

CENTRAL INFORMATION COMMISSION
Club Building (Near Post Office)
Old JNU Campus, New Delhi - 110067
Tel: +91-11-26161796

Decision No. CIC/SG/C/2011/000731/17209
Complaint No. CIC/SG/C/2011/000731

Relevant Facts emerging from the Complaint:

Complainant : Mr. Bramhanand Bindal
50-51, Manishpuri, Indore
Madhya Pradesh-4520 18

Respondent : Mr. Rama Rao,
PIO & GM
Dena Bank
Dena Corporate Center, C-JO
G Block, Bandra Kurla Complex
Bandra (east)
Mumbai-400051

RTI application filed on : 29/04/2011
First appeal : 31/05/2011
Complaint filed on : 11/07/2011
Complaint Notice : 13/07/2011

Information sought:

There are 25 queries and covering 5 pages i.e 13-18

Submissions of the CPIO:

CPIO's reply to CIC dated 13/09/11

1. A copy of the information sent to the complainant.
 2. Explanation for not supplying the information to the complainant within the mandated time.
- As per the direction given above, we enclose herewith copy of reply given to the complainant vide our letter No. DCC/LEG/RTI/4165/2011 dated 27.6.11.

The Applicant had filed an Application dated 29.4.11, which was received by me on 2.5.11. The complainant has sought voluminous information, Further the information sought pertaining to suit filed account which is pending for adjudication before the DRT and complainant is one of the parties in the suit, being guarantor.

The CPIO has provided the information available and for the rest of the information which pertains to our Siyaganj Branch, the complainant is directed to visit the Branch on mutually convenient date for inspection of records / documents other than submitted in court and the branch is also directed to provide the Xerox copies of the desired documents / papers free of cost within 15 days from the date of inspection of records by the complainant (Applicant) as there was a delay in providing information to the complainant.

As the information sought by the complainant was voluminous which required ordination with various departments RD / branch, there was a delay of 25 days replying to the application of complainant. We regret for the delay of 25 days replying to the complainant, which is unintentional and we will be more diligent ensure that all applications are disposed of within the mandated period.

CPIO's reply dated 27/06/2011

1. The SARFAESI Act is being followed by the bank strictly. That copy of various letters/circulars of RBI/GO/Ministry of Finance etc. sought by you may be obtained by you from the source institutions/ministries.

Para 2 to 6 and 9 to 17 - As you have sought the information pertaining to M/s Devic Leasing & Finance Ltd account with Siyaganj Branch, Indore, the Chief Manager of the Branch is directed to provide the requisite information which are available in material form as defined in section 2(f) of the RTI Act through SPIG, Bhopal within a period of 15 days from the receipt of this order.

Para 7 - A copy of circular ref No. 220/17/2001 dated 12.11.2001 on "Review of the scheme for Foreign Currency Denominated Loans to Resident constituents out of FCNR (B) FCI/FC/RFC Funds" is enclosed.

Para 8 - FCDL is given out of FCNR (B) and other foreign currency deposits of the Bank. Availability of funds does not mean that the Bank has to necessarily lend under FCDL and the Loans are given at the sole discretion the Bank. Rates applicable have been provided in the Circular mentioned above.

Para 18 to 27 - As guarantor you must have received copies of documents relied upon by Bank in the GA filed before DRT. You are advised to visit the Siyaganj Branch on mutually convenient date for inspection of all the records (documents other than submitted in OA pertaining to the account and the Chief Manager is directed to provide the Xerox copies of the desired documents/papers free of cost through SPLO, Bhopal within 15 days from the date of inspection of records by the Applicant.

Relevant Facts emerging during Hearing:

The following were present

Complainant: Mr. Bramhanand Bindal on video conference from NIC-Indore Studio;

Respondent: Mr. A. K. Mishra, Chief Manager (Legal) on behalf of Mr. Rama Rao, PIO & GM on video conference from NIC-Mumbai Suburban Studio;

The PIO has given considerable information but the appellant believes that he has not been given complete information and would like to inspect the records on 21 February 2012 from 10.30AM onwards at the Branch.

The PIO is directed to facilitate an inspection of the relevant records by the Complainant on 21 February 2012 from 10.30AM onwards at the Branch. In case there are any records or file which the Complainant believes should exist, which are not shown to him, he will give this in writing to the PIO at the time of inspection and the PIO will either give the files/records or give it in writing that such files/records do not exist. The PIO will access to all the records available with the Bank.

Decision:

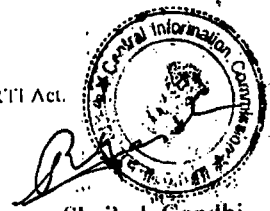
The complaint is allowed.

The PIO is directed to facilitate an inspection of the relevant records by the Complainant on 21 February 2012 from 10.30AM onwards. The PIO will give attested photocopies of records which the Complainant wants free of cost upto 300 pages.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.



Shailish Gandhi
Information Commissioner
01 February 2012

(In any correspondence on this decision, mention the complete decision number.) (PG)