



प्रगति की ओर अग्रसर
Urge to stay Ahead

इरकॉन इंटरनेशनल लिमिटेड
सिविल, मैकेनिकल, इलेक्ट्रिकल, कम्युनिकेशन, और टर्नकी कान्ट्रैक्टर्स
(भारत सरकार का उपक्रम)

इरकॉन

IRCON INTERNATIONAL LIMITED

Civil, Mechanical, Electrical, Communication and Turnkey Contractors
(A Govt. of India Undertaking)

OFFICE OF THE CENTRAL PUBLIC INFORMATION OFFICER

NO. IRCON/PIO/CO/RTI/05/696/476

Dated: 08.07.2016

By Post

Shri Pradeep Rawat
111, Godavari Apartment,
Alaknanda,
New Delhi - 110019

Dear Sir,

Sub: Information sought under Right to Information Act 2005

I. Date wise Events:-

Date of Application : 17.06.2016
Date of receipt of application in Ircon : 20.06.2016

II. Juxta position of the information sought by the you and the reply of deemed PIO is as under:

S.No.	Information sought by the Applicant	Remarks
1.	Please provide complete information / details of various industries / companies including name, address and kind of industry as per the approved vendor list upto 28.05.2016	
(a)	Approved vendor list for supply of all equipments and supply for projects related to all respective zones in the plant.	The information sought by the applicant is wide and vague. Hence, in terms of rule 7(9) of RTI Act-2005, this cannot be provided.
(b)	Approved vendor list all inspection agency related to projects.	

III. Discussions:

1. Applicant is advised that Ircon is a construction Company executing number of projects in India and abroad. The information sought by the applicant is not available in a consolidated form with the public authority. The working of IRCON is decentralized and each project is managed independently by respective project in-charges.

प्रेषित / Dispatched
दिनांक / Date 12-7-16
हस्ता. / Sign.
इरकॉन / IRCON

रजि. कार्यालय : सी-4, डिस्ट्रिक्ट सेंटर, साकेत, नई दिल्ली-110017, भारत
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E-mail: info@ircon.org Web: www.ircon.org
CIN - U45203DL1976GOI008171

Issue under PI.
Back to RTI cell
12/07/16
651 RTI



2. From the contents of information i.e. “approved vendor list for supply of all equipments and supply for all project related to all respective zones; approved vendor list all inspection agency related to projects” being sought by the applicant is wide and vague and is not available with the Public Authority. In terms of Section 7(9) of the RTI Act 2005 extracted below public authority is not required to deploy additional resources for collection and collation of the information.

"Information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question".

3. In the case of CBSE Vs Aditya Bandopadhyay, Hon'ble Supreme Court in Civil Appeal No.6454 of 2011- Hon'ble Justice R. V. Raveendran and A.K. Patnaik mentioned that:

“It is necessary to clear some misconceptions about the RTI Act. The RTI Act provides access to all information that is available and existing. This is clear from a combined reading of section 3 and the definitions of 'information' and 'right to information' under clauses (f) and (j) of section 2 of the Act. If a public authority has any information in the form of data or analyzed data, or abstracts, or statistics, an applicant may access such information, subject to the exemptions in section 8 of the Act. But where the information sought is not a part of the record of a public authority, and where such information is not required to be maintained under any law or the rules or regulations of the public authority, the Act does not cast an obligation upon the Public authority, to collect or collate such non-available information and then furnish it to an applicant. A public authority is also not required to furnish information which require drawing of inferences and/or making of assumptions. It is also not required to provide 'advice' or 'opinion' to an applicant, nor required to obtain and furnish any 'opinion' or 'advice' to an applicant. The reference to 'opinion' or 'advice' in the definition of 'information' in section 2(f) of the Act, only refers to such material available in the records of the public authority.

.....

The right to information is a cherished right. Information and right to information are intended to be formidable tools in the hands of responsible citizens to fight corruption and to bring in transparency and accountability.

.....

Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty.

The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritizing information furnishing', at the cost of their normal and regular duties."

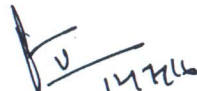
IV. Decision

The information sought by the applicant "approved vendor list for supply of all equipments and supply for all project related to all respective zones; approved vendor list all inspection agency related to projects" is wide and vague. Hence, in terms of 7(9) of RTI Act-2005, this cannot be provided. Applicant can seek information regarding specific project and for a specific product by making a fresh application.

V. Right of Appeal

If applicant is not satisfied with the information provided by CPIO, he can file an appeal to the 1st Appellate Authority within 30 days of the issue of this letter in terms of Section 19 of the Right to Information Act, 2005. Particulars of 1st Appellate Authority are as under:

Mr. Anil Jain,
Appellate Authority & Executive Director/Works
Ircan International Limited,
Plot No. C-4, District Centre,
Saket, New Delhi – 110 017
Tel. No. 011-26530470
Fax: 011-26854000 & 26522000


(Randhir Gupta)
Central Public Information Officer &
General Manager (Mech.)

Copy to:

1. GM/C&A, Ircan, Corporate Office, Saket, New Delhi 110017.