



J&K State Information Commission

(Constituted under Right to Information Act 2009)

Old Assembly Complex, Srinagar, Fax No. 0194-2484269, 2484262

Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937

www.jksic.nic.in

File No: SIC/J/A/189/2013

Decision No: SIC/J/A/189/2013/319

Sh. Kovid Khosla
Advocate

Appellant Present

Sh. Ashwani Kumar Gupta
Senior Regional Manager,
Hindustan Petroleum Corporation Limited,
Lane No.3, SIDCO Complex,
Bari Brahmana, Jammu.

CPIO Present

Sh. Darjay Angchuk
Sr. Operation Officer,
Hindustan Petroleum Corporation Limited,
Lane No.3, SIDCO Complex,
Bari Brahmana, Jammu.

Present

Jammu

18-10-2013.

Briefly the facts in this appeal are that Sh. Kovid Khosla (Advocate J&K, High Court) R/o Opposite Eicher Showroom, Main Road Sidhra, Jammu moved an application dated 14-5-2013 under J&K RTI Act, 2009 before the PIO, HPCL, Jammu LPG RO, SIDCO Complex Jammu seeking the following information:-

- A. Details of the names/addresses/consumer ID/No. of the consumers at present registered with LPG Distributor namely M/s Shivangi gas

service, shop No.12 Ahata Amar Singh opposite-CPO Panztirthi, Jammu.

- B. Monthly details of the total number of subsidized and non-subsidized LPG cylinders sold to the aforesaid distributor since Jan, 2012 till date with details of the rates at which the same were sold.
- C. Kindly provide the monthly details of the subsidized and non-subsidized LPG cylinders sold in Sidhra Jammu by the said dealer since Jan, 2012 till date.
- D. Kindly provide the monthly details of the commercial LPG gas cylinders sold to the said dealer by your company since 2012 till date and details of the commercial cylinders sold in Sidhra area by said dealer since 2012 be also provided.
- E. Details of the procedure adopted by your company regarding the supply of LPG cylinders (subsidized/non-subsidized/commercial) to the distributors in Jammu district.
- F. How many LPG connections registered with said distributor have been cancelled/withheld since Jan, 2012 till date with details of the reasons of cancellation/names of consumers/addresses whose connections have been cancelled.
- G. What are the conditions for storage/sale of the LPG cylinders by distributors in Jammu city.
- H. What are the precautionary measures which are mandatory for the LPG cylinders by distributors/home delivery vans while selling/delivering of LPG cylinders.

The appellant has alleged in his appeal before the Commission that the CPIO provided him incomplete information and that too after lapse of the prescribed period under J&K RTI Act, 2009. Perusal of the record shows that the appellant preferred Ist appeal before the FAA i.e ED LPG HPCL, Mumbai, but the FAA kept sleeping over the matter and did not dispose of the said appeal till filing of second appeal by the appellant before the Commission. On the last date of hearing i.e 01-10-2013, the CPIO was directed to file the counter reply and in compliance to the direction of the Commission he filed counter reply vide office No:AKG/JLRO dated 07-10-2013.

Perusal of the counter reply and information received by the information seeker shows that the information provided to the information seeker is incomplete and incorrect. The appellant also submitted before the

Commission a copy of set of information he has received from Dy. Director (S)/CAPD Department Jammu vide No: DCAPOJ/EC/2013-14/228 dated 17-08-2013. A critical look into the contents of the information so received by the information seeker show that it is inconsistent with the information provided by the Senior Regional Manager, Hindustan Petroleum Corporation Limited, LPG Regional Office Jammu. The matter being serious in nature as the allegations levelled by the appellant pertain to corruption and black marketing in the distribution of LPG by M/S Shivangi gas service and the information received by the information seeker is full of inconsistencies which needs to be inquired into in terms of section 15 of the RTI Act, 2009. Dy. Registrar of the Commission is hereby directed to hold inquiry into the matter after providing an opportunity of being heard to the affected parties including the appellant and report the matter to the Commission for further necessary action as warranted under law within three weeks from the date of pronouncement of this order.

The appeal is accordingly disposed of.

Notice of this decision be given free of cost to the parties.

Sd/-

Dr. S.K. Sharma

State Information Commissioner

Copy to:-

1. First Appellate Authority / ED LPG HPCL, Mumbai.
2. Public Information Officer / Senior Regional Manager, Hindustan Petroleum Corporation Limited, Lane No.3, SIDCO Complex, Bari Brahmana, Jammu.
3. Sr. Operation Officer, Hindustan Petroleum Corporation Limited, Lane No.3, SIDCO Complex, Bari Brahmana, Jammu.
4. Sh. Kovid Khosla, Advocate, J&K High Court Jammu, Opposite Eicher Showroom, Main Road, Sidhra, Jammu.

(Satish Thaploo)

Asstt. Registrar,
State Information Commission