

APPELLATE AUTHORITY UNDER THE RIGHT TO INFORMATION ACT, 2005
POWER GRID CORPORATION OF INDIA LIMITED
WESTERN REGION TRANSMISSION SYSTEM-I, NAGPUR

REF: WRTS-I: RTI: 340/589

Date- 15.10.2020

Appeal Letter:

1. Name of Appellant : Sh. Pankaj G. Kaushal
Director, Jinbhuvish Power Generation (MP) Pvt. Ltd.
Plot no 101, Amarswarup,
East High court road,
New Ramdaspath,
Nagpur-440010

2. Name of Public Authority : Power Grid Corporation of India Ltd.
Western Region Transmission System-I
Nagpur

Through Shri Pankaj Dalal
Sr. Dy. General Manager- (PMS) &
Public Information Officer,
POWERGRID, WR-I, Nagpur

Reasons for Appeal:

Received insufficient information Requested vide letter no. WRTS-I/PMS/340/561 dtd. 27/08/2020 by PIO, POWERGRID, Western Region-I, Nagpur, against the online Request of the Appellant PGCIL/R/E/20/00284, dated. 05/08/2020, the Appellant has filed the following:-

" The Appellant named above most humbly and respectfully to submits as under:-

1. *It is submitted that, the present Appellant had made an Application under RTI, Act 2005 dated 05/08/2020, to the PIO Seeking information regarding the details of Installation of High Voltage Transmission Line in village - Kolura, tehsil - ner, district - Yavatmal.*

The information sought under the said RTI Application was as follows:-

- a. *Please provide details when the high voltage transmission line was installed in our land bearing khasara no 153 & 155, village - kolura, tehsil - ner, district - Yavatmal.*
- b. *Please provide details whether any amount of compensation given by your good office/department for installation of transmission line in village - kolura, tehsil - ner, district - Yavatmal.*
- c. *Please provide detailed information about amount of compensation granted for installation of transmission line on our company land bearing khasara No 155 & 153, village - kolura, tehsil - ner, and district - Yavatmal.*
- d. *Please provide me the list of land owners to whom compensation is given & amount of compensation paid to each land owner of village - kolura, tehsil -ner, district - Yavatmal.*

P. Kaushal

2. That, the said online RTI Application dated 05/08/2020 was received by the PIO online on 05/08/2020. However, reply document dated 28/08/2020 was received in response to online application dated 05/08/2020. However, the Respondent has not replied point no (c) in proper in entirety, to the said application, evading the mandate prescribed by law on its part. Appellant has asked for specific information with regard to Survey No. 153 & 155 but PIO provided the information of Survey No. 153/4 only. Concern PIO was supposed to provide the entire information. This Appellant is aggrieved by the nonsupply of entire information by the PIO and hence is preferring the instant appeal.

II) Grounds for Appeal:

3. That, the information sought by the Appellant in the said RTI application dated 05/08/2020 is neither related to Third Party Information nor is exempted from disclosure of information. Still the entire information was not provided by the Public Information Officer for unknown reasons. The non-providing of entire information sought is an act of gross negligence and misconduct.
4. It is apparent that the concerned PIO either did not understand the provisions of the RTI Act or has committed gross negligence of his duties. Moreover it is legally incorrect and improper to have not supplied the information in the Application under RTI, Act.
5. The Appellant most respectfully submit that the Preamble to the RTI, Act 2005 states as under :
"It is an act to provide for setting out the practical regime of right to information for citizens to under control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto."
6. It is mandatory for the public offices to provide the information as is sought by the applicant as per the Right to Information Act within 30 days from the receipt of the RTI Application. The mandatory period of 30 days as prescribed by RTI Act for providing information has expired and still the information sought is not provided by the PIO to the Appellant. The Public Information Officer has erred in its duty and has omitted the provisions of law. Besides causing inconvenience to the Appellant the Public Information Officer has not followed the duty imposed on him by law.
7. Aggrieved by this the Appellant is preferring an appeal before this Hon'ble First Appellate Authority with the hope that, the First Appellate Authority will direct the Public Information Officer to supply the entire information as sought by the Appellant in its RTI Application dated 05/08/2020.

III) PRAYER:

Therefore this Hon'ble authority may kindly be please to order and direct the PIO, Nagpur Municipal Corporation, Nagpur to furnish the information sought by the appellant as per Law.

- i) To furnish the information sought by the appellant as per application dated 05/08/2020.
- ii) Grant any other relief as this Hon'ble authority deem fit in interest of justice.

After receipt of appeal dated 18.09.2020 PIO has been called and made aware of the queries in the appeal. PIO said that, as per the details given by Concerned Site Office the following information was given vide letter ref no. WRTS-I/PMS/340/503 dated 11.06.2020 by PIO :

Sr. No.	Information sought	Reply
a)	Please provide details when the high voltage transmission line was installed in our land bearing khasara no 153 & 155, village - kolura, tehsil - ner, district - Yavatmal.	765kV D/C Wardha - Aurangabad line -2 Commissioned on dated. 30.03.2015
b)	Please provide details whether any amount of compensation given by your good office/department for installation of transmission line in village - kolura, tehsil - ner, district - Yavatmal.	The compensation is paid to farmers of Kolura village.
c)	Please provide detailed information about amount of compensation granted for installation of transmission line on our company land bearing khasara No 155 & 153, village - kolura, tehsil - ner, and district - Yavatmal.	Khasra No. 153/4 Foundation - Rs. 63,993/- Erection - Rs. 41,875/- Stringing - Rs. 1,02,384/-
d)	Please provide me the list of land owners to whom compensation is given & amount of compensation paid to each land owner of village - kolura, tehsil - ner, district - Yavatmal.	Attached as Annexure-1

After receipt of Appeal the appeal was forwarded to Concerned Site Office. and the Information desired by the applicant is furnished as per the following :

Sr. No.	Information sought	Reply
c)	Please provide detailed information about amount of compensation granted for installation of transmission line on our company land bearing khasara No 155 village - kolura, tehsil - ner, and district - Yavatmal.	A) Loc. No. 17/2 [Khasra No. 153 (153/4)] Foundation - Rs. 63,993/- Erection - Rs. 41,875/- Stringing - Rs. 1,02,384/- Land Compensation - 10,068/- B) Loc. No. 17/3 [Khasra No. 155] Land Compensation - 8,645/-

J. Bandy

Decision:

I have examined and sited the documents connected in the matter and gone through the appeal of appellant. After having heard PIO, I am of the view that the PIO has furnished information based on the provision of RTI Act 2005.

As such the appeal is accordingly disposed off with above opinion.



(S.Ravindar Kumar)
EXECUTIVE DIRECTOR (WR-I) &
APPELLATE AUTHORITY

The second appeal, if any, against the reply of 1st Appellate Authority may be made to the 2nd appellate authority within 90 days of receipt of reply of 1st Appellate Authority.

Address of the 2nd Appellate Authority

Central Information Commission,
Room No. 326, C-Wing, 2nd Floor,
August Kranti Bhavan,
Bhikaji Kama Place,
New Delhi-110 066

Distribution:

1. Sh. Pankaj G. Kaushal
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