

**Central Information Commission, New Delhi**  
**File No. CIC/SH/C/2016/000014**  
**Right to Information Act-2005-Under Section (18)**

**Date of hearing** : 22nd February 2017

**Date of decision** : 22nd February 2017

**Name of the Complainant** : **SHRI G. INDER KARAN**  
**31, SADHU VILLA, PARK VIEW**  
**ENCLAVE, M.V. NAGAR ,**  
**SECUNDERABAD, A.P.-500009**

**Name of the Public Authority/Respondent** : **CENTRAL PUBLIC INFORMATION OFFICER,**  
**SYNDICATE BANK**  
**P.R. & H.R.D. DIVISION, HEAD**  
**OFFICE: MANIPAL, DISTT-UDUPI,**  
**KARNATAKA- 576 104**

**RTI Application filed on** : 1- 6/07/2015, 2-03/08/2015

**CPIO replied on** : 1-28/07/2015, 2-03/09/2015

**First Appeal filed on** : 1-03/08/2015, 2-23/09/2015

**First Appellate Authority order on** : 1-18/08/2015, 2-20/10/2015

**2<sup>nd</sup> Appeal received on** : 22/12/2015

The Complainant was present at the NIC Studio, Rangareddy.

On behalf of the Respondents, Shri Vasant Nayak, AGM was present at the NIC Studio, Udupi.

**Information Commissioner** : **Shri Sharat Sabharwal**

**Information sought**

This matter concerns two RTI applications filed by the Complainant. Vide the application dated 6.7.2015, he sought a copy of the sanction /refusal by the CPPR Division, Head Office, Manipal for settlement of dues in the alleged fraudulent/unauthorised withdrawal of amount from the account of Late Shri A.S. Ramprasad. In the RTI application dated 3.8.2015, he sought the following information:-

1. Copy of letter of Late Shri A.S. Ramprasad admitting withdrawal of an amount of Rs. 7, 64, 000/- by his own signature in the 1<sup>st</sup> week of February 2010.
2. Copy of hand writing expert opinion, which was competent enough to deal with fraud cases and forwarded to Head Office by the Branch.

### **The CPIO reply**

The CPIO vide letter dated 28.7.2015 responded to the RTI application dated 6.7.2015 and stated that the application was not clear. He further stated that in the matter concerning payment of Rs. 7.64 lakhs to the legal heirs of Late Shri A.S. Ramprasad, the CPPR had already expressed their inability to make payment of the said amount vide letter dated 21.7.2015 to the Regional Office. The CPIO enclosed a copy of the letter dated 21.7.2015. Vide his letter dated 3.9.2015 in response to the RTI application dated 3.8.2015, the CPIO denied the information on the ground that a criminal case relating to the said matter was pending before the court for adjudication and the matter was sub-judice.

### **Grounds of the First Appeal**

Not satisfied with the CPIO's replies.

### **Order of the First Appellate Authority**

The FAA, vide order dated 18.8.2015, upheld the CPIO's reply dated 28.7.2015 and stated that the Complainant could not improve his query at that stage. The FAA, vide letter dated 20.10.2015, upheld the CPIO's reply dated 3.9.2015.

## Grounds of the Second Appeal

Not satisfied with the replies given by the Respondents.

## Relevant facts emerging during the Hearing, Discussion and Decision

The Appellant stated that Shri A. S. Ramprasad was his brother-in-law and passed away in March 2010. Somebody stole the cheques of his account and fraudulently withdrew Rs. 7.64 lakhs from the said account. An enquiry by the local police has established that the amount was withdrawn fraudulently. In regard to similar cases, the Axis Bank and SBI have repaid the money. However, the Respondent Bank has not done so. In response to our query, the Appellant stated that he is the nominee and legal heir of Shri A. S. Ramprasad. Elaborating on the above, he stated that in his registered will, Shri A. S. Ramprasad had made him the nominee and his successor in respect of the account in question.

2. The Respondents sought to make submissions with reference to the RTI application dated 6.7.2015. At this stage, it was noticed that while the Registry had sent a notice on 24.1.2017 regarding hearing in respect of the RTI application dated 6.7.2015, they had put up before us papers concerning the RTI application dated 3.8.2015. In view of the foregoing, the matter is adjourned to be heard again on 18<sup>th</sup> April 2017 at 10.30 a.m. through video-conferencing. The venue for the hearing on 18.4.2017 will be the same as for the hearing today. The hearing on 18.4.2017 will be in respect of both the RTI application dated 6.7.2015 and that dated 3.8.2015 (copies of these applications are enclosed for the Respondents). The Respondents should come fully prepared for the next hearing and bring along with them the officer who is fully conversant with the facts of the case. During the next hearing, we would

also expect the Respondents to make their submission regarding the Appellant's claim during the hearing today that he is the legal heir of Shri A. S. Ramprasad, inter alia, in respect of the account about which information has been sought.

3. 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**