

CENTRAL INFORMATION COMMISSION
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Decision No. CIC/SM/A/2011/000483/SG/14663
Appeal No. CIC/SM/A/2011/000483/SG

Relevant Facts Emerging from the Appeal:

Appellant : Mr. H.G. Prabhu
Sri Hari Manjunath Pai Road
Karkala-574 104

Respondent : Mr. Srikant
PIO & Dy. General Manager
Corporation Bank
Mangladevi Temple Road,
Pandeshwar, Mangalore- 575001

RTI Application filed on : 14/10/2010
PIO replied on : 15/11/2010
First Appeal filed on : 13/12/2010
Order of the FAA : 06/01/2011
Second Appeal filed on : 19/01/2011

Information Sought

The information sought is with regards to the expenses done under various heads at the inaugural function of the Bank's branch at Sagardighi, West Bengal.

PIO's Reply

The information sought is in the nature of commercial confidence, the disclosure of which would harm the competitive position of the Bank. Such disclosure is exempted under Section 8 (1) (d) of the RTI Act, hence the same is denied.

Grounds for the First Appeal

Information sought has not been provided stating the information in the nature of commercial confidence as per the RTI Act.

Order of the First Appellate Authority:

The information sought is indeed in the nature of commercial confidence and hence the same can't be disclosed. The appeal is thereby rejected.

Grounds of the Second Appeal:

The information sought has been deliberately denied by the Bank by taking shelter under the RTI Act. The expenses incurred by the Bank are on the high side.

Relevant Facts emerging during Hearing:

The following were present

Appellant : Mr. H.G. Prabhu on video conference from NIC-Udupi Studio;

Respondent : Mr. Srikant, PIO & Dy. General Manager on video conference from NIC-Mangalore Studio;

The Appellant had sought information about the expenses of the bank during the inauguration. The PIO has refused to give the information claiming exemption under Section 8(!)(d) of the RTI Act. The Commission cannot see any justification to claim that the expenses incurred by the bank in inauguration of its branch can be considered as "commercial confidence or trade secret or intellectual property". The PIO has stated that he considers this expense to be an expense on the publicity of the

bank. Even if this appeal were to be accepted this expense could not be considered as a commercial confidence of the bank. In view of this the PIO's denial of information is not upheld by the Commission.

Decision:

The Appeal is allowed.

The PIO is directed to provide the information to the Appellant before 10 October 2011.

This decision is announced in open chamber.

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
19 September 2011

(In any correspondence on this decision, mention the complete decision number.) (ved)