

CONFIDENTIAL

First Appeal under Section 19 of the Right to Information Act, 2005

To,
Sh. Surendiran A Executive Director (WR-II)
Western Region-II, Power Grid Corporation of India Limited,
Plot No. 54, Opposite Ambe Vidhyalaya, Sama-Savli Road Vadodara – 390008
Contact No 0265-2712631 E-mail: surendran@powergrid.in

A. CONTACT DETAILS:-

- 1) Full name of the appellant : NIRAJ SHARAD KULKARNI
- 2) Address: 302 B Nayantara Hills Mico Circle
Tidke Colony NASHIK 422002.

B. DETAILS ABOUT RTI REQUEST:-

- 1) Particulars of the PIO against whose order appeal is preferred SE/ R & C Cell & PIO
MSETCL
- 2) Particulars of the requirement:-
i. Nature and Subject matter of the Inspection of Documents Copy of purchase order awarded to M/s Scope for CRM vide LOA-81 dtd 11.09.2015
ii. Name of the Officer or Department to which information relates PGCIL WR- II
- 3) Date of submission of application 4-04-2022
Online
- 4) Details of the order appealed against WRII/RTI/2022/00126/83
- 5) Last date of filing the appeal 12-05-2022
- 6) Whether appeal in time Yes, in time
- 7) (a) Brief Facts of the Case
(b) Grounds of Appeal Separate Sheet Enclosed
(c) Prayer/Relief Sought

Place: - Nashik

Nirajkulkarni

Date:- 21-04-2022
(NIRAJ SHARAD KULKARNI)

BRIEF FACTS OF THE CASE

Ref:- Our RTI Application dtd. 4.04.2022 to PIO office (Online) for purchase order / contract awarded to M/s Scope for CRM Kit

GROUND OF APPEAL

- Information is denied without providing proper Clause under RTI Act
- CVC Circular No - Office Order No.13/3/05 Dated the 16 th March, 2005 for Details on award of tenders / contracts publishing on Web sites/ Bulletins.
- PGCIL website Link where all PO / contract Uploaded <https://apps.powergrid.in/pgciltenders/u/view-published-aoc.aspx>
- Copy of latest contract awarded to M/s SOMA ELECTRICALS C-19, Thakshashila, Chillar road, Betegaon, Thane, MAHARASHTRA-401501

Base on circumstance we firmly believe that

- We have been refused access to information requested under this Act wide out application
- PGCIL Corporate office is uploaded contact details on website and PGCIL WR-II hiding the same Does it mean that PIO is working in interest of vendor.
- We believes reply given incomplete, misleading or false information under this Act
- CVC Guidelines are overruled completely **“Office Order No.13/3/05”** Dated the 16 th March, 2005
- Apart from this State Of Jharkhand And Anr. vs Navin Kumar Singha And Anr. on 8 August, 2007 where as Honorable High Court has Noted following things “The question, therefore, that falls for consideration is as to whether disclosure of various documents submitted by the bidders is a trade secret or commercial confidence or intellectual property. Prima facie, we are of the view that once a decision is taken in the matter of grant of tender, there is no justification to keep it secret. People have a right to know the basis on which the decision has been taken. If tenders are invited by the public authority and on the basis of tender documents, the eligibility of a tender or a bidder is decided, then those tender documents cannot be kept secret, that too, after the tender is decided and work order is issued on the ground that it will amount to disclosure of trade secret or commercial confidence. If the authorities of Government refuse to disclose the document, the very purpose of the Act will be frustrated. **Moreover, disclosure of information, sought for by the petitioner, cannot and shall not be a trade**

secret or commercial confidence; rather disclosure of such information shall be in public interest, inasmuch as it will show the transparency in the activities of the Government.

PRAYER / RELIEF SOUGHT

Under the circumstances, the appellant prays as under:-

- (a) A complete Contract Copy along with supporting documents should be made available for without any further delay
- (b) Proper training should be provided to PIO



Signature of Appellant
(NIRAJ SHARAD KULKARNI)