

CENTRAL INFORMATION COMMISSION

B-Wing, 2nd Floor, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066

Appeal No.1400/ICPB/2008

F.No.PBC/07/221

January 31, 2008

In the matter of Right to Information Act, 2005 – Section 18/19
[Hearing on 28.01.2007 at 3.30 p.m.]

Complainant : Mr. P.K. Bansal

Public authority: Bank of India
Mr. V.K.R.Agrawal, CPIO

Present: For Respondent:
Mr. V.K.R.Agrawal, General Manager
Mr. B.Sathuzchandran, General Manager

For Complainant:
None

FACTS:

The Complainant has sought information under RTI Act by his letter dated 15.4.2007 addressed to CPIO, Bank of India, HO, Mumbai. The Complainant in the capacity of director, M/s Systech Ltd. has requested the Bank to provide information vide letter dated 15.04.2007 with respect to the classification of the said account as NPA etc. by Bank of India. The CPIO furnished his reply vide letter dated 4.5.2007 by which he has informed the Complainant that his application was not accompanied with the requisite fee and the Company not being a citizen as per the RTI Act, the application of the Company was considered as not maintainable. However, while giving his reply, the PCIO has also indicated in case if the Complainant is interested in the information he has to solicit this information only from the CPIO, Bank of India, Pune since he is the custodian of this information. The Complainant did not make any payment of fees nor he has taken up the matter with Pune instead he has filed this appeal before the Commission on 9.4.2007. Comments were called from public authority which was received on 22.8.2007 from CPIO, Mumbai, Bank of India.

DECISION:

2. This case came up for hearing on 28.1.2008, which was attended by CPIO in person alongwith another General Manager. The Complainant did not attend the

hearing. At the outset, it was brought to the notice of CPIO that this Commission has been taking a consistent view in respect of companies, firms and association of firms that directors, partners and office bearers can seek information under the RTI Act in the name of the Company, firm, association of firm respectively even though these entities may not be construed as a citizen in terms of RTI Act. This is with a view to ensure that the beneficial provisions of the RTI Act are not denied on restricted definition. Accordingly, I direct the CPIO to dispose of the application on merits in terms of RTI Act within three weeks. It is also brought to the notice during the hearing the CPIO has informed the Complainant that he can seek the information from Pune since CPIO, Pune zone is the custodian. While forwarding the application to the CPIO, Pune, the CPIO, Mumbai can give specific direction to the CPIO, Pune by endorsing a copy to the Complainant with a request that he may collect the information from CPIO, Pune after paying necessary fee. The CPIO, Pune should also furnish the particulars of first AA. In case if the complainant is not satisfied with the reply, he is at liberty to file his appeal before the first AA. On the above lines, the appeal is disposed of.

Let a copy of this decision be sent to the Complainant and CPIO.

Sd/-
(Padma Balasubramanian)
Information Commissioner

Authenticated true copy :

(Tarun Kumar)
Joint Secretary & Addl. Registrar

Address of parties :

1. Mr. V.K.R.Agrawal, GM & CPIO, Bank of India, HO: Star House C-5, "G" Block, Bandra Kurla Complex, Bandra (East), Mumbai – 400051.
2. Mr. P.K. Bansal, Director, M/s Systech Ltd., C/o Subodh Shah, Advocate, 7, Lawyers' Chamber, Shivajinagar Court Compound, Shivajinagar, Pune.