

Central Information Commission

Shri.P K Lal vs Punjab And Sind Bank on 16 September, 2011

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)

Old JNU Campus, New Delhi - 110067

Tel: +91-11-26161796

Decision No. CIC/SG/C/2011/00079

Complaint No. CIC/SG/C/2011/

Complainant : Mr. P K Lal  
A-73, Old Awaas Vikas Colony,  
Delhi road, Saharanpur

Respondent : Central Public Information Officer  
Punjab & Sind Bank, Zonal Officee,  
49, Gandhi Road, Dehradun

Facts

arising from the Complaint:

The Complainant had filed a RTI application with the CPIO, Punjab & Sind Bank, 7 th Floor, 21 Rajendra Place, New Delhi on 11/03/2011 asking for certain information. On not having received any information within the mandated time the Complainant filed a Complaint under Section 18 of the RTI Act before the Commission. On this basis, the Commission issued a notice to the CPIO, Punjab & Sind Bank, Zonal Office, Gagandeep Complex, 148 Civil Lines, Bareilly on 27/07/2011 with a direction to provide the information to the Complainant and further sought an explanation for not furnishing the information within the mandated time.

The Commission is in receipt of a copy a letter dated 05/08/2011 by the CPIO, Punjab & Sind Bank, Gagandeep Complex, 148 Civil Lines, Bareilly- 243 001 addressed to the Respondent wherein the Respondent has been requested to provide information to the Complainant and comply with Commission notice as the matter pertains to the Respondent's office.

However the Commission has neither received a copy of the information sent to the Complainant, nor has it received any explanation from the Respondent for not supplying the information to the Complainant. Therefore, the only presumption that can be made is that the Respondent has deliberately and without any reasonable cause refused to give information as per the provisions of the RTI Act. Failure on the part of the Respondent to respond to the Commission's notice shows that there is no reasonable cause for the refusal of information.

Decision:

The Complaint is allowed.

In view of the aforesaid, the Respondent is hereby directed to provide complete and specific information with respect to the RTI application dated 11/03/2011 to the Complainant before 6th October 2011 with a copy to the Commission.

From the facts before the Commission, it appears that the Respondent has not provided the correct and complete information within the mandated time and has failed to comply with the provisions of the RTI Act. The delay and inaction on the Respondent's part in providing the information, amounts to willful disobedience of the Commission's direction and also raises a reasonable doubt that the denial of information may be malafide.

The Respondent is hereby directed to submit before this Commission his written submissions to show cause why penalty should not be imposed and disciplinary action should not be recommended against him under Section 20 (1) and (2) of the RTI Act for the delay caused in providing information to the Complainant. Further, the Respondent may serve this notice to any other official(s) who are responsible for this delay in providing the information, and may direct them to submit their written submissions along with him. This should reach the Commission before 10th October 2011.

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

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi Information Commissioner 16th September 2011 (In any correspondence on this decision, mention the complete decision number.)(RJ)