

Central Information Commission, New Delhi
File No. CIC/SH/A/2016/000021
Right to Information Act-2005-Under Section (19)

Date of hearing : 13th January 2017

Date of decision : 13th January 2017

Name of the Appellant : SHRI SHYAMAL GHOSH
BELGACHIA VILLA, BLOCK U,
FLAT NO. 5, KOLKATA -700037

Name of the Public Authority/Respondent : CENTRAL PUBLIC INFORMATION OFFICER,
SYNDICATE BANK
REGIONAL OFFICE, 651,
ANANDPUR, EM PASS KOLKATA,
W.B.- 700107

RTI Application filed on : 10/01/2015

CPIO replied on : 01/04/2015

First Appeal filed on : 16/05/2015

First Appellate Authority order on : 18/06/2015

2nd Appeal received on : 30/11/2015

The Appellant was present at the NIC Studio, Kolkata.

No one was present on behalf of the Respondents.

Information Commissioner : Shri Sharat Sabharwal

Information sought

1. Number of vacancies for PTS / Attenders in West Bengal. Provide the information district-wise and names of branches.
2. Whether empanelled candidates only were entrusted with the job after publication of the panel?

3. How many districts did not take recruits from the panel. Reasons for the same and what action had been taken against the erring branch Heads?

The CPIO reply

The CPIO gave a point wise reply to the Appellant.

Grounds of the First Appeal

Not satisfied with the CPIO's reply on point Nos. 2 and 3.

Order of the First Appellate Authority

The FAA upheld the CPIO's reply.

Grounds of the Second Appeal

Not satisfied with the reply given by the Respondents on point Nos. 2 and 3.

Relevant facts emerging during the Hearing, Discussion and Decision

The Respondents were not present in spite of a written notice having been sent to them. In the RTI application dated 10.1.2015, the Appellant had sought information regarding the existing number of vacancies for PTS / Attenders at point No. 1. The information was provided by the CPIO. The remaining two points were regarding whether empanelled candidates only were entrusted with the job after publication of the panel and whether in some branches, persons from outside the panel were recruited. We invited the attention of the Appellant to the fact that the same issues was considered by us in the context of his RTI application dated 29.6.2015 in our order No. CIC/SH/A/2015/001905 dated 25.11.2016. The Respondents had stated at that stage that as per the information available in the Regional Office and branches under the Regional Office, no person was recruited from outside the panel. Therefore, the CPIO was directed to file a sworn affidavit to the above effect. In

response to our query, the Appellant stated that the CPIO has filed the affidavit and given him a copy. However, he insisted that in some cases recruitment is being made from outside the panel. He also wanted the Commission to ensure that at least in future, appointments were not made from outside the panel. On being asked as to under which provision of the RTI Act the Commission could give a directive to the above effect to the Respondents, he stated that this would be best known to the Commission.

2. We have considered the records and the submissions of the Appellant. The issue of recruitment from outside the panel having been dealt with in our above mentioned order dated 25.11.2016, we do not consider it necessary to pass a fresh order in this case. Further, the Commission is not competent to grant the prayer of the Appellant to direct the Respondents to appoint persons from within the panel.

3. In the light of the foregoing, intervention by the Commission is not considered necessary in this case.

4. With the above 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