

Central Information Commission, New Delhi
File No. CIC/SH/A/2016/000942, CIC/SH/A/2016/001301 and CIC/SH/A/2016/001719
(Three Same Cases)
Right to Information Act-2005-Under Section (19)

Date of hearing : 21st June 2017

Date of decision : 21st June 2017

Name of the Appellant : SHRI PUNDLIK S NIMJE

Name of the Public Authority/Respondent : CENTRAL PUBLIC INFORMATION OFFICER,
UCO BANK
LAW DEPTT. ZONAL OFFICE, TAWA
COMPLEX, E-5, ARERA COLONY,
BHOPAL, M. P. - 4620 16

RTI Application filed on : 1-10/04/2015, 2-18/08/2015

CPIO replied on : 1-12/05/2015, 2-16/09/2015

First Appeal filed on : 12/10/2015

First Appellate Authority order on : 16/11/2015

2nd Appeal received on : 04/04/2016

The Appellant was present in person.

On behalf of the Respondents, Shri Arvind Kumar Agarwal, Law Officer was present at the NIC Studio, Bhopal.

Information Commissioner : Shri Sharat Sabharwal

File No. CIC/SH/A/2016/000942

Information sought

This matter concerns an RTI application dated 10.4.2015, filed by the Appellant, seeking information on three points concerning date of intimation regarding agreement made between Madhya Pradesh Warehousing Corporation, Bhopal, M/s May- Fair Warehousing Machinery, M/s Agronomy Services and M/s Fortune Warehousing, date of intimation to the bank regarding keeping of goods in go-down and the validity period of go-down inspection report for keeping the raw

material in the go-down of the three account holders. Vide another RTI application dated 18.8.2015, the Appellant sought some additional information as to when the complete documents concerning his case had been received by the Respondents and what was the medium of receipt of the said documents.

The CPIO reply

The CPIO vide letter dated 12.5.2015, stated that the matter in respect of the accounts in question was pending before a court; therefore, he expressed his inability to provide the information in terms of section 8 (1) (b) and (j) of the RTI Act. In response to the RTI application dated 18.8.2015, the CPIO, vide letter dated 16.9.2015, stated that the CPIO had already replied to the RTI application dated 10.4.2015, vide his letter dated 12.5.2015.

Grounds of the First Appeal

Not satisfied with the CPIO's replies.

Order of the First Appellate Authority

The FAA upheld the CPIO's reply.

Grounds of the Second Appeal

Information sought not provided.

**CIC/SH/A/2016/001301 and
CIC/SH/A/2016/001719**

These two files contain appeals received by the Commission on 23.5.2016 and 23.2.2016 respectively, with the same facts as the appeal on File No. CIC/SH/A/2016/000942.

Relevant facts emerging during the Hearing, Discussion and Decision

The Appellant stated that disciplinary proceedings were conducted against him by the Respondents and the punishment of reduction of eight increments for a period

of five years was imposed on him in May 2015. His appeal against the above punishment order was also rejected by the Appellate Authority and he has approached the High Court to challenge the above order. The Appellant submitted that in the course of the disciplinary proceedings, he was provided the following documents along with the charge-sheet:-

- (i) Agreement made between Madhya Pradesh Warehousing Corporation, Bhopal, M/s May- Fair Warehousing Machinery, M/s Agronomy Services and M/s Fortune Warehousing.
- (ii) Three stock statements.

The Appellant further submitted that he wants to get information regarding the date(s) on which the Respondents came into possession of the above documents and the manner in which these documents came into their possession.

2. The representative of the Respondents stated that the above information would be provided to the Appellant. The CPIO is directed to do so, within fifteen days of the receipt of this order, under intimation to the Commission. The information should be provided free of charge.
3. With the above directions and observations, the three appeals are 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