

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या / Second Appeal No. (As Per Annexure)

Babul Debbarma, Bibash Debbarma,
Sankar Debbarma, Hiran Debbarma,
Balendra Debbarma, Biswajit Debbarma,
Satyabrata Debbarma, Prafulla Debbarma,
Champa Rani Debbarma

... अपीलकर्ता/Appellants

VERSUS

बनाम

CPIO: Bank Of India,
West Tripura

... प्रतिवादीगण/Respondent

Relevant dates emerging from the appeals:

RTI : 06.02.2023	FA : 16.03.2023	SA : 25.05.2023
CPIO : 28.04.2023	FAO : Not on record	Hearing : 13.08.2024

The instant set of appeals have been clubbed for decision as these relate to the same subject matter.

Date of Decision: 16.08.2024

CORAM:

Hon'ble Commissioner

ANANDI RAMALINGAM

ORDER

Second Appeal No. CIC/BKOIN/A/2023/123317

1. The Appellant filed an RTI application dated 06.02.2023 seeking information on the following points:

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- (i) *Please provide me name, fathers name with full postal address and account no of ANKUR BISWAS in whose account rupees one lakh was transferred from my account on 19.05.2021 and 29.05.2021*
- (ii) *Please provide me what procedure is followed by the Bank of India of Rastramatha, Agartala sabroom road, Purba Gokulnagar, Tripura if any one who is a resident of an area far from 40km. away from the said bank, wants to open savings bank account in the said bank.*
- (iii) *Please provide me name, fathers name with full present and permanent address of the bank staff who generated/lead / assisted to open my savings bank account in this bank. If the said bank staff submitted any report / certificate in connection with opening of my bank account, provide me copy of that report.*
- (iv) *Please provide me mobile phone no. which is connected with my savings bank account.*
- (v) *Please provide me copy of my application form in connection with opening of my savings account no. 50731*****33 in Bank of India, Gokulnagar Branch, and Rastramatha., etc./ other related information*

1.1. Having not received any reply from the CPIO, the Appellant filed a First Appeal dated 16.03.2023. FAA's order, if any, is not available on record. Thereafter, the CPIO replied on 28.04.2023 that the information sought pertained to third-party, hence, the same was denied to the appellant.

1.2. Due to non-receipt of any order from the First Appellate Authority, the Appellant approached the Commission with the instant Second Appeal dated 25.05.2023.

Second Appeal No. CIC/BKOIN/A/2023/123316

2. The Appellant filed an RTI application dated 06.02.2023 seeking information on the following points:

-
- (i) Please provide me name, fathers name with full postal address and account no of ANKUR BISWAS in whose account rupees Thirty thousand (30,000/-) was transferred from my account on 22.02.2021.
- (ii) Please provide me what procedure is followed by the Bank of India of Rastramatha, Agartala sabroom road, Purba Gokulnagar, Tripura if any one who is a resident of an area far from 40km. away from the said bank, wants to open savings bank account in the said bank.
- (iii) Please provide me name, fathers name with full present and permanent address of the bank staff who generated/lead / assisted to open my savings bank account in this bank. If the said bank staff submitted any report / certificate in connection with opening of my bank account, provide me copy of that report.
- (iv) Please provide me mobile phone no. which is connected with my savings bank account.
- (v) Please provide me copy of my application form in connection with opening of my savings account no. 50731*****40 in Bank of India, Gokulnagar Branch, and Rastramatha, etc./ other related information

2.1. Having not received any reply from the CPIO, the Appellant filed a First Appeal dated 16.03.2023. FAA's order, if any, is not available on record. Thereafter, the CPIO replied on 28.04.2023 that the information sought pertained to third-party, hence, the same was denied to the appellant.

2.2. Due to non-receipt of any order from the First Appellate Authority, the Appellant approached the Commission with the instant Second Appeal dated 25.05.2023.

