
CPIO's Order/Decision No. :	Details not provided	
Ground For Appeal :	Refused access to Information Requested	
Text of RTI First Appeal :	Please find the attached First Appeal.	

[Handwritten Signature]
10/5/16

*P. disc
Sh. Babu
10/5*

*Sh. Babu
10/5*

Request for Information under Right to Information Act – 2005

First Appeal

Date: 09.05.2016

From

K.B.Vasanth, B.E., M.S. (U.K),
13/4, Kottavadi Road,
Valapady Post and Taluk,
Salem District, Tamil Nadu – 636115.

To

Shri.B.Mishra,
Executive Director (CP & IT) & Appellate Authority,
Corporate Centre, Power Grid Corporation of India Limited,
“Saudamini”, Plot No.2, Sector-29, Gurgaon,
Haryana -122 007

Dear Sir,

Subject: Request for certain information under Right to Information (RTI) Act 2005 –
First Appeal- Regarding

In my RTI Application (PGCIL/R/2016/50052), I had requested the certified copy of the legal opinion given by Attorney General of India to Power Grid Corporation of India Limited.

But the concerned CPIO have refused to provide the requested information stating that, the legal opinion given by a lawyer to his client, is a confidential information on account of the fiduciary relationship between the lawyer and client and so the sought information is exempted from disclosure under Section 8(1) (e) of the RTI Act.

As the above reply given by the CPIO through Letter No.CP/RTI/2015/330, dated 18.04.2016 (Attached for your reference), is not satisfactory, I hereby appeal to you with the following grounds.

Grounds of the Appeal:

1. First of all, the legal opinion is supplied by the honorable Attorney General of India, in his official capacity as Chief legal adviser to the Government of India and not as a private lawyer. So, his opinion gets public importance and has to be published.
2. Even the client i.e. Power Grid Corporation of India Limited, is a Government of India Enterprise/ Central Public Sector Undertaking/ Central Transmission Utility, wherein the Government of India have major shareholding. Considering the role of the government of India which is for the welfare of all the peoples in India, I believe the Power Grid Corporation of India Limited, is also working for the public cause having larger public interest, more than the commercial/private interest. So, the Power Grid Corporation of India Limited, being a public authority, has to provide the requested information considering the larger public interest in disclosing such information.
3. Moreover, the subject matter for which the legal opinion is obtained is about a matter affecting the interest of the public at large. The Right of Way issue in the laying of Transmission line is going on throughout India, affecting lakhs & crores of farmers/land owners and the opinion given by the honorable Attorney General of India is almost similar to the earlier decisions of many High Court and Supreme Court cases. So, this legal opinion that recommends providing compensation for the land used for the laying of transmission line is no more a secret and is not at all confidential information that needs to be protected from disclosure.
4. Even if the legal opinion which I have requested is an information available with the client in a fiduciary relationship, Section 8(1) (e) of the RTI Act 2005 mandates to disclose even those information, if larger public interest warrants to disclose it.
5. Further, the Right to Information Act 2005, having its main objective to bring in transparency and accountability in the working of every public authority and in view of section 4(1-c,d) of RTI Act 2005, which says every public authority has to publish all relevant facts while formulating important policies or announcing the decisions which affect public and every public authority has to provide reasons for its administrative or quasi-judicial decisions affecting public, it is very much essential to provide the information requested in my RTI Application.

Prayer:

In view of the above facts and grounds of this case, I humbly pray to you, to provide the requested information at the earliest.



पावर ग्रिड कॉर्पोरेशन ऑफ इंडिया लिमिटेड
Power Grid Corporation of India Limited
गृहणा नं. अधिकाय अधिनियम 2005 के अन्तर्गत केन्द्रीय लोक सूचना अधिकारी
Central Public Information Officer under the RTI Act, 2005
केन्द्रीय कार्यालय, 'सादामिन', प्लॉट नं. 2, सेक्टर-29, गुर्गांव, हरियाणा-122007
Corporate Centre, 'Sadamini', Plot No. 2, Sector-29, Gurgaon, Haryana-122007



CP/RTI/2015/330

Date: 18th April, 2016

Sri K.B. Vasanth
13/4, Kottavadi Road
Post & Taluk - Valapady
District - Salem, Tamilnadu- 636115

Sub Information under Right to Information Act, 2005 (Application No. 330 dated 16.03.2016.)

Dear Mr. Vasanth,

This was reference to your online RTI request dated 16th March, 2016 seeking information under RTI Act, 2005

It may please be informed that legal opinion given by a lawyer to his client is confidential information on account of the fiduciary relationship between the lawyer and client. In view of the above, information sought is exempted from disclosure under Section 8 (1) (e) of the RTI Act.

First Appeal, if any, against the reply of CPIO may be made to the first appellate Authority within 30 days of the receipt of the reply of CPIO. Details of Appellate Authority at Corporate Centre, Gurgaon, under RTI Act, 2005 is as below

Sri B. Mishra
Executive Director (CP & IT) & Appellate Authority
Corporate Centre, Power Grid Corporation of India Limited
'Sadamini', Plot No. 2, Sector-29, Gurgaon - 122007, Haryana
Email ID: bmishra@powergrid.co.in
Phone No. 0124-2571900

Thanking you

भवदीय,

सतीश कुमार जे.

(सतीश कुमार जे.)

उप महाप्रबंधक (आ.के.) एवं कं.सू.अधिकारी

Phone No. 0124-2622746

Email ID: cpio_cc@powergrid.co.in