

<b>RTI APPEAL DETAILS</b>			
<b>RTI Appeal Registration No. :</b>	PGCIL/A/2019/60041	<b>RTI Appeal Received Date :</b>	30/05/2019
<b>RTI Request Registration No. :</b>	PGCIL/R/2019/50183	<b>RTI Request Registration Date :</b>	23/04/2019
<b>Name :</b>	Vasuvita Singh	<b>Gender :</b>	Female
<b>Address :</b>	Room 202, E-84South Extension-I		
<b>Pin Code :</b>	110049		
<b>State :</b>	Delhi	<b>Country :</b>	India
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<b>Email :</b>	vasuvita@gmail.com		
<b>Status :</b>	Urban	<b>Educational Status :</b>	Above Graduate
<b>Citizenship :</b>	Indian	<b>Is Appellant below poverty line ? :</b>	No
<b>CPIO of Public Authority Approached :</b>	Details not provided	<b>CPIO's Order/Decision Date :</b>	Details not provided
<b>CPIO's Order/Decision No. :</b>	Details not provided		
<b>Ground For Appeal :</b>	Refused access to Information Requested		
<b>Text of RTI First Appeal :</b>	<p>1. The information sought in para (2) was related to the engagement letter and rating contracts with the rating agencies awarded from 1 January 2010 to 15 April 2019. The CPIO, in response to this query, has replied that the information asked is exempted under section 8(1) (d) of the Right to Information Act, 2005, since the information sought is of commercial confidence and disclosure of which would harm the competitive position of the third party and also there is no larger public interest that warrants disclosure of such information. 2. Section 8(1)(d) states that there shall be no obligation to give any citizen information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information. 3. It is humbly submitted that the above information asked by me does not fall within the ambit of exemption under section 8(1)(d) as the engagement letter and rating contracts are unlikely to include any trade secrets or intellectual property or any information related to commercial confidence. The agreement probably contains information relating to obligations of both parties in the rating contract which does not affect the competitive advantage of the parties. In the matter of Dr. Prasad Ramchandra Rao Vs. CPIO Colaba Mumbai decided on 26.07.2018, the Honble Commission held that, alongwith commercial bids, annual contracts related to tenders awarded are also not covered under the exemption</p>		

of section 8(1)(d) and can be disclosed to the appellant. 4. Additionally, the engagement letter and rating contracts with the rating agencies awarded are likely to contain commercial terms between Powergrid (Company) and the rating agencies. Since the Company is a public sector undertaking, it is in public interest to know whether the terms of the commercial contracts are such that may cause financial loss to the exchequer, which directly affects public interest. If the payment terms are not appropriate, the interest of public will be harmed. 5. Hence, I humbly request you to direct the CPIO to provide the abovementioned information. In case there is any confidential information involved in the engagement letter or rating contracts, the information relating to commercial confidence, trade secrets or intellectual property may be redacted and the rest of the information should be provided as envisaged under section 10 of the Right to Information Act, 2005. 6. We have already received copy of memorandum of understanding from another PSU signed between the PSU and rating agency and the memorandum is not covered under the exemption of section 8(1). We have attached first page of the memorandum for your reference.