

Central Information Commission

Decision No.286/IC(A)/2006
F. No.CIC/MA/A/2006/00453

Dated, the 20th September, 2006

Name of the Appellant : Sh. N. Anbarasan, APPLESOFT, #39,1st Cross, 1st Main, Shivnagar, W.C. Road, Bangalore – 560 010.

Name of the Public Authority: Indian Overseas Bank, Central Office, Customer Service Department, P.B.No.3765, 763, Anna Salai, Chennai – 600 002.

DECISION

Facts of the Case:

1. The appellant had sought the following information from the CPIO of the Indian Overseas Bank:

- (i) *“Request/invitation for proposal/quotation, Quotations, Technical bid, Commercial bid submitted by various language software (like Hindi software, Tamil software etc.) suppliers related to supply of software to all the Head/corporate offices and sub-ordinate offices/branches.*
- (ii) *Purchase Order/Supply Order placed on various language software suppliers related to supply of software.*
- (iii) *Request/invitation for proposal/quotation, Quotations, Technical bid, Commercial bid submitted by various vendors/dealers related to purchase of computers like PC, Server, Thin client etc. to the Head/Corporate offices and sub-ordinate offices/branches.*
- (iv) *Minutes/proceedings of the various committees involved in the purchase of software/hardware.*
- (v) *Delivery Challans, Bills/Invoice, orders passed to make the payment, letter of sanction etc. related to purchase of computers like PC, Server, Thin client etc. to the sub-ordinate offices/branches.”*

2. In his reply, the CPIO informed that information sought is:

“Exempted under Section 8(1)(d) of the Act as the information falls under “commercial confidence” and “Trade Secrets” which would harm the competitive position of the third parties and the larger public interest does not warrant such disclosure.”

3. The appellate authority has upheld the decision of the CPIO.

Commission’s Decision

4. In a recent decision of the Commission, the following was observed: (Decision No.216 dated 31st August 2006):

“Transparency in functioning of public authorities is expected to be ensured through the exercise of right to know, so that a citizen can scrutinize the fairness and objectivity of every public action. This objective cannot be achieved unless the information that is created and generated by public bodies is disclosed in the form in which it exists with them. Therefore, an information is to be provided in the form in which it is sought, u/s 7(9) of the Act. And, if it does not exist in the form in which it is asked for and provided to the applicant, there is no way that proper scrutiny of public action could be made to determine any deviations from the established practices or accepted policies.”

5. In view of this, the information sought relate to the public action with regard to the processes that have been followed in purchase of computers and other accessories. Such actions clearly fall under the public domain and therefore exemption claimed u/s 8(1)(d) is not justified.

6. The CPIO is, therefore, directed to furnish the information sought within 15 working days from the issue of this decision.

7. The appeal is accordingly disposed of.

Sd/-

(Prof. M.M. Ansari)
Information Commissioner

Authenticated true copy:

(L.C. Singhi)
Additional Registrar

Cc:

1. Sh. N. Anbarasan, APPLESOFT, #39,1st Cross, 1st Main, Shivnagar, W.C. Road, Bangalore – 560 010.
2. Sh. Asoka Chatterjee, CPIO, Indian Overseas Bank, Central Office, Customer Service Department, P.B.No.3765, 763, Anna Salai, Chennai – 600 002.