

**CENTRAL INFORMATION COMMISSION**  
**Club Building (Near Post Office)**  
**Old JNU Campus, New Delhi - 110067**  
**Tel: +91-11-26101592**

File No. CIC/BS/A/2013/000681/4968

24 April 2014

**Relevant Facts emerging from the Appeal:**

**Appellant** : Mr. Harpreet singh  
2979/2, Ranjit Nagar,  
New Delhi - 110008

**Respondent** : CPIO & Chief Manager – HR(M)  
**ITI Limited**  
Corporate Marketing Unit  
F-84, Doiorvaninagar,  
Bangalore - 560016

**RTI application filed on** : “Nil”  
**PIO replied on** : 12/02/2013  
**First appeal filed on** : 19/01/2013  
**First Appellate Authority order** : No Order  
**Second Appeal dated** : 18/02/2013

**Information sought:**

The applicant has sought the following the information:-

1. What is total amount of processing fees along with annual fees collected by ITI Ltd from CPWD and contractors, vendors of CPWD for providing e tendering services for CPWD by website: [www.tenderwizard.com/CPWD](http://www.tenderwizard.com/CPWD) for the period from 28-5-2010 till 28-5-2012.
2. What is the Association of ITI with Antras Systems Limited and what amount has been paid to Antras Systems Limited from 28-5-2010 till 28-05-2012 for maintain and operating e tendering services to CPWD by website: [www.tenderwizard.com/CPWD](http://www.tenderwizard.com/CPWD) for the period from 28-5-2010 till 28-5-2012.

**Grounds for the Second Appeal:**

The CPIO has denied the information under Section 8(1)(d) of the RTI Act 2005.

**Relevant Facts emerging during Hearing:**

The following were present

**Appellant:** Mr. Harpreet Singh

**Respondent:** Mr. Devoor PIO through VC

The appellant stated that he wants to know how much amount ITI has collected from the contractors of the CPWD for providing e-tendering services during the period 28/05/2010 till 28/05/2012. The PIO stated that the disclosure of the information is exempt under Section 8(1)(d) of the RTI Act as it relates to commercial confidence, trade secrets and intellectual property rights and is likely to harm the competitive position of the ITI. To a query as to how the disclosure of the information (viz. the aggregate amount collected) would harm the competitive position of the ITI, the PIO was unable to give any satisfactory justification.

**Decision notice:**

Access to information, under Section 3 of the Act, is the rule and exemptions the exception. The information can be denied only if it is exempt as per the provisions of Section 8 or Section 9 of the RTI Act. Further, while denying information the authority withholding the information must show satisfactory reason and such reason should be germane and based on some material. Sans this consideration the information cannot be denied. In the instant case the PIO has been unable to show any satisfactory reasons as to how the release of the information would harm the competitive position of the ITI. Hence, there is no legitimate ground for withholding the information. The PIO is, accordingly, directed to furnish the information as above to the appellant within 15 days from the date of receipt of this order.

**The appeal is disposed of accordingly.**

**BASANT SETH**  
**Information Commissioner**

**Authenticated true copy:**

**(R. L. Gupta)**  
**Dy. Registrar/Designated Officer**