

पावर ग्रिड कारपोरेशन ऑफ इंडिया लिमिटेड  
POWER GRID CORPORATION OF INDIA LIMITED

सूचना का अधिकार अधिनियम 2005 के अंतर्गत आपीलीय अधिकारी  
APPELLATE AUTHORITY UNDER THE RTI ACT, 2005

केन्द्रीय कार्यालय, 'सौदामिनी', प्लॉट नं.2, सैक्टर-29, गुड़गांव , हरियाणा- 122001  
CORPORATE CENTRE, 'SAUDAMINI', PLOT No.2, SECTOR-29, GURGAON, HARYANA- 122001

**Ref: C/CP/AA/RTI Act, 2005**

**Date: 09 Dec, 2023**

Appellant: Sh. Raavi Siva Rama Krishna, 16-272/28, plot no-405, A block, Venkataramavenue, Poranki(vill), Penemalluru (Mandal), Krishna Dist Andhra Pradesh-521137

Public Authority: POWERGRID

Respondent: CPIO, Corporate Centre, POWERGRID, Gurgaon

**ORDER**

**Grounds of Appeal**

The Appellate Authority has received an online RTI Appeal bearing number PGCIL/A/E/23/00061 dated 10/11/2023 from Sh. Raavi Siva Rama Krishna, (appellant). Earlier, the appellant herein had filed the RTI application bearing number PGCIL/R/E/23/00372, dated 30/09/2023. The instant appeal has been preferred on the ground that the CPIO has "Provided Incomplete, Misleading or False Information".

**Order:**

I have seen the above mentioned RTI application wherein the appellant herein had sought information related to (1) POWERGRID SOR (Schedule of Rates), (2) Tender Documents and (3) LOAs (Letter of Awards) for construction works pertaining to Transmission lines and Substation during the period from 2018-19 to 2023-24. I have also perused the reply dated 02/11/2023 sent by the CPIO and other relevant documents.

Against the information sought at S.No. (1), CPIO had informed that the Schedule of Rates prepared by POWERGRID is for internal purpose only and is of commercial confidence, trade secrets or intellectual property, the disclosure of which may impact the competitive position of POWERGRID. Accordingly, the requisite information is exempted as per Section 8(1)(d) of RTI Act, 2005.

Against the information sought at S.No. (2), CPIO had provided the link to access the sought information on POWERGRID's official website.

Against the information sought at S.No. (3), CPIO had provided the link to access the general information of contract awarded on POWERGRID's official website and informed that the information regarding LOAs with commercial schedules includes commercial confidentiality, trade secrets or intellectual property of third party. The disclosure of the same may harm the interest of the third party (on whom the LOA is placed) and hence, the same cannot be provided as per Section 8(1)(d) of RTI Act, 2005 without the consent of third party. CPIO also mentioned that in case the applicant requires any additional information (other than the information already provided at above link) related to any specific LOA, the details of the same may be provided, against which the information may be provided after a written consent of third party (on whom the LOA has been placed).

The appellant has preferred this appeal requested to direct CPIO to provide the information. It can be seen that against the information sought at S.No. (3), the opportunity has been provided by CPIO to seek additional information of any specific LOA, after a written consent of third party. The appellant, however, have not provided any such information in the instant appeal. Section 11 (1) of RTI Act 2005 clearly mentions that "submission of third party shall be kept in view while taking a decision about disclosure of information". The procedure envisaged under 11(1) comes into play when the information exists and the CPIO thinks the same is not within the exempted category (under section 8) and the third party treats it as confidential. Notwithstanding above, the exemption under section 8 may not be determined in absence of details of specific LOA.

As the act provides for in unequivocal terms that information related to commercial confidence, trade secrets or intellectual property is denied unless the larger public interest warrants the disclosure under section 8 (1) (d) of RTI Act,

With aforesaid observations, I also find merit in the submission of CPIO.

The appeal is accordingly disposed of.



**(B. Anantha Sarma)**

**ED (CP) & Appellate Authority**

**To:** Sh. Raavisivaramakrishna, 16-272/28, plot no-405, A block, Venkataramavenue, Poranki(vill), Penemalluru (Mandal), Krishna Dist Andra Pradesh-521137

**Email :** [srkraavi@gmail.com](mailto:srkraavi@gmail.com) , **Mob:** 8328476877

**Copy to:** CGM (CP) &CPIO, Corporate Centre, POWERGRID, Gurgaon.