

**ASSAM STATE INFORMATION COMMISSION****JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

---

**Case No. : KP(M).637/2016**  
**Complainant/ Appellant : Sri Deva Kr. Das**  
**Respondent : Assam Gramin Vikas Bank**  
**Date of Hearing : 2-2-2017**  
**Complaint/ Second : Shri H. S. Das, IAS (Retd)**  
**appeal heard by : State Chief Information Commissioner, Assam**

**O R D E R**  
**2-2-2017**

The petitioner Sri Deva Kr. Das is present. The public authority is represented by Sri Ramkrishna Sarma, Chief Manager & CPIO, Assam Gramin Vikas Bank.

The second appeal petition dated 25-7-2016 is taken up for hearing in presence of both the parties.

From perusal of the case records it is seen that the petitioner Sri Deva Kr. Das filed an RTI petition dated 17-2-2016 in his capacity as General Secretary of All Assam Scheduled Caste Student's Union before the Chief General Manager, Assam Gramin Vikas Bank seeking information about the names and addresses of all the officers and employees from the Scheduled Caste Community of all categories serving in different offices of Assam Gramin Vikas Bank. He also wanted :- (i) photo copies of their Scheduled Caste certificates, (ii) names of the offices and posts where the Scheduled Caste employees were working on the date of the RTI petition and (iii) photo copy of the roster registers.

The CPIO and Chief Manager, Assam Gramin Vikas Bank has submitted a written statement dated 27-1-2017 enclosing, inter alia , copies of their letter dated 19-5-2016 addressed to the petitioner Sri Deva Kr. Das and copy of letter dated 30-6-2016 addressed to the petitioner informing him that the informations sought for by him relates to third parties and has no relationship with any public activity or interest , disclosure of which is exempted under Section 8(1)(j) of the RTI Act, 2005. The SPIO present today also submitted before this Commission a copy of Central Information Commission's order dated 14-9-2016 passed by the Central Information Commissioner, Sri.Sharat Sabharwal in connection with an RTI appeal ;petition filed by one Sri R.C.Das. In his order the Central Information Commissioner ordered that furnishing of the caste certificates of an employee is exempted under Section 8(1)(j) of the RTI Act, 2005 it being the personal information of a third party.

The Central Information Commissioner also observed in his order that informations concerning the community , caste place of postings and address of an employee of a public authority is his or her personal information exempted from disclosure under Section 8(1)(j) of RTI Act-2005.

In this connection this Commission would like to refer to Section 4(1)(b) (ix) and (x) of the RTI Act, 2005 which requires every public authority to put up within 120 days from the enactment of the RTI Act, 2005 – the Directory of its officers and employees including the system of compensation as provided in its regulations. From the oral submission of the CPIO of Assam Gramin Vikas Bank it transpired that they are yet to comply with this statutory requirements. This Commission directs the concerned authority of Assam Gramin Vikas Bank under Section 19(8)(a) and Section 19(8)(a)(iii), to put up in their Website a comprehensive Directory of their officers and employees, including inter alia, the names of post held by them, their date of appointment, their date of birth, date of superannuation and the category of reservation against which they were appointed, within 60 days from the date of receipt of this order, which was pronounced in presence of both the parties

The CPIO of Assam Gramin Vikas Bank will also inform the petitioner within 60 days from the date of receipt of this order about the steps taken by the authorities.

As regards photo copies of the Roster Register, this Commission directs the CPIO of Assam Gramin Vikas Bank to furnish the information sought for by the petitioner with effect from 1-1-2014 till 17-2-2016 i.e., the date of the RTI petition

As regards the photo copies of Scheduled Caste certificates, this Commission agrees with the Central Information Commission that these are personal documents of the employees concerned, and are, therefore, exempted from disclosure under Section 8(1)(j) of the RTI Act, 2005, unless the appellant can establish a prima facie case that public interest in disclosure outweighs the harm to the protected interests, as provided under Section 8(2) of the RTI Act, 2005.

This Commission, therefore, directs the petitioner/appellant to file a written submission before this Commission within 90 days from the date of receipt of this order giving additional inputs to establish a prima facie case that the informations sought for by him is in public interest and if so, he will clearly bring out what are the public interests involved, and that such public interest in disclosure of the sought for information outweighs the harm to the protected interests.

Further, the petitioner/ appellant is also directed to establish his credentials as –The General Secretary of the All Assam Scheduled Castes Student's Union having its head office at B.R.Ambedkar Bhawan, Uzan Bazar, Guwahati-1.

Fix **15<sup>th</sup> May, 2017 at 11.30 A.M** for review of the case.

**Sd/=**

**(H. S. Das)**

**State Chief Information Commissioner,  
Assam**

**Authenticated true copy**

**Sd/-**

**Registrar**

**Assam Information Commission**

**Memo No SIC/ KP(M).637/2016/ 54-A**

**Dated 2-2-2017**

**Copy to:.**

- 1) Sri Ramkrishna Sarma, Chief Manager CPIO, Assam Gramin Vikas Bank. for information and necessary action , as ordered above.
- 2) Sri Deva Kr. Das, Milan Chowk ,Namghar Path, House No-2, Hengrabari, Guwahati-36, for information and necessary action, as ordered above.
- 3) Director, Information and Public Relations, Dispur Last Gate, Dispur, Guwahati-6 for information.
- 4) Computer Section for uploading in the Website.
- 5) Office file.
- 5) Order Book.

**Registrar**  
**Assam Information Commission**