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PGC - RTI Application u/s 6(1) of the RTI Act,2005 for information

From: sam555sardana@rediffmail.com

To: cpio cc sanjeev@powergridindia.com rnagpal@powergridindia.com hkmallick@powergridindia.com

The CPIO

Power Grid Corporation
Corporate Centre,
Power Grid Corporation
of India Limited,
Saudamini, Plot No. 2,
Sector-29,
Gurgaon - 122001

Subject - PGC - RTI Application u/s 6(1) of the RTI Act,2005 for information

Dear Sir,

1.RTI Application for information

1.1.This is an RTI Application for **Information u/s 6(1) of the RTI Act**

2.Particulars of RTI Applicant

2.1.Particulars of the RTI Applicant, are as under :

- Name of RTI Applicant - Samir Sardana
- Address - D-113, Sector 4, Defense Colony, Dehradun, Uttarakhand -248001

3. Fees and other matters

Subject - PGC - RTI Application u/s 6(1) of the RTI Act,2005 for information

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1.1.This is an RTI Application for **Information u/s 6(1) of the RTI Act**

2.Particulars of RTI Applicant

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·Address - D-113, Sector 4, Defense Colony, Dehradun, Uttarakhand -248001

3. Fees and other matters

3.1. Fees of Rs 10/-, will be sent via an IPO by speed post

4. Information Sought

4.1. The information sought in this application is **listed below:**

Frauds

- **PIO to provide the number and aggregate value of frauds inflicted on PGC from FY 2011 to FY 2020, as under:**
 - **Year, Number, Aggregate Fraud Value**

- **PIO to provide the nature of frauds inflicted on PGC from FY 2011 to FY 2020, as under:**
 - **Year, Name of Person/Entity involved, Nature of Fraud (Accounting, Purchase, Tenders, Contracts, Projects etc.)**

Security Expenses (Rs 1000 crores in the last 6 years)

- **PIO to provide the details of the security expense from FY 2015 to FY 2019, as under:**
 - **Year, Nature of expense (CISF etc., contractors, surveillance, alarm systems, electronic security, cyber security, IT Security, Transmission Security, maintenance of security assets, cost of military deployments etc.)**
- **PIO to provide the details of the capital expenditure on security from FY 2015 to FY 2019, as under:**
 - **Year, Amount, Nature of asset, Name of Vendor**
- **PIO to provide the number of security breaches for PGC in the last 7 years from FY 2013 to FY 2019**
 - **Year, Number of breaches, Location of breach**
- **PIO to provide the number of security alerts for PGC in the last 7 years from FY 2013 to FY 2019**
 - **Year, Number of alerts, Location of alerts**

Insurance Costs

- **PIO to provide the details of the insurance expenses as stated in the Annual Reports from FY 2015 to FY 2019, as under:**
 - **Year, Nature of Insurance Policy, Co-terminus Insurance premium paid, Name of Insurance Company**

- **PIO to provide the details of the Insurance claims received by PGC in the last 5 years from FY 2015 to FY 2019, as under:**
 - **Year, Nature of Claim (Material Damage, Asset Loss, Fire, Business Interruption loss etc.), Amount of Claim received, Name of insurer who made the claim payment**

- **PIO to provide the details of the Losses out of Insurance claims (claims not recoverable) suffered by PGC in the last 5 years from FY 2015 to FY 2019, as under:**
 - **Year, Nature of Loss (Fire, Loss of Assets, Material Damage, Business Interruption loss etc.), Amount of Claim loss, Name of insurer**

- PIO to specify the assets and risks for which PGC has no insurance policy cover and the PGC is using the Self Insurance Reserve
- PIO to specify the losses, which PGC has recovered from the Self Insurance Reserve from FY 2012 to FY 2019, as under:
 - Year, Nature of Loss, Amount of loss recovered from the Self Insurance Reserve

Donations

- PIO to provide the details of the Donations made by PGC in the last 10 years from FY 2010 to FY 2019, as under:
 - Year, Nature of Recipient, Whether Approved by the Board, Alternative approval authority

Income

- PIO to provide the details of the Income from Consultancy Services from FY 2014 to FY 2019, as under:
 - Year, Name of Client, Nature of Consultancy Services
- PIO to provide the details of the Income from Telecom Services from FY 2014 to FY 2019, as under:
 - Year, Name of Client, Nature of Telecom Services
- PIO to provide the details of the Miscellaneous income from FY 2014 to FY 2019, as under:
 - Year, Name of Client, Nature of Miscellaneous Income

