

Central Information Commission, New Delhi  
File No. CIC/SH/A/2016/000099  
Right to Information Act-2005-Under Section (19)

Date of hearing : 10th February 2017

Date of decision : 10th February 2017

Name of the Appellant : SHRI M. K. JAIN  
1201, RAHEJA MAJESTIC, MANMALA  
TANK ROAD, MAHIM WEST,  
MUMBAI-400016

Name of the Public Authority/Respondent : 1. CENTRAL PUBLIC INFORMATION OFFICER,  
IDBI BANK LTD  
REGD. OFFICE, IDBI TOWER, WTC  
COMPLEX, CUFFE PARADE,  
MUMBAI- 400005

2. CENTRAL PUBLIC INFORMATION OFFICER  
STRESSED ASSETS STABILIZATION FUND  
5TH FLOOR, IDBI TOWER, WTC  
COMPLEX, CUFFE PARADE, MUMBAI-400005

RTI Application filed on : 07/04/2015

CPIO replied on : 1-07/09/2015, 2-06/10/2015

First Appeal filed on : 06/10/2015

First Appellate Authority order on : 04/11/2015

2<sup>nd</sup> Appeal received on : 04/01/2016

The Appellant was not present.

On behalf of the Respondents, the following were present at the NIC Studio, Mumbai:-

1. Shri P. M. Suresh, GM, IDBI.
2. Shri Rajender Singh, GM, Stressed Assets Stabilization Fund (SASF).

Information Commissioner : Shri Sharat Sabharwal

**Information sought**

This matter concerns an RTI application filed by the Appellant, seeking information regarding current total outstanding amount in the account of M/s Shamken Cotsyn Ltd.

## **The CPIO reply**

The CPIO, IDBI Bank, vide letter dated 7.9.2015, transferred the application to the CPIO, SASF (Stressed Assets Stabilization Fund), Mumbai. The CPIO, SASF, vide letter dated 6.10.2015, denied the information under section 8 (1) (d) of the RTI Act.

## **Grounds of the First Appeal**

Not satisfied with the CPIO's reply.

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

The FAA stated that the information sought by the Appellant was related to a debt which was already assigned by the Bank to a different Public Authority called SASF. He upheld the CPIO's reply dated 7.9.2015.

## **Grounds of the Second Appeal**

Information sought not provided.

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

The Appellant was not present in spite of a written notice having been sent to him. In his appeal to the Commission, he has stated that it was not proper on the part of the Respondent Bank to transfer his application to SASF as the above information was available with the IDBI Bank and the same was also made available to him by the bank by way of e-mail dated 24.9.2015. He also states that the FAA denied the information by stating that the IDBI did not have any control over the information relating to another public authority (SASF). He argues that the FAA's contention was incorrect because if the information related to SASF, why did the IDBI bank initiate disciplinary proceedings against him concerning the same account.

2. The representative of the IDBI Bank stated that the account had been transferred to SASF. Therefore, the application was transferred to them. In response to our query, he submitted that the disciplinary proceedings against the Appellant were concluded in December 2015 and a major penalty was imposed on

him. He also stated that the information vide the e-mail dated 24.9.2015, referred to by the Appellant, might have been provided to him in the course of the disciplinary proceedings.

3. We have considered the submissions of both the parties and find nothing wrong with the action of the IDBI Bank to transfer the application to SASF as the account in question had been assigned to them. We also find no contradiction between their transferring the application to SASF and the disciplinary proceedings conducted by them against the Appellant for charges pertaining to the period when the account was still with the IDBI Bank. It is also seen that though the information was denied in response to the RTI application dated 7.4.2015, it was conveyed to the Appellant through an e-mail dated 24.9.2015 that the total outstanding in the loan account in question was nil.

4. In view of the foregoing, we find no substance in this appeal and it is dismissed.

5. 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**