

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/2016/001244

Appellant: Shri P K Tiwari,
55 Mayur Vihar,
New Sahastradhara Road,
PO - Kandoli,
Dehradun-248001.

Respondent: Central Public Information Officer
Dy. GM(A&P),
BSNL,
O/o. GMTD,
Patel Nagar,
Dehradun-248001,
Uttarakhand

Date of Hearing: 12.07.2017
Dated of Decision: 12.07.2017

ORDER

Facts:

1. The appellant filed RTI application dated 15.01.2016 seeking information on 4 points viz: how does BSNL charge the customer during the period when no service is provided; time frame for providing Broad Band connection to his residence through OFC etc.
2. The CPIO responded on 20.02.2016. The appellant filed First Appeal dated 14.03.2016 with First Appellate Authority (FAA). The response of FAA not on record. The appellant filed second appeal on 03.05.2016 before the Commission on the ground that information should be provided to him.

Hearing:

3. The appellant and respondent Shri T.K. Sharma participated in the hearing through video conferencing.
4. The appellant stated that BSNL has been charging Rs. 650/month. for broadband connection. The appellant stated that BSNL cannot charge the customer for the periods when the service is not available. The appellant stated that he is not satisfied with the reply of the respondent.

5. The respondent stated that there is a provision for granting rebate for non-service period as per the request of the subscriber in writing.

6. The appellant stated that rebate was given to him for the month of April, 2016 but no rebate was given for the month of May, 2016.

7. The appellant stated that an underground cable is passing through his house/colony, but till today, telephone and broadband is not connected with it. The appellant said that respondent has given misleading reply that no underground cable is passing through his house.

8. The appellant stated that respondent has not given the time frame for providing broadband connection through OFC. The appellant said that the scarcity of OFC cable does not mean that the connection is technically not feasible. The appellant said that he is not satisfied with the respondent's reply.

Discussion/Observation:

9. The respondent should give factual position on paras 7 and 8 within 15 days of receipt of this order.

Decision:

10. The Dy. Registrar is directed to fix another hearing after 15 days.

11. CMD, BSNL is advised to consider a mechanism giving rebate to the subscriber automatically for periods that the service is not available. Each subscriber cannot be expected/required to submit a request in the matter.

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

Copy to: CMD, - w.r.t. para 11 above.
Bharat Sanchar Nigam Ltd.
Opp Janpath Hotel,
Bhawan Harish Chand Mathur Lane,
Connaught Place, New Delhi- 110001.

CENTRAL INFORMATION COMMISSION

Appeal No. CIC/BS/A/2016/001244

Adjunct Order dated 09.08.2017

Facts:

1. The matter was earlier heard on 18.07.2017. The matter is listed today for compliance.

Hearing:

2. The appellant and the respondent did not participate in the hearing.

Discussion/ observation:

3. The respondent has given the information and it is on record.

Decision:

4. The respondent is directed to show cause why action should not be taken for contravening the provisions of the RTI Act including not attending this hearing, within 15 days of receipt of this order.
5. Dy. Registrar is directed to relist the matter after 15 days of this order

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