FX Expenditure

- PIO to provide details of the Expenditure in Foreign Currency, w.r.t the Others, from FY 2015 to FY 2019, as under:
 - Year, Nature of expense (in excess of Rs 1 crores)
 - Year, Name of Recipient of payment from PGC (in excess of Rs 1 crores)
- PIO to provide the details of the Capital Goods imports from FY 2014 to FY 2019
 - Year, Country of Imports, Value of Imports in INR and Fx denominated Currency
- PIO to provide the details of the Fx payment of interest made by PGC from FY 2014 to FY 2019, as under:
 - Year, Interest Paid in different currencies, Recipient Bankers of the interest payments

Fx Revenue

- W.r.t the consultancy charges received by PGC, in FX from FY 2014 to FY 2019, the PIO is to provide the following information :
 - Year, Amount, Name of entity which paid the fees to PGC, Nature of Consultancy and TOR of Consultancy

FX

- PIO to provide the Realised FX LOSSES/GAINS (excluding translation losses) booked in the accounts of PFC, for the last 5 years from FY 2015 to FY 2019
 - Year, Gross Realised Losses for Capital Goods Imports, Losses related to USD/EUR/JPY (each currency separately)
 - Year, Gross Realised Gains for Capital Goods Imports, Gains related to USD/EUR/JPY (each currency separately)
 - Year, Gross Realised Losses for FX interest Payments, Losses related to USD/EUR/JPY (each currency separately)
 - Year, Gross Realised Gains for FX interest Payments, Gains related to USD/EUR/JPY (each currency separately)
 - Year, Gross Realised Losses for FX Loan Payments, Losses related to USD/EUR/JPY (each currency separately)
 - Year, Gross Realised Gains for FX Loan Payments, Gains related to USD/EUR/JPY (each currency separately)
 - Aggregate value of forward covers purchased for underlying transactions in FY 2019
 - Identifying the value of the underlying transactions of Capital Goods Imports, Loan and Interest Payments
 - Aggregate value of forward covers sold for underlying or trade transactions in FY 2019
 - Aggregate value of FX options purchased (as standalone or composite - cap/collar options etc.) in FY 2019
 - Aggregate value of FX options sold (as standalone or composite - cap/collar options etc.) in FY 2019

Contingent Liability

- W.r.t the contingent liabilities due to non-govt parties, as at March 31, 2019, PIO to provide the following details (in excess of Rs 20 crores per entity)
 - Name of Entity, Amount of Contingent liability and Nature of Contingent liability

Accounts

- W.r.t the consultancy charges from FY 2014 to FY 2019, the PIO is to provide the following information :
 - Year, Amount, Name of entity to whom paid, Nature of Consultancy and TOR of Consultancy
- W.r.t the professional charges paid from FY 2014 to FY 2019, the PIO is to provide the following information :
 - Year, Amount, Name of entity to whom paid, Nature of Professional service and TOR of Professional services
- W.r.t the Miscellaneous expenses paid from FY 2014 to FY 2019, the PIO is to provide the following information :
 - Year, Amount, Name of entity to whom paid, Nature of Miscellaneous expenses
- W.r.t the "Provisions allowable on payment basis", from FY 2014 to FY 2019, the PIO is to provide the following information :
 - Year, Amount, Nature of the Provisions allowable on payment basis

Audits

- PIO to confirm if CAG has ever done a performance audit of PGC in the last 7 years
 - If Yes, the year of the audit and the year to which it related
- PIO to confirm if CAG has ever done a performance or propriety or efficiency audit of the Capital Work in Progress of PGC in the last 10 years
 - If Yes, the year of the audit and the year to which it related

- PIO to confirm if PGC has ever done or directed a performance audit of the CSR activities of PGC, in the last 7 years
 - If Yes, the year of the audit and the year to which it related, name of agency which did the audit and scope of work of the audit
- PIO to confirm if PGC has ever done or directed a Security audit of the PGC, in the last 10 years
 - If Yes, the year of the audit and the year to which it related, name of agency which did the audit and scope of work of the audit
- PIO to confirm if the Ministry of Power or the MHA or any other agency has ever done or directed a Security audit of the PGC, in the last 10 years
 - If Yes, the year of the audit and the year to which it related, name of agency which did the audit and scope of work of the audit

CSR

- PIO to confirm that it has the Annual Report and Annual Accounts of the ENTITIES (excluding state owned entities) through whom the CSR activities of PGC are carried out (for the last 5 years)
- PIO to confirm that it has the Statutory and Internal Audit Reports of the ENTITIES (excluding state owned entities) through whom the CSR activities of PGC are carried out (for the last 5 years)
- PIO to confirm that it has the Performance and Management Audit Reports of the ENTITIES (excluding state owned entities) through whom the CSR activities of PGC are carried out (for the last 5 years)

