

CENTRAL INFORMATION COMMISSION

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

Appeal No.1363/ICPB/2007

F.No.PBC/07/316

January 28, 2008

In the matter of Right to Information Act, 2005 – Section 18

[Hearing on 21.1.2008 at 12.30 pm]

Appellant: Mr. Ashok Kumar Gupta, Muzaffarnagar

Respondents : Indian Bank Association
Mr. V. Ramchandran, Senior Vice President

Present : For respondents :
Mr. V. Ramchandran, Senior Vice President

FACTS:

The appellant has sought information under RTI Act by his letter dated 21.3.2007 addressed to Indian Bank Association, Mumbai, information pertaining to agreement dated 10.4.2007 on disciplinary matter between IBA and workmen unions. In his application the appellant has listed 3 items. The appellant did not receive any reply, hence he has filed first appeal before the Indian Bank Association on 2.5.2007. Again the appellant did not receive any reply, hence he has filed this complaint before the Commission on 27.7.2007. The Commission has called for the comments on 22.10.2007 from the Public Authority, and it seems it has been sent to the Commission. This case came up for hearing on 21.1.2008, which was attended by Senior Vice President of IBA. The appellant did not attend the hearing. The representative of IBA has putforth his stand that IBA is not a Public Authority. On account of which they have not furnished any reply to the appellant. However, they have submitted their comments to the Commission. In the comments the IBA has not stated very clearly how IBA is created and funded and who are all the members of the IBA, and what is the mandate in settling disputes and entering into agreement with the workers etc. There is a clear definition of “Public Authority” u/s 2(h) of the RTI Act and therefore I request the representative to go through the section 2 (h) from ‘a’ to ‘d’ as well as from (i) & (ii) under the same section and he has to relate it to IBA in order to establish why

IBA can not be treated as a Public Authority and he has to make his submission within one month from the date of receipt of this decision. Final decision will be given in the matter thereafter.

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

Sd/-
(Padma Balasubramanian)
Information Commissioner

Authenticated true copy :

(Tarun Kumar)
Joint Secretary & Addl. Registrar

Address of parties:

1. Mr. V. Ramchandran, Senior Vice President, The Indian Bank Association, Stadium House, Block-3, 6th Floor, 81-83, Veer Nariman Road, Mumbai-400020
2. Mr. Ashok Kumar Gupts, 263/4, Indra Colony, Muzaffar Nagar City – 251001 (UP)