Second Appeal No. CIC/BKOIN/A/2023/123314

3. The Appellant filed an RTI application dated 06.02.2023 seeking information on the following points:

-
- (i) *Please provide me name, fathers name with full postal address and account no of ANKUR BISWAS in whose account amount from my account was transferred.*
- (ii) *Please provide me what procedure is followed by the Bank of India of Rastarmatha, Agartala sabroom road, Purba Gokulnagar, Tripura if any one who is a resident of an area far from 40km. away from the said bank, wants to open savings bank account in the said bank.*
- (iii) *Please provide me name, fathers name with full present and permanent address of the bank staff who generated/lead / assisted to open my savings bank account in this bank. If the said bank staff submitted any report / certificate in connection with opening of my bank account, provide me copy of that report.*
- (iv) *Please provide me mobile phone no. which is connected with my savings bank account.*
- (v) *Please provide me copy of my application form in connection with opening of my savings account no. 50731*****29 in Bank of India, Gokulnagar Branch, and Rastramatha., etc./ other related information*

3.1. Having not received any reply from the CPIO, the Appellant filed a First Appeal dated 16.03.2023. FAA's order, if any, is not available on record. Thereafter, the CPIO replied on 28.04.2023 that the information sought pertained to third-party, hence, the same was denied to the appellant.

3.2. Due to non-receipt of any order from the First Appellate Authority, the Appellant approached the Commission with the instant Second Appeal dated 25.05.2023.

Second Appeal No. CIC/BKOIN/A/2023/123313

4. The Appellant filed an RTI application dated 06.02.2023 seeking information on the following points:

- (i) *Please provide me name, fathers name with full postal address and account no of ANKUR BISWAS in whose account amount was transferred from my account.*

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- (ii) *Please provide me what procedure is followed by the Bank of India of Rastramatha, Agartala sabroom road, Purba Gokulnagar, Tripura if any one who is a resident of an area far from 40km. away from the said bank, wants to open savings bank account in the said bank.*
- (iii) *Please provide me name, fathers name with full present and permanent address of the bank staff who generated/lead / assisted to open my savings bank account in this bank. If the said bank staff submitted any report / certificate in connection with opening of my bank account, provide me copy of that report.*
- (iv) *Please provide me mobile phone no. which is connected with my savings bank account.*
- (v) *Please provide me copy of my application form in connection with opening of my savings account no. 50731*****47 in Bank of India, Gokulnagar Branch, and Rastramatha, etc./ other related information*

4.1. Having not received any reply from the CPIO, the Appellant filed a First Appeal dated 16.03.2023. FAA's order, if any, is not available on record. Thereafter, the CPIO replied on 28.04.2023 that the information sought pertained to third-party, hence, the same was denied to the appellant.

4.2. Due to non-receipt of any order from the First Appellate Authority, the Appellant approached the Commission with the instant Second Appeal dated 25.05.2023.

Second Appeal No. CIC/BKOIN/A/2023/123340

5. The Appellant filed an RTI application dated 06.02.2023 seeking information on the following points:

- (i) *Please provide me name, fathers name with full postal address and account no of ANKUR BISWAS in whose account rupees one lakh was transferred from my account on 11.02.2021 and rupees ten thousand was transferred on 02.03.2021*

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- (ii) *Please provide me what procedure is followed by the Bank of India of Rastramatha, Agartala sabroom road, Purba Gokulnagar, Tripura if any one who is a resident of an area far from 40km. away from the said bank, wants to open savings bank account in the said bank.*
- (iii) *Please provide me name, fathers name with full present and permanent address of the bank staff who generated/lead / assisted to open my savings bank account in this bank. If the said bank staff submitted any report / certificate in connection with opening of my bank account, provide me copy of that report.*
- (iv) *Please provide me mobile phone no. which is connected with my savings bank account.*
- (v) *Please provide me copy of my application form in connection with opening of my savings account no. 50731*****30 in Bank of India, Gokulnagar Branch, and Rastramatha, etc./ other related information*

5.1. Having not received any reply from the CPIO, the Appellant filed a First Appeal dated 16.03.2023. FAA's order, if any, is not available on record. Thereafter, the CPIO replied on 28.04.2023 that the information sought pertained to third-party, hence, the same was denied to the appellant.

5.2. Due to non-receipt of any order from the First Appellate Authority, the Appellant approached the Commission with the instant Second Appeal dated 25.05.2023.

