

CENTRAL INFORMATION COMMISSION
Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/C/2011/000986/17288
Complaint No. CIC/SG/C/2011/000986

Relevant Facts emerging from the Complaint:

Complainant : Mr. Yogender Kumar Mishr
111G 2/6, Barra 6,
Kanpur 208027

Respondent : Mr. Ashutosh Bramhatmaj
PIO & General Manger
Allahabad UP Gramin Bank,
Head Office Banda,
Banda, Uttar Pradesh

RTI application filed on : 02/06/2011
First Appeal : 13/07/2011
Complaint filed on : 25/08/2011
Complaint Notice : 01/09/2011

Information sought:

Provide the certified copies of the Disciplinary proceedings undertaken against all the employees of the regional banks and other offices of the banks under the Head office. Gramscn Bank, Banda. The information - period 01/03/2007 to 31/05/2011.

Grounds of the Complaint:

Information has not been provided.

Submissions of the CPIO:

CPIO's reply dated 23/07/2011-

The bank was not established at that time so no records of disciplinary proceedings available for the period. The information related to later period can not be provided because it is related to third party.

CPIO's letter to CIC dated 22/09/2011:

An application dated 02.06.2011, under RTI Act, 2005 was received by us on 06.06.2011 from the applicant Sri Yogendra Kumar Misra seeking information regarding cases of disciplinary proceedings conducted or contemplated against the officials of Allahabad U P Gramin Bank from 01.03.2007 to 31.05.2011 on the given format.

2. The application dated 02.06.2011 was responded vide our letter no. /Mf /299 .dated 23.07.2011. The applicant was conveyed that the Allahabad U P Gramin Bank (Head Office Banda) was formed on 02.03.2010 Dafter amalgamation of two erstwhile Gramin Bank i.e. Lucknow Kshetriya Gramscn Bank and Triveni Kshetriya Gramin Bank by Govt. of India notification dated 02.03.2010, hence required informed related to Allahabad U P Gramin Bank. from 01.07.2007 can not be provided because Allahabad UP Gramin Bank came into existence only on 02.03.2010. As regards information about post amalgamation period i.e. after formation of Allahabad U P Gramin Bank it was informed that the required information is related to disciplinary action against third party and can not be disclosed.

3. The letter was dispatched to the applicant by registered post under receipt No.2969 dated 29.07.2011. Photocopies of our letter dated 23.07.2011, and postal receipt are being enclosed as Annexure 1& 2.
4. The applicant has not submitted copy of our reply dated 23.07.2011 to you with his complaint. He has concealed the fact that his application, under reference, was attended and responded by us before approaching the Commission on 25.08.2011.
Thus, in the light of the foregoing, we request your good self to please treat the matter as disposed off.

Relevant Facts emerging during Hearing:

The following were present

Complainant: Mr. Yogender Kumar Mishr on video conference from NIC-Kanpur Studio:

Respondent: Mr. Ashutosh Brahmaj, PIO & General Manger on video conference from NIC-Banda Studio:

The PIO has denied the information without any appropriate justification and appears to be confused about the provisions of the RTI Act. The PIO is directed to provide the information to the Complainant. If there are any personal details of the employees which the PIO feels would be invasion on the privacy on those individuals these could be severed as per the provisions of Section-10 of the RTI Act.

Decision:

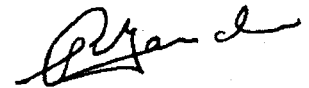
The complaint is allowed.

The PIO is directed to provide the information as per available records to the Complainant before 05 March 2012.

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
10 February 2012

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

