



Central Information Commission

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

Decision No.3503/IC(A)/2008
F. No.CIC/MA/A/2008/01440
Dated, the 19th December, 2008

Name of the Appellant: Sh. Md. Saleem

Name of the Public Authority: Hindustan Petroleum Corporation Limited

Facts: ⁱ

1. Both the parties were heard on 18/12/2008.
2. In the course of hearing, the appellant stated that he has been furnished partial information while the information relating to the list of registered customers, allottees of double cylinders, the details of supply and distribution of LPG cylinders and the reasons for inordinate delay in delivery of domestic gas, have not been furnished to him. He mentioned about a number of irregularities committed by M/s Nagaur Gas Agency, Nagaur, and said that the customers are unnecessarily harassed by the said distributor. The persons at the gas agency compel the customers to purchase consumer items from the shop located at the retail outlet and that at high prices.
3. Shri. U.S. Misra, Chief Manager (LPG), HPCL, stated that the information relating to details of LPG consumers are of commercial confidence and, therefore, disclosure of such information would affect the competitiveness of the third parties. The information has, therefore, been denied u/s 8(1)(d) of the Act. He assured the Commission to re-examine the issues raised by the appellant.

Decision:

4. The CPIO has furnished partial information while the remaining information, mainly the list of registered consumers, have been denied u/s 8(1)(d) of the Act, which is untenable. As per section 4(1)(b)(xiii) "*particulars of recipients of concessions, permits or authorizations granted*" by the public authorities should be put in public domain. Since all the registered consumers are beneficiaries of subsidized domestic gas, there is no justification for

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

withholding the information asked for by the appellant. The CPIO is, therefore, directed to provide the information asked for, including the reasons for inordinate delay in delivery of services, to the appellant.

5. As agreed during the hearing, the CPIO would investigate the allegations made by the appellant against the Nagaur Gas Agency in regard to all the points mentioned in the representation handed in to Mr. U.S. Misra, Chief Manager (LPG). A copy of the enquiry report should be furnished to the appellant also. Accordingly, appropriate action should be taken against the above mentioned dealer if the allegations made are established. A compliance report should also be submitted to the Commission within 10 working days after suitable action is taken against the dealer in question. The entire process should thus be completed within 3 months from the date of issue of this decision.

6. With these observations, the appeal is disposed of.

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

Authenticated true copy:

(M.C. Sharma)
Assistant Registrar

Name & address of Parties:

1. Shri. Md. Saleem, Behlim, Basni, Nagor – 341 021 (Rajasthan)
2. Sh. D.P. Gupta, CPIO, Hindustan Petroleum Corporation Limited, 17 Jamshedji Tata Road, Mumbai – 400 020
3. Shri. G.A. Shirwaikar, Appellate Authority, Hindustan Petroleum Corporation Limited, 17 Jamshedji Tata Road, Mumbai – 400 020

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