

Central Information Commission, New Delhi
File No. CIC/SH/A/2016/000018 & CIC/SH/A/2016/000267
(Two Same Cases)
Right to Information Act-2005-Under Section (19)

Date of hearing : 6th February 2017

Date of decision : 6th February 2017

Name of the Appellant : **SHRI UDAIVIR SINGH**
S/O. SHRI KHARAG SINGH, FLAT
NO- 201, OM APARTMENTS,
NEAR KANAK RESIDENCY,
MAHARNA PRATAQP ENCLAVE,
SWARAN JYANTI NAGAR, ALIGARH, UP

Name of the Public Authority/Respondent : **CENTRAL PUBLIC INFORMATION OFFICER,**
CANARA BANK
CIRCLE OFFICE, 71, NEHRU
NAGAR, M. G. ROAD, AGRA,
UP- 282 002

RTI Application filed on : 08/07/2015

CPIO replied on : 28/08/2015

First Appeal filed on : 19/08/2015

First Appellate Authority order on : —

2nd Appeal received on : 17/12/2015

The Appellant was present at the NIC Studio, Aligarh.

No one was present on behalf of the Respondents.

Information Commissioner : **Shri Sharat Sabharwal**

Information sought

File No. CIC/SH/A/2016/000018

This matter concerns an RTI application filed by the Appellant, seeking information on six points regarding details of the accounts in which he signed as an introducer during 1.1.1993 to 31.12.1998, rules for introducer, liability of the introducer and related issues.

The CPIO reply

The CPIO, Divisional Manager, Head Office, Bangalore, vide letter dated 28.8.2015, while responding to the appeal to the FAA, transferred the application to the CPIO, Circle office Agra for necessary action.

Grounds of the First Appeal

No information provided.

Order of the First Appellate Authority

No order passed.

Grounds of the Second Appeal

Information sought not provided.

File No. CIC/SH/A/2016/000267

This file contains an appeal received by the Commission on 2.11.2015 with the same facts as the appeal on File No. CIC/SH/A/2016/000018

Relevant facts emerging during the Hearing, Discussion and Decision

No one was present on behalf of the Respondents in spite of a written notice having been sent to them. The Appellant stated that he received no reply to his RTI application dated 8.7.2015 and needs information regarding the accounts in which he is the introducer. He alleged that someone has taken agricultural loan against his land and he needs the information in the above context.

2. We have considered the records and the submissions of the Appellant and note that the information sought is for the period 1.1.1993 to 31.12.1998. Further, the information sought at points No. 2 and 5 is regarding transactions in the accounts of third parties and loans taken by third parties. This information, we note, is exempted

from disclosure under Section 8 (1) (e) of the RTI Act because of the bank's fiduciary relationship with its customers. However, the CPIO is directed to check the records and provide such information, as is available on the same, in response to points No. 1 (only the number of the account and the name of the account holders), 3, 4 and 6 of the RTI application, but only after confirming, based on the identity documents provided by the Appellant, that the Appellant is indeed the person who introduced the said accounts. If information in response to any of the above points is not available on records, the CPIO is directed to inform the Appellant accordingly in writing and also provide to him a copy of the relevant entries in the record retention schedule of the bank concerning retention of such records of introducers of accounts opened in the bank. The CPIO should comply with our above directives, within thirty days of the receipt of this order, under intimation to the Commission. Such information, as is provided, should be provided free of charge.

3. With the above directions and observations, the two appeals are disposed of.
4. 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