



Central Information Commission

Room No. 305, 2nd Floor, 'B' Wing, August Kranti Bhavan,

Bhikaji Cama Place, New Delhi-110066

Web: www.cic.gov.in Tel No: 26167931

Case No. CIC/LS/A/2013/001174/SS

Dated: 27.01.2014

Name of Appellant : Shri Girish Nautiyal
Name of Respondent : Indian Oil Corporation Ltd.,
Date of Hearing : 09.12.2013

ORDER

Shri Girish Nautiyal, hereinafter called the appellant, has filed the present appeal dated 26.4.2013 before the Commission against the respondent Indian Oil Corporation Ltd. (IOCL), UP State Office-II, Noida for not providing information in response to his RTI-application dated 29.12.2012. The appellant was absent whereas the respondent were represented by Shri Umesh C.S. Bisht, Sr. I.S. Manager, Shri Sukrit Dutt, CM (LPG-S) and Ms. Namiya Kumar, AM (Law).

2. The appellant through his RTI application dated 29.12.2012 sought information on thirteen queries pertaining to verification of consumers of LPG domestic/ commercial connections in respect of M/s. Shiva Gas Services and M/s. Jagdamba Indane Gas Agency, Dehradun; he also sought list of consumers verified by these two LPG Agencies, he wanted to know how many connections have been cancelled/locked, and how many consumers booked LPG cylinders during April 2005 to November 2011 for home delivery etc.

3. Aggrieved with non-receipt of any response from the CPIO, the appellant filed first appeal on 4.3.2013 before the FAA. The FAA vide his order dated 8.4.2013 dismissed the appellant's first appeal on the grounds that no RTI application dated 29.12.2012 has been received by the CPIO. The appellant thereafter approached the Uttrakhand Information Commission on 25.4.2013. The Uttrakhand Information Commission vide letter dated 29.4.2013 forwarded appellant's petition to the District Supply Officer, Dehradun, who in turn transferred the appellant's petition to the CPIO, IOCL, Noida vide letter dated 20.5.2013. Thereafter the CPIO/IOCL vide letter No. UPSO-II/RTI/4544 dated 23.7.2013 replied to the appellant, informing him in reply to on Point No. 1 the total number of consumers verified by the said agencies and also allowed inspection of the verified consumers. In reply to Point no. 2 the CPIO provided the number of connections suspended/cancelled. However, disclosure of names of consumers was denied u/s 8(1) (d) of the RTI Act. In reply to Pont No. 9 pertaining to the number of cylinders booked for home delivery for domestic consumers during the period April 2005 November, 2011, the CPIO provided the total numbers of cylinders booked for home delivery for domestic consumers, however the list of such consumers has been denied to the appellant on the grounds of voluminous information under the provisions of Section 7(9) of the RTI Act. However, the CPIO has offered inspection of the relevant records. On remaining points the CPIO has provided requisite information to the appellant. The appellant thereafter filed an appeal before the FAA against the order of the CPIO. The FAA vide order dated 31.10.2013 concurred with the reply of the CPIO.

4. Having considered the submissions of the parties, the Commission is of the view that information as sought for by the appellant on Point No. 2 of the RTI application is exempted under the provisions of Section 8(1) (j) of the RTI Act and not u/s 8(1) (d) as quoted by the CPIO. On remaining points requisite information has been provided to the appellant by the CPIO. However, the Commission hereby directs the CPIO to once again provide an opportunity to the

appellant for inspection of relevant records in respect of Point No. 1 and 9 of the RTI application on a mutually convenient date and time and to provide copies documents identified by the appellant on payment of requisite fees. The CPIO will comply with the directions of the Commission **within two weeks** of receipt of this order.

5. There has been a delay of 23 days on the part of the CPIO in furnishing reply to the appellant. A separate **show-cause notice** u/s 20(1) of the RTI Act would be issued to the Deputy General Manager/CPIO, asking him to show-cause why a penalty of Rs. 5750/- [23 x 250] should not be imposed upon him.

(Sushma Singh)
Chief Information Commissioner

Authenticated true copy:

(K.K. Sharma)
OSD & Deputy Registrar

Address of the parties:

Shri Girish Nautiyal,
C-27, Nehru Colony,
Near Sanatan Dharam Mandir,
Dehradun.

The Deputy General Manager/CPIO,
Indian Oil Corporation Ltd.,
Uttar Pradesh State Office-II,
E-8, Sector-1,
Noida-201301 (U.P)

The Executive Director /FAA
Indian Oil Corporation Ltd.,
Uttar Pradesh State Office-II,
E-8, Sector-1,
Noida-201301 (U.P)