

J. C. Kohli
President

**Indian Generators
Manufacturers' Association**

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Ref.No.: IGMA/221/2014-15

Date: 05.12.2014

1st Appellate Authority, SRTS-II,
Power Grid Corporation of India Limited,
Southern Region Transmission System – II HQ.,
Near RTO Driving Test Track,
Singanayakanahalli, Yelahanka Hobli,
Bangalore – 560 064.

Regd.A/D

Sub: 1st Appeal under RTI against CPIO order No.SR-II: RTI: F-279-2014/0-34245
dated 28.10.2014

Dear Sir,

Statement of Facts:

I made my RTI Application No.IGMA/162/2014-15 dated 23.09.2014 and asked for
the following information:

1. Name of the engine and alternator make and model offered by the participants against tender No.SRTS-II/C&M/WC-823/NIT-69/14 dated 20.05.2014.
2. Present status of finalization of tender.
3. Xerox copy of Internal Note Sheets (up to date) from the date of opening of the tender till the date of your sending the reply
4. Xerox copy of comparative statement.
5. If awarded, a copy of the same with execution status may be provided. If not, then present status may be informed including validity and applicability of new emission norms announced by MoEF and Climate Change as per GSR No.771(E) dated 11.12.2013 of which a copy is enclosed.

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CPIO

for n.a. 2/10

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NCTU

Ref.No.: IGMA/221/2014-15

Date: 05.12.2014

CPIO's Reply:

CPIO has replied vide his letter No.SR-II: RTI: F-279:2014/0-34245 dated 28.10.2014. But he has not provided me information against point Nos.1, 3 and 4 and replied against point Nos.2 and 5. This defeats very purpose of RTI Act, which is meant for providing information to Citizen of India. CPIO has denied furnishing the information under Section 8(1) (d) of RTI Act. I am not satisfied with his reply. Hence, I am making this appeal before you.

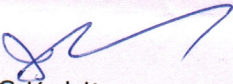
Grounds of Appeal:

My appeal is restricted to point Nos.1, 3 and 4 only. This is a case of a public tender of DG set, which has already attained its finality. Therefore, section 8(1)(d) is in applicable. Public authorities are supposed to work in a transparent manner.

RTI Act is a people's friendly law and hyper technicalities should be avoided. In this connection, CIC's decision No.CIC/LS/A/2013/000169/LS dt.24.07.2013, is relevant of which a copy is enclosed.

Prayer: It is humbly prayed before 1st Appellate Authority to direct CPIO to provide information against point Nos.1, 3 and 4.

Yours faithfully,


J.C.Kohli.

Encl: As above.

CENTRAL INFORMATION COMMISSION

Room No. 308, B-Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066

File No.CIC/LS/A/2013/000169/LS

Appellant Shri J.C. Kohli
Public Authority Aryabhata Research Institute of Observational
Sciences(ARIES).
Date of decision 24.07.2013

Facts :-

In the RTI application dated 8.12.2011, the appellant had sought the following information regarding Tender No.AO/1784/3-2(5)-11-12/250/KVA DG Sets :-


- “1. Xerox copy of internal Note Sheets (up to date) in connection with this tender
2. Xerox copy of comparative statement
3. Xerox copies of NSIC registration certificates if any furnished by various bidders
4. Information if the price bid has been opened and who is lowest
5. Information if ARIES has considered various benefits to SSI Units registered with NSIC as per Circular No. F No. 22(1)2003/EP&M dated 29.7.2003 issued by Ministry of Micro Small & Medium Enterprises
6. Present status of the tender
7. Information if order finalized, a copy of the order placed on the vendor.”

2. The CPIO had responded to it vide letter dated 20.4.2012 stating therein that information under RTI Act could be supplied only to a citizen of India. The appellant had filed the first appeal against the order of the CPIO. The Appellate Authority in letter dated 2.8.2012 had taken the hyper-technical view that the appeal had been filed beyond the prescribed period and had, therefore, dismissed it.

3. Suffice to say that the RTI Act is a people friendly law. Hyper-technicalities are required to be avoided as far as practicable. I have no doubt that the appellant is a citizen of India and is, therefore, entitled to seek information under section 3 of the RTI Act. Hence, the matter is being remanded to the CPIO to process the RTI application as per law and pass an appropriate order thereon in **04 weeks** time.

Sd/-
(M.L. Sharma)
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges, prescribed under the Act, to the CPIO of this Commission.


(K. K. Das)
Deputy Registrar

