

No.AD-1502/1/2024-ADM (E-2673)
Oil Industry Development Board
OIDB Bhawan, Plot No.2, Sector – 73, Noida

Date: 15th May 2024

ORDER

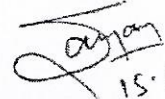
1. WHEREAS, an RTI application bearing No. OIADB/R/E/00007 dated 7.9.2022 was received from Sh. Taksheel Pagare seeking information from CPIO, OIADB.
2. WHEREAS, a reply dated 4.10.2022 was given to the applicant by the CPIO wherein certain information was provided and certain information was not provided stating that the respective files/documents are being searched or that the information sought would disproportionately divert the resources of OIADB, which is not warranted in terms of Section 7(9) of RTI Act.
3. WHEREAS, the applicant has filed First Appeal bearing registration No. OIADB/A/E/22/00003 dated 07.10.2022 stating that CPIO has hidden information against points No.4, 5, 7 & 8 of his application stating that the respective files/documents are being searched and that the CPIO has hidden information against point 6 of his application under section 7(9) of RTI Act. The applicant has mentioned decisions of Hon'ble Delhi High Court and Hon'ble CIC in certain cases and has stated that section 7(9) of the Act does not authorize a public authority to deny information, it simply allows the authority to provide the information in a form easy to access. The applicant has requested to direct the CPIO to provide requisite information in respect of points No. 4, 5, 6, 7 & 8 of his application in digital form on his email ID.
4. WHEREAS, the then First Appellate Authority (FAA) vide his remarks on the RTI Portal had mentioned that *'since the applicant is not satisfied with the reply and has also quoted various CIC judgements including Hon'ble High Courts. The information as desired by the applicant may be provided as per RTI Provisions in consultation with Legal Retainer OIADB.*
5. WHEREAS, on the basis of the remarks of the then FAA, the CPIO had sent a reply dated 16 March 2023, to the applicant, wherein the information against points No. 4, 5, 6, 7 & 8 of his application was not provided and it was also stated that *'All the available information has been provided. However, you are welcome to inspect the documents, if you so desire on a mutually agreeable date and time in terms of provisions of RTI Act.'* Since, the residential address of the appellant as mentioned in his Application/ First Appeal is far away from OIADB office, for inspection of the documents, the applicant would have to spend time as well as money. Moreover, the proviso to the section 8(1) provides that *"the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person."*

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6. WHEREAS, the First Appeal of the applicant has been examined and it is found that the information sought against points No. 4, 6, 7, & 8 of RTI application is available in one or two files/records and providing information sought in these points would not disproportionately divert the resources available in OIDB. Further, the information sought in point No.5 of RTI application is available in multiple files/records, yet the information sought cannot solely be denied on this ground. As such, the CPIO is directed to provide to the RTI applicant, the information sought by the him against points No. 4, 5, 6, 7, & 8 of his RTI application, in the form it is available, including file note and correspondence or any other form, and the concerned section i.e. Administration Section is directed to provide the information sought in these points, in the form it is available, including file note and correspondence or any other form, to the CPIO for providing the same to the RTI applicant.

7. The First Appeal mentioned above, is hereby disposed of.



15.5.24

(Sanjay Kashyap)

DCF&AO(Additional Charge)/First Appellate Authority

Phone: 0120-2594613

Copy to:

1. Assistant, Administration Section, OIDB (along-with copies of above-mentioned RTI application, RTI First Appeal and replies given by CPIO to the applicant) – with directions to provide information against points No. 4, 5, 6, 7, & 8 of RTI application of Sh. Taksheel Pagare, mentioned above, in the form it is available, including file note and correspondence or any other form.
2. CPIO, OIDB – with directions to provide information against points No. 4, 5, 6, 7, & 8 of RTI application of Sh. Taksheel Pagare, mentioned above, in the form received from Administration Section.