

**Central Information Commission, New Delhi**  
**File No. CIC/SH/A/2016/000066**  
**Right to Information Act-2005-Under Section (19)**

**Date of hearing** : 7th February 2017

**Date of decision** : 7th February 2017

**Name of the Appellant** : SHRI V. RAJAGOPAL  
WARD NO.- 9, DOOR NO.- 22/27,  
NEW NO.- 36, NEHRUJI STREET,  
PRICOL COLONY, KOUNDAMPALAYAM,  
COIMBATORE, TAMILNADU- 641030

**Name of the Public Authority/Respondent** : CENTRAL PUBLIC INFORMATION OFFICER,  
CHENNAI PETROLEUM CORPORATOIN  
LIMITED  
CAUVERY BASIN REFINERY,  
PANANGUDI, NANNILAM TALUK,  
NAGAPATTINAM, TAMILNADU-611002

**RTI Application filed on** : 19/09/2015

**CPIO replied on** : —

**First Appeal filed on** : 11/11/2015

**First Appellate Authority order on** : —

**2<sup>nd</sup> Appeal received on** : 28/12/2015

The Appellant was present at the NIC Studio, Coimbatore.

On behalf of the Respondents, Shri Ananthanarayanan, APIO was present at the NIC Studio, Nagapattinam.

**Information Commissioner** : Shri Sharat Sabharwal

**Information sought**

This matter concerns an RTI application filed by the Appellant, seeking information on nine points regarding storage tanks installed till August 2015 and related issues.

**The CPIO reply**

No reply given.

### **Grounds of the First Appeal**

No information provided.

### **Order of the First Appellate Authority**

No order passed.

### **Grounds of the Second Appeal**

No response was received from the CPIO and the FAA.

### **Relevant facts emerging during the Hearing, Discussion and Decision**

The Respondents stated that a point-wise reply was sent to the RTI application by the PIO on 25.11.2015. They have sent us a copy of the above reply. The Appellant stated that he did not receive the reply of the PIO in 2015. However, he has received its copy by mail two days ago. He submitted that he was not satisfied with the PIO's reply to points No. 6 to 9 of the RTI application. In response to our query, the Respondents stated that they have postal record establishing dispatch of the PIO's reply dated 25.11.2015 to the Appellant.

2. We have considered the submissions of both the parties and direct the CPIO to forward to the Appellant a copy of the postal record, showing dispatch of the letter dated 25.11.2015 to him. The Appellant was unable to point out any specific shortcomings in the reply of the PIO to points No. 6 and 8 of the application. Therefore, we will not interfere with CPIO's reply in respect of these points. As regards point No. 7, he stated that complete fee details for calibration of the storage tank have not been provided. The Respondents stated that the fee for storage is part of the lumpsum tank construction contract. However, the Appellant submitted that the fee for calibration should be available separately with the Respondents. We direct the CPIO to check all the documents concerning the contract, including the offers made by the company concerned during the tender process, containing their detailed quotes and provide to the Appellant the amount / details of the fee for

calibration work, if available in those documents. If, however, it is the stand of the CPIO after checking all the necessary documents that the component of fee for calibration is not available separately in any of the documents on the records of the Respondents, he should file a sworn affidavit to that effect to the Commission, with a copy to the Appellant. As regards the copy of certificate sought at point No. 9, the Respondents stated that the certificate in question is issued by the Legal Metrology Department and claimed that its disclosure would compromise the security of the installation. However, in response to our repeated queries, they were unable to explain as to how disclosure of a copy of the certificate would compromise the security of the installation and eventually stated that they would provide a copy of the certificate, sought at point No. 9 of the RTI application, to the Appellant. The CPIO is directed to do so. The CPIO should comply with our above directives, within fifteen days of the receipt of this order, under intimation to the Commission. Such information, as is provided, should be provided free of charge.

3. With the above directions and observations, the appeal is disposed of.
4. Copies of this order be given free of cost to the parties.

Sd/-  
(Sharat Sabharwal)  
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(Vijay Bhalla)  
Deputy Registrar