

Central Information Commission, New Delhi
File No. CIC/SH/A/2015/000752
Right to Information Act-2005-Under Section (19)

Date of hearing : 15th June 2016

Date of decision : 15th June 2016

Name of the Appellant : **Shri Chayan Ghosh Chowdhury,**
189, Rabindrapalli, Lucknow, UP- 226016

Name of the Public Authority/Respondent : **Central Public Information Officer,**
Punjab & Sind Bank,
H.O.: Bank House, 4th Floor, 21,
Rajendra Place, New Delhi- 110008

RTI Application filed on : 10/09/2014

CPIO replied on : 14/10/2014

First Appeal filed on : 28/10/2014

First Appellate Authority order on : 22/11/2014

2nd Appeal received on : 26/02/2015

The Appellant was present at the NIC Studio, Lucknow.

On behalf of the Respondents, Shri Iqbal Singh Nagi, Manager was present in person.

Information Commissioner : **Shri Sharat Sabharwal**

Information sought

This matter concerns an RTI application filed by the Appellant, seeking information on seven points regarding Shri Indra Singh Sial, an official of the bank.

The CPIO reply

The CPIO denied the information under section 8 (1) (j) of the RTI Act.

Grounds of the First Appeal

Not satisfied with the CPIO's reply.

Order of the First Appellate Authority

The FAA upheld the CPIO's reply.

Grounds of the Second Appeal

Aggrieved with response of the Respondents.

Relevant facts emerging during the hearing, Discussion and Decision.

The Appellant questioned the decision of the Respondents to deny the information sought by him under Section 8 (1) (j) of the RTI Act. The Respondents reiterated the

reply of the CPIO, denying the information. On perusal of the RTI application, it is seen that the information sought is regarding the postings profile / dates of promotion of an officer of the public authority, the number of cases in which he was conferred with the power to act as disciplinary authority etc. Such information cannot be said to be his personal information, the disclosure of which has no relationship to any public activity or interest.

2. In view of the foregoing, we do not agree with the decision of the Respondents to deny the entire information under Section 8 (1) (j). Therefore, the CPIO is directed to provide to the Appellant the information sought by him at points No. 1, 3 and 5 of the RTI application. With regard to point No. 2, the CPIO should provide a copy of the general transfer policy of the bank applicable to the officers of the level of Shri Sial. While providing the information on point No. 4, the CPIO should sever / blot out from the orders, copies of which are to be provided to the Appellant, the names and any other information of a personal nature (such as date of birth, personal address and family details etc.) concerning the officials, in whose case Shri Sial was conferred the power of disciplinary authority. The CPIO should provide the above information, free of charge, within thirty days of the receipt of this order, under intimation to the Commission.

3. The Appellant also complained that the FAA did not give him a personal hearing even though he requested for it in his first appeal. In this context, we would wish to point out the consistent position taken by the Commission that the FAA should give a personal hearing to those appellants who request for it. This is also in keeping with the principle of natural justice. The CPIO is directed to bring the above to the notice of the FAA, immediately on the receipt of this order, for his future guidance.

4. With the above directions and observations, the appeal is disposed of.

5. Copies of this order be given free of cost to the parties.

Sd/-
(Sharat Sabharwal)
Information Commissioner

Authenticated true copy. Additional copies of orders shall be supplied against application and payment of the charges prescribed under the Act to the CPIO of this Commission.

(Vijay Bhalla)
Deputy Registrar