

(23) 291

**Mangalore Refinery & Petrochemicals Ltd**  
**Kuthethoor P.O, Via Katipalla, Mangalore 575030**

**FIRST APPELLATE AUTHORITY**

Sushil Chandra M  
AA & GM(HRD & CSR)  
HR Dept, MRPL, Mangalore, 575030

**UNDER SECTION 19 (1) OF THE RIGHT TO INFORMATION ACT, 2005**

**Decision No. 03/2013-14**  
**Appeal No. 03/2013-14**

Name and address of the Appellant : Shri P Sadananda Shetty  
F1, Ramabhavan Complex  
Kodialbail, Mangalore 575003

Names of CPIO and : CPIO  
Public Authority : MRPL, Mangalore

The present appeal dated 15.06.2013, received by AA on 24.06.2013 has been preferred by Shri P Sadananda Shetty, hereinafter referred to as the Appellant, against the order bearing reference No MRPL./HR/RTI/262/2013-14 dated 07.06.2013 of Shri P A Jose, CPIO, MRPL Mangalore.

**Facts:**

1. Shri P Sadananda Shetty, the applicant, *vide* application dated 06.05.2013 received by CPIO on 10.05.2013, sought the following information under the RTI Act, 2005 from the CPIO, Shri.P A Jose, HR Dept, MRPL, Mangalore : *The details of deviations / violation of tender conditions in Work Order No. 4200001846 dated 18.01.2012 and 4200002064 dated 15.06.2012 Contractor M/s ANI Instruments Mumbai and reason for deviation.*
2. The CPIO, *vide* his letter bearing reference No. MRPL./HR/RTI/262/2013-14 dated 07.06.2013 replied to the applicant, as follows : *Information sought is not clear, as specific tender conditions are not mentioned in the query, hence we are not in a position to furnish the information.*
3. Dissatisfied with the reply given by the CPIO, the Appellant has preferred the present appeal dated 15.06.2013.
4. The Appellant, in his/her appeal dated 15.06.2013, has stated, *inter alia*, the following grounds for preferring the present appeal : *Since the CPIO has not furnished*



*the required information about the deviation of Tender conditions for one particular bidder M/s Ani Instruments Mumbai. The tenderer has not fulfilled the clause xxi of page no.34 of the Tender Conditions. It appears from the reply of CPIO ref MRPL/HR/RTI/262/2013-14 dtd 07/06/2013 that CPIO is trying to hide the facts and the reason for not furnishing the information is not clear.*

5. The Appellant prayed that the CPIO be directed to give the correct information to the Appellant as per his application dated 23.04.2013

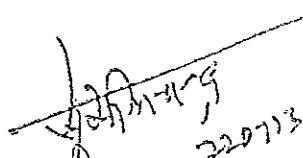
6. The views/comments on the appeal were called for from the CPIO.

**Decision:**

1. The Appellant in paragraph 6 of his appeal dated 14.6.2013 has stated that CPIO has not furnished the information. Based on the review of the relevant documents, the decision/direction of the CPIO, is upheld, as no specific tender condition of the subject contract which the appellant claims that has been deviated/violated by the subject Contractor, was specified by the appellant in his application dated 06.05.2013. However, as the applicant, vide his appeal dated 15.06.2013, has now furnished the specific clause of the subject tender, which is claimed to be deviated/violated by the subject Contractor, the CPIO is hereby directed to disclose/provide such information ( i.e., details of deviation of clause xxi in page no.34 of the subject contract, by the subject contractor and the reason for deviation ) within 10 working days from the date of receipt of this order.

2. The Appeal is disposed of accordingly.

3. A copy of this order be forwarded to the Appellant and the CPIO.

  
Sushil Chandra M,  
AA & GM(HRD & CSR)  
MRPL, Mangalore

Place : Mangalore  
Dated : 22.07.2013

Copy endorsed :

- a. Shri P Sadananda Shetty, F1, Ramabhavan Complex, Kodialbail, Mangalore  
575003
- b. CPIO, MRPL, Mangalore