

Central Information Commission, New Delhi
File No. CIC/SH/A/2016/000083
Right to Information Act-2005-Under Section (19)

Date of hearing : 20th January 2017

Date of decision : 20th January 2017

Name of the Complainant : **SHRI DILIP KUMAR SWAIN**
S/O. SHRI NARAHARI SWAIN,
NARAHARI SWAIN, NEW STREET,
PO & PS -CHATRAPUR, GANJAM,
ODHISHA-761020

Name of the Public Authority/Respondent : **CENTRAL PUBLIC INFORMATION OFFICER,**
UTKAL GRAMIN BANK
REGIONAL OFFICE, BERHAMPUR,
HARSHA ARCADE, SUBBARAO
SQUARE, BERHAMPUR,
ODISHA-760001

RTI Application filed on : 22/06/2015

CPIO replied on : 01/08/2015

First Appeal filed on : 03/09/2015

First Appellate Authority order on : 22/09/2015

2nd Appeal received on : 16/11/2015

The Appellant was present at the NIC Studio, Ganjam.

On behalf of the Respondents, Shri Vijay Kumar, RM was present at the NIC Studio, Berhampur.

Information Commissioner : **Shri Sharat Sabharwal**

Information sought

1. Copy of letter or any office order for termination issued to him (a daily wage worker) by the Manager, Ganjam Branch, on 28.1.2013.
2. Daily wages account statement of the Respondents' Ganjam Branch from 28.1.2013 to 31.12.2014.

3. What was the daily wage paid from 28.1.2013 till date, to whom the daily wage was paid and who had drawn the same and what was the rate of daily wage paid in the Respondent bank?
4. Copy of the letter / order of the termination to Dilip Kumar Swain by the branch Manager.

The CPIO reply

The CPIO gave a point wise reply and denied the information on point Nos. 2 & 3 under section 8 (1) (d) of the RTI Act.

Grounds of the First Appeal

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

Order of the First Appellate Authority

The FAA upheld the CPIO's reply.

Grounds of the Second Appeal

No information provided on point Nos. 2 and 3.

Relevant facts emerging during the Hearing, Discussion and Decision

The Appellant stated that he was employed as a casual worker in the bank. However, his services were terminated without any reason. He sought the information in the above context, but has not been provided the information in response to points No. 2 and 3 of the RTI application. He added that he needs the information only in respect of the Ganjam branch. The Respondents reiterated the reply of the CPIO.

2. We have considered the submissions of both the parties. With reference to points No. 2 and 3, the CPIO is directed to provide to the Appellant the list of daily wage employees, employed by the Ganjam branch of the bank from time to time, during the period 28.1.2013 till the date of the RTI application (22.6.2015). The CPIO should also provide the information regarding the rates at which daily wages were paid to such employees. He should, however, not disclose the information regarding the total monthly payments made to third party daily wage employees. The CPIO should provide the information as above to the Appellant, free of charge, within twenty days of the receipt of this order, under intimation to the Commission.
3. With the above directions and observations, the appeal is disposed of.
4. 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