

CENTRAL INFORMATION COMMISSION
2nd Floor, 'B' Wing, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi -110066
Tel : +91-11-26186535

Appeal No. CIC/BS/A/2016/000064

Appellant: S L Gupta,
M/S. Ganesh Construction Co.,
G-77, Kamla Nagar, Agra, UP.
Uttar Pradesh.

Respondent: Central Public Information Officer
Supdt. Engr(Civil), O/o. The Chief Engineer(C)
BSNL, Civil M.P. West zone,
Bsnl Staff Qtrs, C-Block, BDA Flats,
VidhyaNagar, Behind petrol Pump,
Hoshangabad Road,
Bhopal-462026, MP.

Date of Hearing: 06.07.2017
Dated of Decision: 06.07.2017

ORDER

Facts:

1. The appellant filed RTI application dated 25.03.2015 seeking certified copies of his letters dated 01.10.2014, 16.07.2014, 04.11.2014 and 8.03.2015 along with the action taken on these letters and the copies of receipt of any comments from any officers regarding payment of due amounts to him against a contract work executed by him.
2. The CPIO responded on 20.07.2015. The appellant filed First Appeal dated 11.08.2015 with First Appellate Authority (FAA). The FAA responded on 10.09.2015. The appellant filed second appeal on 26.11.2015 before the Commission on the ground that no information has been provided to them.

Hearing:

3. The appellant and the respondent Shri Milan Kulshreshta participated in the hearing through video conferencing.

4. The Appellant stated that his work was shown as dismantled by the BSNL, which is not correct. The appellant stated that an arbitrator was appointed to settle the dispute. The arbitrator award was passed in his favour. The appellant stated that during the arbitration proceedings, he came to know that BSNL had shown in their records that they had issued steel to him, but actually he never received the steel. Further, there were discrepancies in the amount of materials like ' moram' on site. The appellant stated that his work was properly done and this was confirmed through testing report also. The appellant stated that he had submitted final bills after arbitration award. However the payment of full due amount had not been made to him. The appellant stated that he wants to know under which rules/authority his full claimed bills had not been paid.

5. The respondent stated that all available information has been provided to the appellant. The respondent stated that the appellant had filed first appeals thrice before the appellate authority. The appellate authority asked him to submit the information required in clear terms i.e. the specific documents needed under the RTI Act. The respondent stated that against the arbitration award, the appellant has already been paid a sum of Rs. 7.86 lakhs.

Discussion/ observation:

6. On query from the Commission, the appellant did not clarify as to what information he is seeking. During the hearing the appellant admitted that he has all the documents and information with him relating to the matter. The Commission observed that the appellant repeatedly kept on insisting for resolution of his commercial dispute regarding payment of bills.

Decision:

7. In view of the above, the respondent is directed to allow inspection of all the records relating to the disputed matter and provide copy of pertinent documents on payment of copying charges within 30 days of receipt of the order.

8. The GM, BSNL is also advised to look into the grievance of the appellant in the matter of payments still claimed to be due by the appellant.

Appeal is disposed of. Copy of the order be given to the parties free of cost.

(Radha Krishna Mathur)
Chief Information Commissioner

Authenticated true copy

(S.C. Sharma)
Dy. Registrar
CC: GM, BSNL
through Supdt.Engr(Civil),
O/o.The Chief Engineer(C)
BSNL,Civil M.P. West zone,
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