

CENTRAL INFORMATION COMMISSION
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Appeal No. CIC/BS/A/2016/000119

Appellant: Yogendra Kumar Sharma
R/o Gali No.5, Girraj Colony, District Hathras, (UP)

Respondent: Central Public Information Officer
DGM (A&P), Telephone Exchange, BSNL, O/o
General Manager Telecom District, Aligarh, UP.

Date of Hearing: 10.04.2017

Dated of Decision: 10.04.2017

ORDER

Facts:

1. The appellant filed RTI application dated 04.09.2015 seeking information related to the purchase of diesel of Rs 4, 84, 842/- in Hathras in May & July, 2012 against sweeping card Nos. 11 & 12 and payment to the dealer etc.
2. The CPIO responded on 28.09.2015. The appellant filed first appeal dated 14.10.2015 with First Appellate Authority (FAA). The FAA responded on 30.10.2015. The appellant filed second appeal on 01.01.2016 before the Commission on the ground that information should be provided to him.

Hearing:

3. The appellant and the respondent participated in the hearing through VC.
4. The appellant stated that incomplete, false and misleading information has been provided to him. The appellant stated that he wants to know the payment details viz date , time and mode of payment of Rs. 4, 84, 842 by BSNL to M/s Choonawala Valk Carrier Pvt. Ltd. authorised dealer of Indian Oil Corporation against the sweeping card no. 11 and 12 for the purchase of allotted diesel which was purchased in May & July 2012 as the said dealer has been complaining that the said amount has not yet been paid to him and is outstanding.
5. The appellant stated that on the subject, three letter/complainant dated 12.07.2012, 06.8.2012 and 12.03.2013 was written to the respondent

but no reply was given by the respondent. The appellant stated that he wants to know why vigilance inquiry has not been conducted on the said letters.

6. The respondent stated that the appellant has been replied to vide letter dated 28.09.2015. The respondent stated that the payment of diesel is made to the dealer through Smart Card by the Sub Divisional Engineer of the concerned field unit. The respondent stated that the diesel is not purchased on credit.

7. The respondent stated that a complaint was received from M/s Choonawala Valk Carrier Pvt. Ltd. The respondent stated that while the investigation of the complaint was in progress, a Court case was filed on the subject of the complaint. The respondent stated that since the matter was subjudice, the investigation process was stopped. The respondent stated that the appellant's referred letters (3 in numbers) are not in their record.

Discussion/ observation:

8. The Commission observes that a categorical reply in the context of RTI application should have been given to the appellant giving break up of purchase against each card and date/time of purchase and mode of payment etc.

9. The respondent is advised to inquire into the appellant's letter or complaint dated 12.07.2012, 06.08.2012 and 12.03.2013 if necessary , by obtaining copies from the appellant.

Decision:

10. The respondent is directed to provide payment detail of amount paid to M/s Choonawala Valk Carrier Pvt. Ltd. and action taken/inquiry report on complaint, in the context of RTI application, free of cost, to the appellant within 30 days of this order.

The 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