

Central Information Commission

**Decision No. 305/ IC(A)/2006
(35 Cases) F. No. CIC/MA/A/2006/00394**

Dated, the 28th September, 2006

Name of the Appellant : Shri B.D. Vaghela, Senior Manager (PPES), Indian Oil Corporation Ltd., Shikhar Complex, Mithakhali Six Road, Navrangpura, Ahmedabad-380009.

Name of the Public Authority: Indian Oil Corporation Ltd., Corporate Office, Plot No. 3079/3, Sadiq Nagar, J.B. Tito Marg, New Delhi-110049.

DECISION

Facts:

1. The appellant is a Senior Manager of Indian Oil Corporation Ltd. In the last few months the appellant has filed as many as 135 applications for seeking information from Oil Companies, mainly from his employer, IOC. Of these, over 35 complaints / appeals have been filed before the Commission against the decisions of CPIOs of the Corporate Office of IOC at New Delhi and its Marketing Division at Mumbai. Information sought through his various applications pertain mainly to his grievances relating to promotion, transfer, allotment of house, information relating to grade-wise posts and representation of SC/ST staff in different categories of staff, etc.

2. In response to his various applications, the CPIOs furnished a large part of the information while the remaining information could not be provided as it was not available in the form required or sought by the appellant. Some of the information was however denied u/s 7(9) of the Act by the CPIOs on the ground that the information sought was huge, the compilation of which would disproportionately divert the resources of public authority.

3. In view of a large number of appeals, the appellant was advised by the Commission to prepare a comprehensive list of information, which has been denied by the CPIOs and also identify the information required by him on priority basis, which he did. For the sake of convenience and expeditious disposal of the appeals, the case was heard on 22nd September, 2006. The appellant, Shri B.D.

Vaghela, was present in person. The following officers from IOC were also present:

- 1) Smt. C. Vishalakshi, Chief HR Manager, Corporate Office, New Delhi
- 2) Shri Deepak Dhawan, Chief Law Manager (CA), Corporate Office, New Delhi
- 3) Shri S.K. Khare, Chief ER Manager, Marketing Division, Mumbai
- 4) Shri Girish Gadgil, Dy. Manager (Law), HO, Marketing Division, Mumbai

4. In the course of hearing, the appellant mentioned the cause of seeking information. He stated that he was denied promotions and was also harassed on matters pertaining to transfers and allotment official accommodation. In this backdrop, he had sought information, which was largely furnished. Yet, a few critical information was not given to him.

5. The respondents mentioned that they were equally harassed by the appellant who had filed as many as 135 applications and all the requests have been complied with at the huge costs of public resources. They also mentioned that the appellant was using unpleasant language in his various communication sent to senior officials, the copies of which were shown to the Commission also. He was thus misusing RTI Act, as almost all the applications filed by him are intended to seek information for promotion of his personal interest.

6. The appellant also mentioned that for using RTI, he has been charge-sheeted by the IOC. The respondents however clarified that the appellant was using abusive language, which was unbecoming of an officer, and therefore it was sufficient ground, under the service and conduct rules, for seeking explanation from him.

Commission's Decision:

7. Both the parties were heard in great detail. They provided a detailed account of the manner in which information was sought for by the appellant and the extent to which information was provided to him by the CPIOs. After a detailed discussion, the representatives of IOC agreed to provide the following information sought by the appellant:

- List of SC/ST officers in Marketing Division.
- Copy of Policy guideline related to promotion for officers as may have been framed by IOC alongwith MOU entered between IOC and Officers Association in respect of promotion.

- Total number of officers/workmen category-wise / grade-wise as available with IOC for all Divisions.
- Norms of promotion in DPC in which the applicant was considered in response to his representation.

All the above mentioned information should be furnished within 15 working days from the issue of this decision.

8. The appellant was advised to refrain from using unpleasant language against the senior officials of the IOC, which he agreed to. And, the Chief H.R. Manager, IOC was directed to inform the competent authority to take a lenient view of the matter in the case of issuance of the chargesheet to the appellant. The appellant had assured the Commission that he would not repeat this mistake.

9. All the appeals are accordingly disposed of.

Sd/-
(Prof M. M. Ansari)
Information Commissioner

Authenticated true copy:

(L. C. Singhi)
Additional Registrar

Cc:

1. Shri B.D. Vaghela, Senior Manager (PPES), Indian Oil Corporation Ltd., Shikhar Complex, Mithakhali Six Road, Navrangpura, Ahmedabad-380009.
2. Shri Satish Kumar, General Manager(HR) & CPIO, Indian oil Corporation Ltd., Corporate Office, Plot No. 3079/3, Sadiq Nagar, J.B. Tito Marg, New Delhi-110049.
3. Shri V.K. Sood, Director & CPIO, Head Office, Indian Oil Corporation, Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra(East) Mumbai-400 051.
4. Shri A.K. Rauniar, General Manager I/C (HR) & CPIO, Indian Oil Corporation, Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra(East) Mumbai-400 051.