Litigations

- PIO to provide the list of ongoing litigations of PGC, as of March 31, 2019, against or involving Private Sector entities, as under
 - Case No., Name of Court, Name of entities, Year of Initiation
- PIO to provide the list of concluded litigations of PGC, in the 3 years upto March 31, 2019, against or involving Private Sector, as under
 - Case No., Name of Court, Name of entities, Year of Initiation, Year of Conclusion
- PIO to provide the aggregate legal costs incurred by PGC on litigations in the last 8 years from
FY 2012 to FY 2019, as under:
 - Year, Amount of aggregate legal costs, Amount of legal fees paid to private lawyers, Amount of legal fees paid to government lawyers
- PIO to provide the details of the arbitration awards won by PGC in the last 8 years from
FY 2012 to FY 2019, which were challenged by the counterparty, as under:
 - Year, Amount of arbitration awards won, Amount of such awards challenged in the same of later years
 - PIO to provide the list of arbitration awards won by PGC which were challenged by the counterparty in the last 5 years (in excess of Rs 100 crores each)
 - Year of Arbitration award, Name of Counterparty, Year of Challenge, Amount of original award (irrespective of the nature and extent of the challenge)

Provisions and Bad Debts

- W.r.t the Provisions made for Doubtful debts and advances from FY 2014 to FY 2019, the PIO is to provide the following information :
 - Year, Amount, Name of entity, Nature of Debt
- W.r.t the Bad Debts written off from FY 2014 to FY 2019, the PIO is to provide the following information :

- Year, Amount, Name of entity, Nature of Debt

Advances

- PIO to provide the details of the "ADVANCES SECURED BY BANK GUARANTEES" given by PGC, o/s as at March 31, 2019, as under:
 - Name of recipient (only those in the private sector), Amount, Year of Advance, Purpose of Advance, Rate of interest on the advance (for all advances in excess of Rs 5 crores)
 - Aggregate value of recipients in the Government sector
 - Total Number of Recipients of the abovesaid advances
 - PIO to provide the names of entities, in which there has been NO REDUCTION in o/s amount of advance, SINCE THE DATE OF ADVANCE
- PIO to provide the details of the "ADVANCES not secured by Bank Guarantee" given by PGC, o/s as at March 31, 2019, as under
 - Name of recipient (only those in the private sector), Amount, Year of Advance, Purpose of Advance, Rate of interest on the advance (for all advances in excess of Rs 5 crores)
 - Aggregate value of recipients in the Government sector
 - Total Number of Recipients of the abovesaid advances
 - PIO to provide the names of entities, in which there has been NO REDUCTION in o/s amount of advance, SINCE THE DATE OF ADVANCE
- PIO to confirm that the abovesaid advances are interest free (As that would amount to a private entity using the Balance sheet of PGC to raise Zero cost funds for a project)
 - If Yes, the PIO to identify the interest free advances on Bank Guarantees as at March 31, 2019 as under:
 - Name of Vendor, Amount, Year of making the Advance
 - If Yes, the PIO to identify the interest free advances, w/o any security, as at March 31, 2019 as under:
 - Name of Vendor, Amount, Year of making the Advance

Confirmations

- W.r.t the confirmation of material / assets issued/lying with. to contractors, claims recoverable including insurance claims, advances for Capital expenditure, Sundry Debtors, Advances to Contractors, Sundry Creditors and Deposits/Earnest money from contractors of an amount less than Rs 5 lacs, the PIO to state when the last confirmation of the said balances was done by the PGC, as under:
 - Year of last confirmation, Number of such entities, Number of entities from whom confirmation sought, % of confirmation, % of no response, % of disputed confirmation
- W.r.t the confirmation of material / assets issued/lying with/ to contractors, claims recoverable including insurance claims, advances for Capital expenditure, Sundry Debtors, Advances to Contractors, Sundry Creditors and Deposits/Earnest money from contractors (each separately) of less than Rs 5 lacs each
 - From whom NO CONFIRMATION HAS BEEN OBTAINED IN THE LAST 7 YEARS
 - From whom DISPUTED CONFIRMATION HAS BEEN OBTAINED IN THE LAST 7 YEARS
- PIO to provide the value of the material / assets issued/lying with/ to contractors, claims recoverable including insurance claims, advances for Capital expenditure, Sundry Debtors, Advances to Contractors, Sundry Creditors and Deposits/Earnest money from contractors (each separately) of MORE than Rs 5 lacs each
 - From whom NO CONFIRMATION HAS BEEN OBTAINED IN THE LAST 7 YEARS
 - From whom DISPUTED CONFIRMATION HAS BEEN OBTAINED IN THE LAST 7 YEARS

