



Central Information Commission

2nd Floor, August Kranti Bhawan,
Bhikaji Cama Place, New Delhi – 110 066
Website: www.cic.gov.in

Decision No.5124/IC(A)/2010
F. Nos.CIC/MA/A/2009/000917
CIC/MA/A/2009/000918
Dated, the 5th February, 2010

Name of the Appellant: Shri. P.D. Agarwal

Name of the Public Authority: 1. Bokaro Steel Plant
2. M/o Steel

Facts: ⁱ

1. Both the parties were heard on 4/2/2010.
2. The appellant has grievances regarding award of tenders by the respondent. In this backdrop, he has alleged rampant corruption in award of tenders and use of infrastructure, mainly the Helicopters by the senior government officials, including Ministers.
3. During the hearing, the details of information asked for and the CPIOs' responses were discussed. The appellant stated that he was not satisfied with the information furnished to him with regard to the alleged irregularities in the appointment of the CMD of the respondent. He also stated that the infrastructure facilities of the respondent were misused and that the CPIOs have not furnished the details of expenditure incurred on the projects undertaken by the respondent in fulfillment of the corporate social responsibility.
4. The CPIOs of the respondents stated that the appellant has asked for information in the form of various queries, which have largely been replied. They also expressed willingness to provide the remaining information, if any, to the appellant provided, of course, that the information is specified and minimized.

Decision:

5. As agreed between the parties, the appellant would clearly specify the required information, as per section 2(f) of the Act, which requires that the information should be available in any material form. If necessary, the appellant

ⁱ ***"If you don't ask, you don't get."*** - Mahatma Gandhi

would also seek inspection of the relevant documents, as per section 2(j) of the Act, so as to clearly identify and specify the required information, which should be furnished to him.

6. A requester is not expected to elicit views and opinion of the CPIO, through various forms of queries, as has been attempted in the instant appeal. The appellant is accordingly advised to re-submit his specific requirement for information at the earliest, to the concerned CPIO, who should furnish a suitable response within 15 working days from the date of issue of this decision. If any information is refused u/s 8(1) of the Act, the grounds for doing so should be clearly specified for review, if necessary, by the Commission.

7. The appellant mentioned, in particular, that the minutes of the tender committees have not been furnished to him. In his response, the CPIO stated that the appellant has not clearly indicated as to which minutes, out of hundreds of finalized tenders, are required by him. The appellant is, therefore, advised to clearly specify the documents required by him for disclosure by the respondent.

8. It also emerged during the hearing that the appellant has grievances regarding award of tenders. Therefore, in the garb of seeking information, he has raised various issues on the pretext of alleged irregularities in appointment of the respondent's CMD and misuse of facilities by the respondent. While a citizen is free to seek transparency in the functioning of the public authorities so as to contain corruption, the act of mud slinging should not be resorted to on the pretext of alleged corruption. Therefore, an information seeker should refrain from mis-using the provisions of the Act, for settling scores in case they are unsuccessful in the bids made by them for availing of business opportunities from the public authorities. The commercial disputes, if any, between the parties should be settled separately as per the law, rather than resorting to the provisions of the Act, to voice their grievances or to pressurize the officials of the public authorities through such tactics as harassment by way of putting up frivolous applications.

9. With these remarks both the appeals are disposed of.

Sd/-
(Prof. M.M. Ansari)
Central Information Commissionerⁱⁱ

Authenticated true copy:

(M.C. Sharma)
Deputy Registrar

ⁱⁱ "**All men by nature desire to know.**" - Aristotle

Name & address of Parties:

1. Sh. P.D. Agarwal, I-502, Park View Apartments No.-1, Sector-48, Sohna Road, Gurgaon.
2. Ms. Neeta Baa, CPIO, Bokaro Steel Plant, Ispat Bhawan, Bokaro Steel City, Bokaro – 827 001.
3. The Appellate Authority, Bokaro Steel Plant, Ispat Bhawan, Bokaro Steel City, Bokaro – 827 001.
4. Sh. L. Siddharatha Singh, CPIO, Ministry of Steel, Udyog Bhawan, New Delhi.
5. Sh. G. Elias, Appellate Authority, Ministry of Steel, Udyog Bhawan, New Delhi.