

केन्द्रीय सूचना आयोग  
Central Information Commission  
बाबा गंगनाथ मार्ग, मुनिरका  
Baba Gangnath Marg, Munirka  
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. **CIC/NHAIN/A/2024/111986**

Shri V. Bethuran

... अपीलकर्ता / Appellant

VERSUS/बनाम

PIO, National Highways Authority of India

...प्रतिवादीगण / Respondent

Date of Hearing : 22.04.2025

Date of Decision : 22.04.2025

**Chief Information Commissioner : Shri Heeralal Samariya**

**Relevant facts emerging from appeal:**

RTI application filed on : 08.01.2024

PIO replied on : 07.02.2024

First Appeal filed on : 10.02.2024

First Appellate Order on : 16.03.2024

2<sup>nd</sup>Appeal/complaint received on : 22.04.2024

**Information sought and background of the case:**

The Appellant filed an RTI application dated 08.01.2024 seeking information on the following points:-

- “1. Name and Address of contractor of the work of four laning of Oddanchatram to Madathukulam from km.29.00 to km.74.38.
2. As per estimate how many cubic meter of soil should be filling for the work of Four laning of Four laning of Oddanchatram to Madathukulam from km.29.00 to km.74.38
3. As per estimate how many cubic meter of (stones) Aggregate (10mm, 20mm, including all) should be filling for the work of Four laning of Four laning of Oddanchatram to Madathukulam from km.29.00 to km.74.38.
4. How manypercentage ofwork completed ason 31.12.2023 in the work of Four laning of Four laning of Oddanchatram to Madathukulam from km.29.00 to km.74.38);.
5. How many percentage of soil filling work completed as on 31.12.2023 in the work of Four laning of Oddanchatram to Madathukulam from km.29.00 to km.74.38);.”

The CPIO, Project Director vide letter dated 07.02.2024 replied as under:-

“As per Section 8(1)(d) of the RTI Act 2005, third party information could not be provided.”

Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 10.02.2024. The FAA, Regional Officer, Madurai vide order dated 16.03.2024 stated as under:-

*“Please refer to your letters cited at ref. 2<sup>nd</sup> 3<sup>rd</sup>, 4<sup>th</sup> regarding RTI application of Sh. V. Pethuran. The applicant is not satisfied with the response provided and has made appeals mentioned under reference 5<sup>th</sup>. (copy enclosed).  
2. In this regard, it is advised to re-examine the RTI applications for providing the information to the applicant as per provisions of the RTI Act, 2005.”*

In compliance with the FAA's order, the CPIO cum Project Director revisited the matter on 23.03.2024 and reiterated and explained that the information sought by the Appellant related to third party and hence it had been denied to the Appellant.

Aggrieved and dissatisfied, the Appellant approached the Commission with the instant Second Appeal.

**Facts emerging in Course of Hearing:**

A written submission dated 15.04.2025 has been received from the CPIO cum Project Director, Dindigul reiterating the aforementioned facts.

Hearing was scheduled after giving prior notice to both the parties.

**Appellant:** Present through video conference

**Respondent:** Shri Praveen Kumar – CPIO/Project Director, NHAI- Dindigul was present through video conference during hearing.

During the course of hearing, both parties reiterated their respective contentions. The Respondent was unable to justify the blanket denial of information invoking Section 8(1)(d) of the RTI Act and terming the information as personal in nature.

**Decision:**

In the light of the aforementioned facts and discussions, the Commission is not satisfied with the PIO's reply and directs the Respondent present for hearing, viz. Shri Praveen Kumar – CPIO/Project Director, NHAI- Dindigul to ensure that a revised point wise reply furnishing accurate information which is permissible under the RTI Act is sent to the Appellant. The Respondent should exercise due caution and ensure that the information disclosed should not contain any data which is expressly barred from disclosure under Section 8 or 9 of the RTI Act and ensure that provisions of Section 10 of the RTI Act should be applied to redact any information if deemed necessary while sending the revised reply as sought by the Appellant. The point wise revised reply should be sent by the Respondent within four weeks of receipt of this order and a compliance report shall be submitted by the Respondent before the Commission, within one week thereafter, failing which appropriate non compliance proceedings shall be initiated against the concerned official.

Considering the facts of the case, the Commission further directs the Registry of this Bench to send a copy of this order to the Chairman, NHAI to ensure that necessary steps for *suo motu* disclosure of maximum information on their website about name of successful bidder (name of company) executing the work, amount for which the

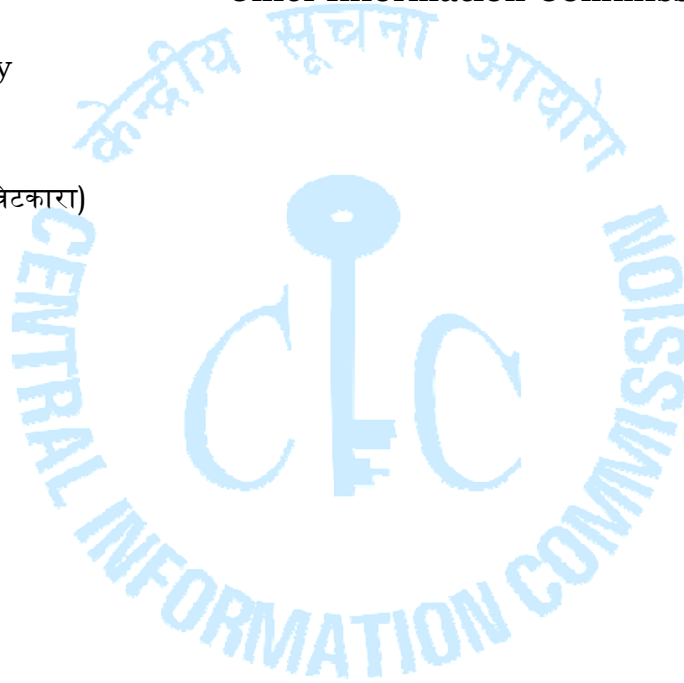
contract was awarded, completion date of the contract, scope of work, percentage of work completed from time to time etc. in compliance of the provisions of Section 4 of the RTI Act in order to promote transparency and accountability in functioning of the public authority, in the larger public interest. The Respondent is duty bound by virtue of the provisions of Section 4 of the RTI Act to publish the information on its website to minimise the necessity for the public to resort to the use of the RTI Act to obtain the information. While proactively disclosing the information mentioned above, due caution should also be exercised by the Respondent to strictly adhere to the provisions of the Sections 8, 9 and 10 of the RTI Act.

The appeal is disposed off with the above directions.

**Heeralal Samariya (हीरालाल सामरिया)**  
**Chief Information Commissioner (मुख्य सूचना आयुक्त)**

Authenticated true copy  
(अभिप्रमाणित सत्यापित प्रति)

S. K. Chitkara (एस. के. चिटकारा)  
Dy. Registrar (उप-पंजीयक)  
011-26186535



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**Recomendation(s) to PA under section 25(5) of the RTI Act, 2005:-**

1. It is recommended to maintain records in digital form for proper management and ease of access in compliance with clause (a) of sub-section (1) of section 4 of the RTI Act, 2005.