

CENTRAL INFORMATION COMMISSION

(Room No.313, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi-110067)

Before Prof. M. Sridhar Acharyulu (Madabhushi Sridhar), CIC

CIC/BS/C/2016/000209

Prasanta Basu Ray v. PIO, Department of Posts

Order Sheet: RTI filing dated – 31.12.2015, CPIO replied on- 22.01.2016, FAO - Nil, Second appeal filed on 04.04.2016, Hearing on 12.01.2018;

Proceedings on 15.06.2017: Directed to provide the latest action taken report to the appellant and Show Cause to Mr. Abhinav Banerjee, Inspector of Posts and the then PIO Shri P.K. Dev for not giving the name of the PIO and for giving wrong information.

Proceedings on 12.01.2018: Appellant absent, Public Authority represented by Mr. S.G. Giri, SSPO;

Date of Decision - 12.01.2018: Penalty imposed and disposed of.

ORDER

FACTS:

1. The appellant sought information on whether ATM was installed in a room in front of Chandanagar post office, if yes, the present status of it; name and designation of the officer who is directly looking after this ATM installation project; whether appropriate authority and date of completion was set for this project; why there was a delay caused in installation; whether the project is suffering from paucity of fund etc. The CPIO resorted to respond for most of the queries in the form of 'not available in material form'. The appellant has approached this Commission since his first appeal was not adjudicated by the first appellate authority.

2. The Commission's order dated 16.06.2017:

2. The officer representing the respondent authority stated that they have installed the ATM machine now and it is functioning properly. The appellant contended that the work was delayed, which resulted in loss to the government. Mr. Abhinav Banerjee explained the reason behind the delay that the orders to conduct certain works is demarcated through proper channel i.e., from Head Office to Circle Office and then to the Branch Office to the concerned authorities. The appellant published this kind of indolent work conducted by the public authority in a local newspaper, which gave a boost all of a sudden and from nowhere the respondent authorities attended the work on war-footing and completed it.

3. Mr. Abhinav Banerjee was not in a position to tell the name of the PIO and he came to attend the hearing with zero preparation. The Commission directs the respondent authority to provide the latest action taken report to the appellant

within 21 days from the date of receipt of this Order. The Commission also directs Mr. Abhinav Banerjee, Inspector of Posts and the then PIO Shri P.K. Dev to **show-cause** why maximum penalty should not be imposed against each of them for not giving the name of the PIO and for giving wrong information respectively, before 14.07.2017.

Decision :

3. The IP (PG)'s name Mr. Abir Lal Bannerjee was wrongly spelt as Mr. Abhinav Banerjee and the same stands rectified in this Order. The CPIO in his letter dated 13.07.2017 stated as under:

"In connection with the Complaint No: CIC/BS/C/2016/000209 and as per kind direction of the Hon'ble Central Information Commissioner, New Delhi-110066 vide Interim Order dated 16.6.2017, latest position/item wise reply in respect of your RTI application dated 31.12.15 is furnished herewith.

1) Yes

2) The ATM at Chandannagar Post office has been activated on 25.04.2016

3-7) The information are not available at this end. The Project of Installation of ATMs at the identified post offices including Chandannagar Post office was being monitored at the Postal Directorate, New Delhi.

8) The ATM will help to withdraw money from the Savings Bank Accounts (including SB Pension Account). However, interest of MIS/SCSS Accounts would be auto-credited into depositor's SB Accounts on their options.

9) The ATM started functioning at Chandannagar Post offices on 25.04.2016, it is still functioning smoothly.

4. The officer stated that Shri P.K. Dev, the then CPIO denied information to the appellant and has been superannuated in the month of February, 2017. There is no response for show-cause notice from him. Considering these aspects, the Commission finds Mr. P.K. Dev, CPIO holding charge on 22.01.2016, liable under section 20 of RTI Act for denial of information and imposes penalty on Mr. P.K. Dev, who is directed to pay a sum of Rs. 250/-. The Appellate Authority of respondent Public Authority is directed to recover the amount of Rs.250/- from Mr. P.K. Dev, the then CPIO by way of Demand Draft drawn in favour of 'PAO CAT' New Delhi. The demand draft should reach the Commission by 11.03.2018 and to be sent to Shri S.P. Beck, Joint Secretary & Addl. Registrar, Room No. 505, Central Information Commission, CIC Bhawan, Baba Gangnath Marg, Munirka, New Delhi-110067.

SD/-

(M. Sridhar Acharyulu)
Central Information Commissioner

Authenticated true copy

(Dinesh Kumar)
Deputy Registrar

Copy of decision given to the parties free of cost.

Addresses of the parties:

1. The CPIO under RTI,
Department of Posts,
Sr. Supdt of Post Office,
South Hooghly Division,
Semarpore-712201, WB.

2. Shri Prasanta Basu Ray,