

**Note**

No. HQ/EN/WC/PWC(RTI)/1/2020 [1379]

Dated: 06-08-2024

Sub- Requirement for Clarification in c/w Information under RTI act sought by Applicant – Sh. Adarsh Kumar RTI Application [ Registration no-DFCCL/R/E/24/00709 date of receipt- 27-07-2024-Address- A 1701, Amrapali platinum, sector-123, Noida-Pin-201305; Cell no-9327040934; E Mail ID- Adarsh.jsl@gmail.com]


Ref- RTI-788, as forwarded vide E Mail (ref no- 2024/HQ/ADMIN/RTI-788) dated 29-07-2024, addressed to GGM/CM.

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With reference to information sought by the Applicant vide above referred Application, in as much as ‘the information sought’ contextually pertains to the Office of the GGM/CM and applicable till the date of this correspondence, following information is conveyed under col no-2;

s n	Reference / extract from RTI Applicant’s referred Request for information under “Information sought”	Comments (Office of the GGM/CM)
1)	<p>M/s Masin Projects Pvt. Ltd. (Corporate identification Number (CIN) - U74120DL2010PTC199481. Registered office: C-335 Yojna Vihar Delhi. Directors: Payal Singhal and Vaneesh Gupta) has provided the Techno-legal services to DFCCIL in a few matters (Package - CTP-11, CP101, CP-102 etc.) while simultaneously the same company provided techno-legal services to the other contractors (i.e. L&amp;T, GMR. IRCON etc.) in a few matters (Package- CP201 CP:202. CTP-3R) against DFCCIL. This is the direct conflict of Interest. The techno-legal services in dispute DAB \Arbitration matter should be unbiased and hence any company cannot provide such services to the two disputing parties al the same time. <i>DFCCIL should clarify the mechanism of checking the conflict of interest.</i></p> <p>This practice by M\s Masin Projects Pvt. Ltd is impacting the greater interest of DFCCIL and this is also against the fair means &amp; ethics or techno-legal service business with code of conduct, privy or documents. Avoidance of cross references of contractual and legal position of DFCCIL. Apart from this, fair opportunity to other potential parties, who are competitors of Masin Projects Pvt. Ltd. is getting deprived and available talent in this industry is not getting utilized by organization like DFCCIL for its megaprojects.</p>	<p>This RTI request, purportedly submitted under section 6 of RTI Act 2005, to obtain information, as defined under sub section 2.(f) of the RTI act 2005, is an ill-disguised complaint pertaining to a specifically named techno-legal Service provider entity. The aforesaid RTI request also, passes unsolicited judgement in its concluding part i.e. in second para.</p> <p>It would be appropriate to mention that redressal of any complaint / grievance does not fall within the ambit of the RTI Act and that the RTI Act is not the proper law for redressal of grievances/disputes.</p> <p>The Applicant has sought clarification on the mechanism of checking conflict of interest. DFCCIL has no access to any such clarification on its record. DFCCIL, under the RTI, is obligated, under the section 2.(f) read with 2.(j) of the RTI act, to provide only that information, which is accessible, held by or is under the control of it (i.e. DFCCIL).</p> <p>Therefore, in view of the above, no information can be provided.</p>

GGM/CM

  
06/08/2024

JGM/Admin (CPIO)

  
DGM/CM/Civil