

केन्द्रीयसूचनाआयोग
Central Information Commission
बाबागंगनाथमार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नईदिल्ली, New Delhi – 110067

द्वितीयअपीलसंख्या/Second Appeal No. CIC/SBIND/A/2019/643599

Mr. Om Prakash Vijaivergia

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO

...प्रतिवादी/Respondent

State Bank of India
Regional Business Office-Region-2
Siliguri, Sky Star Building, Sevoke
Road, Siliguri, Darjeeling, W.B.-
734001

Relevant dates emerging from the appeal:-

RTI : 13-03-2019	FA : 19-04-2019	SA : 24-06-2019
CPIO : 02-05-2019	FAO : 29-04-2019	Hearing: 03-01-2022

ORDER

1. The appellant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO) State Bank of India, Darjeeling. The appellant seeking information is as under:-

1. Full description of the transaction of Rs.1500/- deposited through CDM.
2. Mobile number used by the depositor for depositing above cash on 27.12.2018.
3. Soft copy of CCTV footage covering all the images of entire transaction period

2. That the CPIO vide letter dated 02-05-2019 provided reply to the appellant. Being dissatisfied with the same, the appellant has filed first appeal dated 19-04-2019 and requested that the information should be provided to him. FAA vide order dated 29-04-2019 informed that information sought has been sent through speed post. He has filed a second appeal before the Commission on the ground that information sought has not been provided to him and requested to direct the respondent to provide complete and correct information.

Hearing:

3. The appellant attended the hearing through audio-call. The respondent, Shri Rajiv Kumar Mishra, CPIO/ Regional Manager attended the hearing through audio-call.

4. Both the parties submitted their written submissions and the same has been taken on record.

5. The appellant reiterated the contents of his RTI Application and submitted that the desired information has not been provided to him by the respondent on his RTI application dated 13.03.2019. he further submitted that the relevant information sought at point no. 2 of RTI Application has been provided after a considerable delay of 3 years. That the FAA also not adjudicated his first appeal properly.

6. The respondent submitted that vide their letter dated 02.05.2019, they have informed the appellant that a point-wise reply as per their available records has already been provided to the appellant. That the information sought at point nos. 1 & 3 of the RTI Application could not be provided due to technical issue. That the information sought at point no. 2 of the RTI Application has now been provided vide letter dated 22.12.2021.

Decision:

7. The Commission, after hearing the submissions of both the parties and after perusal of records, observes that the appellant has sought information related to his request letter containing details of CDM cash deposits dated 27.12.2018 and other queries related thereto. That the appellant has contended that the adequate reply to the instant RTI Application has been provided after a delay of 3 years, therefore a penalty should be imposed to the respondent for obstructing information for such a long period of time. That the respondent instead of providing relevant information within reasonable time-frame,

intentionally hide the requested information which was already available with the respondent.

8. In view of the above, the Commission hereby issues strict warning to the concerned CPIO for not providing the available information for so long. That the conduct of the concerned CPIO is highly objectionable and same should be brought to the notice of his controlling authority for an appropriate view. He is being reprimanded for future as the information that could have been provided on time, also not provided by the concerned CPIO. That the conduct of the concerned FAA is also found to be lacking as the first appeal has not been disposed off meticulously, therefore the FAA's conduct should also be examined by its controlling authority.

9. That since the information sought has been provided by the respondent after a considerable delay. Therefore, the Commission directs the respondent to show-cause in writing the reasons that as to why penalty should not be imposed on him for not giving information to the appellant for such a long period of time. Further, the Commission observes that if the technical vendor is not cooperating with the CPIO, the controlling authority should take an appropriate view on competence performance of the vendor. That since a copy of letter dated 22.12.2021 has not been marked to the appellant, therefore the Commission directs the respondent to send a copy of letter dated 22.12.2021 along with enclosures to the appellant by registered post as well as by email.

10. The above said directions should be complied within 15 days from the date of receipt of this order.

11. With the above observations, the appeal is disposed of.

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

Neeraj Kumar Gupta (नीरजकुमारगुप्ता)
Information Commissioner (सूचनाआयुक्त)

दिनांक / Date: 03-01-2022

Authenticated true copy
(अभिप्रमाणितसत्यापितप्रति)

S. C. Sharma (एस. सी. शर्मा),
Dy. Registrar (उप-पंजीयक),
(011-26105682)

Addresses of the parties:

1. CPIO
State Bank of India
Regional Business Office-Region-2
Siliguri, Sky Star Building, Sevoke Road,
Siliguri, Darjeeling, W.B.-734001
2. Mr. Om Prakash Vijaivergia