- PIO to provide the value of the material / assets issued/lying with/ to contractors, claims recoverable including insurance claims, advances for Capital expenditure, Sundry Debtors, Advances to Contractors, Sundry Creditors and Deposits/Earnest money from contractors (each separately) of MORE than Rs 5 lacs each
 - FOR whom NO REQUEST FOR CONFIRMATION OF BALANCES HAS BEEN SENT IN THE LAST 5 YEARS
- PIO to provide the value of the material / assets issued/lying with/ to contractors, claims recoverable including insurance claims, advances for Capital expenditure, Sundry Debtors, Advances to Contractors, Sundry Creditors and Deposits/Earnest money from contractors (each separately) of LESS than Rs 5 lacs each
 - FOR whom NO REQUEST FOR CONFIRMATION OF BALANCES HAS BEEN SENT IN THE LAST 5 YEARS
- PIO to provide the value of material / assets issued/lying with/ to contractors, claims recoverable including insurance claims, advances for Capital expenditure, Sundry Debtors, Advances to Contractors, Sundry Creditors and Deposits/Earnest money from contractors for which NO BALANCES CONFIRMATION EXCERCISE WAS UNDERTAKEN IN FY 2019
- PIO to provide the value of material / assets issued/lying with/ to contractors, claims recoverable including insurance claims, advances for Capital expenditure, Sundry Debtors, Advances to Contractors, Sundry Creditors and Deposits/Earnest money from contractors for which NO BALANCES CONFIRMATION EXCERCISE WAS UNDERTAKEN IN FY 2018
- PIO to provide the value of material / assets issued/lying with/ to contractors, claims recoverable including insurance claims, advances for Capital expenditure, Sundry Debtors, Advances to Contractors, Sundry Creditors and Deposits/Earnest money from contractors for which NO BALANCES CONFIRMATION EXCERCISE WAS UNDERTAKEN IN FY 2017
- PIO to provide the value of material / assets issued/lying with/ to contractors, claims recoverable including insurance claims, advances for Capital expenditure, Sundry Debtors, Advances to Contractors, Sundry Creditors and Deposits/Earnest money from contractors for which NO BALANCES CONFIRMATION EXCERCISE WAS UNDERTAKEN IN FY 2016

Ageing

- PIO to provide the ageing of the Capital Work in Progress (excluding those written off),as of March 31,2020,as under:
 - More Than 5 years
 - More Than 4 years and upto 5 years
 - More Than 3 years and upto 4 years
 - More Than 2 years and upto 3 years
- Within each of the above ageing slabs of the CWIP, the PIO to provide the value of the CWIP on which there has been no Capital Works activity, for more than 1 year, more than 2 years, more than 3 years and more than 4 years
- PIO to provide ageing of the receivables of PGC, as of March 31,2020,as under:
 - More Than 5 years
 - More Than 4 years and upto 5 years
 - More Than 3 years and upto 4 years
 - More Than 2 years and upto 3 years
 - More Than 1 year and upto 2 years

- More than 1 year

- PIO to provide the names of all private sector entities included in the receivables of PGC as of March 31,2020,as under:
 - More Than 5 years (Name of entity and value)
 - More Than 4 years and upto 5 years (Name of entity and value)
 - More Than 3 years and upto 4 years (Name of entity and value)
 - More Than 2 years and upto 3 years (Name of entity and value)
 - More Than 1 year and upto 2 years (Name of entity and value)
 - More than 1 year (Name of entity and value)

- PIO to provide ageing of the stores and spares of PGC as of March 31,2020,as under:
 - More Than 5 years
 - More Than 4 years and upto 5 years
 - More Than 3 years and upto 4 years
 - More Than 2 years and upto 3 years

5. Section 10 of the RTI Act

5.1 In addition, as per Section 10 of the RTI Act, **which provides for "severability of the information" - the RTI information "could be provided", after "blanking out the portions" that relate to the "so called personal information".**

6. Burden of Proof - By Law and Case Laws

6.1. As per Section 19(5) of the RTI Act,2005, **the burden of proof lies in the PIO/CPIO/Public Authority**. According to Section 19(5) **"In any appeal proceedings, the onus to prove that a denial of a request was justified shall be on the Central Public Information Officer or State Public Information Officer, as the case may be, who denied the request."**

The same is also held in **"BS. Mathur Vs. Public Information Officer of Delhi High Court, W.P. (C) 295 and 608/2011 High Court of Delhi"**.

6.2. As per Section 20(1) of the RTI Act - Provided further that the **"burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer"** or the State Public Information Officer, as the case may be.

Yours Sincerely,

Samir Sardana
D-113, Sector 4,
Defense Colony,
Dehradun,
Uttarakhand -248001