

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. CIC/CBIND/A/2018/111857

Shiv Kumar Kanoi

... अपीलकर्ता/Appellant

VERSUS
बनाम

CPIO: Central Bank of
India, Regional Office,
Dr. D. N. Road Fort,
Mumbai.

... प्रतिवादीगण/Respondents

Relevant dates emerging from the appeal:

RTI : 16.09.2017	FA : 17.11.2017	SA : 21.02.2018
CPIO : No reply	FAO : No order	Hearing : 05.11.2019

ORDER
(27.11.2019)

1. The issues under consideration arising out of the **second appeal dated 21.02.2018** include non-receipt of the following information raised by the appellant through his RTI application dated 16.09.2017 and first appeal dated 17.11.2017:-

- (i) Please provide all copies of reply as details in the subject and signed by office concern authorities Mumbai.
- (ii) Please provide all documents/instructions/notices/correspondences with regard to, or on basis of which the replies are given by Your department, Mumbai. (The applicant is willing to take inspection of documents, along with the copy of these documents)
- (iii) Please provide the copy of fillings/correspondences/letters/instructions issued after signing of reply for communication and information to appropriate authorities, about the signing of replies thereof:
- (iv) Please provide the provision made in balance sheet/profit and loss account made with regard to Para 10 of the said M.O.U. specifically in relation of payment of taxes.
- (v) Please note in case you have not provided for the same, then provide whether such details/pending issue was informed to the auditor and the C.A.G or not and the copy of the same. (we will be taking up the issue with C.A.G., if there is any concealment)
- (vi) Please provide the provision made in balance sheets/profit & loss account of the notes relating in the balance sheets with reference to payment of rent for additional space.
- (vii) Please provide the provision made in the balance sheets/ profit & loss account of the notes relating in the balance sheet, with reference to SERVICE TAX as stated in Para 7 of the said M.O.U.

2. Succinctly facts of the case are that the appellant filed an application dated 16.09.2017 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Central Bank of India, Regional Office, Dr. D. N. Road Fort, Mumbai, seeking aforesaid information. The CPIO did not give any reply. Dissatisfied with the response of the CPIO, the appellant filed first appeal dated 17.11.2017. The First Appellate Authority did not pass any order. Aggrieved by this, the

appellant has filed a second appeal dated 21.02.2018 before this Commission which is under consideration.

3. The appellant filed the instant appeal dated 21.02.2018 *inter alia* on the grounds that respondent had not given any response to the RTI application as well as the first appeal.

4. The CPIO and the FAA did not reply.

5. The appellant and on behalf of the respondent Shri D Kumar, Deputy General Manager and Jayant Uplekar, Law Manager, Central Bank, Bandra, attended the hearing through video conference.

5.1. The appellant submitted that the respondent had not responded to the RTI applications despite filing several RTI applications. He had sought the status of his complaint filed before the office of Prime Minister's Office but the respondent had not provided any information.

5.2. The respondent submitted that the appellant had filed multiple RTI applications raising identical issues. The appellant was provided 63 pages of documents in response to another RTI application on 24.07.2018. The respondent also produced the order of First Appellate Authority dated 12.07.2019 in the other concerned case wherein it was stated that the appellant was provided all the files and papers vide letter dated 24.07.2018.

6. The Commission after adverting to the facts and circumstances of the case, hearing both the parties and perusal of records, feels that though the respondent provided copies of documents in response to the other RTI application as claimed by them but they did not respond to the RTI application in the instant matter. The respondent is cautioned that responding or providing documents in other appeals/applications filed by the appellant may not be taken as an excuse for not to respond to other RTI applications. Therefore, the CPIO is required to provide reply/information to each RTI application within prescribed timelines of RTI Act. In view of this, the respondent is directed that

complete information be provided to the appellant within 15 days of receipt of this order.
With the aforementioned observations and directions, the appeal is disposed of.

Copy of the decision be provided free of cost to the parties.

Sd/-

(Suresh Chandra) (सुरेश चंद्रा)

Information Commissioner (सूचना आयुक्त)

दिनांक/Date: 27.11.2019

Authenticated true copy

R. Sitarama Murthy (आर. सीताराम मूर्ती)

Dy. Registrar (उप पंजीयक)

011-26181927(०११-२६१८१९२७)

Addresses of the parties:

CPIO :

1. CENTRAL BANK OF INDIA
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346, STANDARD BUILDING,
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