

CENTRAL INFORMATION COMMISSION
Baba Gang Nath Marg,
Munirka, New Delhi -110067
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Appeal No. CIC/TRAOI/C/2017/131449

Appellant: Vikki Choudhry

Respondent: Central Public Information Officer
Telecom Regulatory Authority of India,
Mahanagar Dorsanchar Bhawan,
Jawharlal Nehru Marg, Old Minto Road,
New Delhi.

Date of Hearing: 07.03.2018
Dated of Decision: 07.03.2018

ORDER

Facts:

1. The appellant filed RTI application dated 22.08.2016 seeking copy of GDP deflator used by the TRAI and a copy of the industry's representation referred to in the TRAI submission before Apex Court in CA No. 829 of 2010 etc.
2. The CPIO responded on 06.09.2016. The appellant filed first appeal dated 12.09.2016 with First Appellate Authority (FAA). The FAA responded on 26.10.2016. The appellant filed second appeal on 12.05.2017 before the Commission on the ground that information should be provided to him.

Hearing:

3. The appellant and the respondent Shri Sudutta (CPIO) participated in the hearing in person.
4. The appellant stated that TRAI had indicated in a press release dated 09.05.2016 that the GDP deflator has been taken into account as a measure of inflation as also the increase in the number of subscribers for the purpose of analysis regarding tariff. The appellant stated that copy of GDP deflator used by the TRAI and the industry's representation based on which the TRAI had moved on application before Apex Court in CA No. 829 of 2010 has not been provided to him. Moreover, the appellant stated that GDP deflator was wrongly adopted. The appellant stated that Rs.10,000 Crore was wrongly

collected by hiking the tariff through the said order. The appellant stated that the sought for information should be provided to him as larger public interest is involved in disclosure of the sought for information.

5. The respondent stated that GDP deflator is available on their website and link also has been provided on the website. The respondent stated that industry's representation is third party information. The third party has informed them that the representation should not be shared with other parties. The respondent stated that the industry's representation is a confidential document.

Discussion/ observation:

6. The Commission is of the view that industry's representation is not a individual's personal information. Its disclosure larger public interest involved as it has impacted on the tariff plans.

Decision:

7. The respondent is directed to provide a copy of the industry's representation as referred to in the RTI application, within 15 days from the date of receipt of this order.

The appeal is disposed of. Copy of the order be given to the parties free of cost.

(Radha Krishna Mathur)
Chief Information Commissioner

Authenticated true copy

(S.C. Sharma)
Dy. Registrar