Central Information Commission, New Delhi
File No. CIC/SH/A/2014/000900
Right to Information Act-2005-Under Section (19)

Date of hearing : 29th May 2015
Date of decision : 29th May 2015

Name of the Appellant : Shri A S. Malhotra,
R/o: H. No- 35, Guru Arjan Nagar, Jagadhri,
Haryana- 135003

Name of the Public Authority/Respondent : Central Public Information Officer,
Punjab & Sind Bank
Zonal Office, Haryana, Gurudwara Model Town, Karnal, Haryana- 132001

The Appellant was present at the NIC studio, Yamuna Nagar.

On behalf of the Respondents, Shri Ashok Chawla, Sr. Manager was present at the NIC studio, Karnal.

Information Commissioner : Shri Sharat Sabharwal

This matter pertains to an RTI application dated 11.9.2013 filed by the Appellant, seeking information on three points regarding a certificate dated 16.12.2008, issued by the bank to the G.N. Khalsa College. Not satisfied with the response of the Respondents, he

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filed second appeal dated 9.12.2013 to the CIC, which was received by the Commission on 24.12.2013.

2. The Appellant stated that he is a retired Professor of the above college and had asked the college for some information regarding his Provident Fund for the period 1972 to 1979. The college, in turn, wrote to the Respondent bank, where the account of the college is maintained. In response, the bank issued a certificate dated 16.12.2008 to the college, stating that the above information had already been destroyed as per their head office instructions. In his RTI application dated 11.9.2013, he sought information in the context of the above certificate. The Respondents stated that the information was denied under Section 8 (1) (j) and (d) on the ground that it pertained to an account maintained by the college with the bank and a certificate issued by them to the college and could not be disclosed to the Appellant.

3. The Appellant further submitted that he paid a fee of Rs. 10/- with his RTI application as per the Right to Information Rules. However, the Respondents asked him to pay a fee of Rs. 50/- vide their letter bearing the date 9.10.2013, which was dispatched to him only on 25.10.2013. He paid the additional amount of Rs. 40/- and even then the information was denied to him. The Respondents stated that the above fee of Rs. 50/-
was demanded by them on the basis of the RTI Rules framed by the Haryana Government. The Appellant stated that the Respondents fall within the jurisdiction of the Central Information Commission and should have charged him the RTI fee of Rs. 10/-, prescribed by the Government of India.

4. We have considered the submissions made by both the parties and observe that the Respondents were wrong in asking the Appellant to pay Rs. 50/- as the RTI application fee, instead of Rs.10/-, prescribed by the Government of India under the Right to Information Rules 2012. Accordingly, we direct the Respondents to refund the additional amount of Rs. 40/- to the Appellant. Further, because of the above wrong decision of the Respondents, the Appellant has had to suffer mental agony and harassment, which cannot be compensated fully in monetary terms. However, by virtue of the power vested in us under clause (b) of sub Section (8) of Section 19 of the RTI Act, we direct the Respondents to pay a token compensation of Rs.1,000/- (Rupees One thousand only) to the Appellant. The CPIO is directed to make the above payments to the Appellant, within seven days of the receipt of this order, under intimation to the Commission.
5. As regards the information desired by the Appellant in his RTI application, he may submit to the CPIO a letter from the authorities of G.N. Khalsa College to the effect that they have no objection to his obtaining the information, sought in his RTI application dated 11.9.2013, from the bank. In the event of his doing so, the CPIO is directed to provide the information, free of cost, within twenty days of the Appellant submitting a letter from the college as above, under intimation to the Commission.

6. With the above direction, the appeal is disposed of.

7. 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