Second Appeal No. CIC/BKOIN/A/2023/123336

6. The Appellant filed an RTI application dated 06.02.2023 seeking information on the following points:

- (i) *Please provide me name, fathers name with full postal address and account no of ANKUR BISWAS in whose account rupees ten thousand was transferred from my account on 22.07.2021.*

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- (ii) *Please provide me what procedure is followed by the Bank of India of Rastarmatha, Agartala sabroom road, Purba Gokulnagar, Tripura if any one who is a resident of an area far from 40km. away from the said bank, wants to open savings bank account in the said bank.*
- (iii) *Please provide me name, fathers name with full present and permanent address of the bank staff who generated/lead / assisted to open my savings bank account in this bank. If the said bank staff submitted any report / certificate in connection with opening of my bank account, provide me copy of that report.*
- (iv) *Please provide me mobile phone no. which is connected with my savings bank account.*
- (v) *Please provide me copy of my application form in connection with opening of my savings account no. 50731*****45 in Bank of India, Gokulnagar Branch, and Rastramatha, etc./ other related information*

6.1. Having not received any reply from the CPIO, the Appellant filed a First Appeal dated 16.03.2023. FAA's order, if any, is not available on record. Thereafter, the CPIO replied on 28.04.2023 that the information sought pertained to third-party, hence, the same was denied to the appellant.

6.2. Due to non-receipt of any order from the First Appellate Authority, the Appellant approached the Commission with the instant Second Appeal dated 25.05.2023.

Second Appeal No. CIC/BKOIN/A/2023/123334

7. The Appellant filed an RTI application dated 06.02.2023 seeking information on the following points:

- (i) *Please provide me name, fathers name with full postal address and account no of ANKUR BISWAS in whose account amount from my account was transferred.*
- (ii) *Please provide me what procedure is followed by the Bank of India of Rastarmatha, Agartala sabroom road, Purba Gokulnagar, Tripura if any one*

who is a resident of an area far from 40km. away from the said bank, wants to open savings bank account in the said bank.

- (iii) Please provide me name, fathers name with full present and permanent address of the bank staff who generated/lead / assisted to open my savings bank account in this bank. If the said bank staff submitted any report / certificate in connection with opening of my bank account, provide me copy of that report.*
- (iv) Please provide me mobile phone no. which is connected with my savings bank account.*
- (v) Please provide me copy of my application form in connection with opening of my savings account no. 50731*****28 in Bank of India, Gokulnagar Branch, and Rastramatha, etc./ other related information*

7.1. Having not received any reply from the CPIO, the Appellant filed a First Appeal dated 16.03.2023. FAA's order, if any, is not available on record. Thereafter, the CPIO replied on 28.04.2023 that the information sought pertained to third-party, hence, the same was denied to the appellant.

7.2. Due to non-receipt of any order from the First Appellate Authority, the Appellant approached the Commission with the instant Second Appeal dated 25.05.2023.

Second Appeal No. CIC/BKOIN/A/2023/123327

8. The Appellant filed an RTI application dated 06.02.2023 seeking information on the following points:

- (i) Please provide me name, fathers name with full postal address and account no of ANKUR BISWAS in whose account rupees one lakh seventy one thousand was transferred from my account on 07.01.2021.*
- (ii) Please provide me what procedure is followed by the Bank of India of Rastarmatha, Agartala sabroom road, Purba Gokulnagar, Tripura if any one*

who is a resident of an area far from 40km. away from the said bank, wants to open savings bank account in the said bank.

- (iii) Please provide me name, fathers name with full present and permanent address of the bank staff who generated/lead / assisted to open my savings bank account in this bank. If the said bank staff submitted any report / certificate in connection with opening of my bank account, provide me copy of that report.*
- (iv) Please provide me mobile phone no. which is connected with my savings bank account.*
- (v) Please provide me copy of my application form in connection with opening of my savings account no. 50731*****45 in Bank of India, Gokulnagar Branch, and Rastramatha, etc./ other related information*

8.1. Having not received any reply from the CPIO, the Appellant filed a First Appeal dated 16.03.2023. FAA's order, if any, is not available on record. Thereafter, the CPIO replied on 28.04.2023 that the information sought pertained to third-party, hence, the same was denied to the appellant.

8.2. Due to non-receipt of any order from the First Appellate Authority, the Appellant approached the Commission with the instant Second Appeal dated 25.05.2023.

Second Appeal No. CIC/BKOIN/A/2023/123315

9. The Appellant filed an RTI application dated 06.02.2023 seeking information on the following points:

- (i) Please provide me name, fathers name with full postal address and account no of ANKUR BISWAS in whose account amount rupees seventy-five thousand was transferred from my account on 22.02.2021.*
- (ii) Please provide me what procedure is followed by the Bank of India of Rastarmatha, Agartala sabroom road, Purba Gokulnagar, Tripura if any one*

who is a resident of an area far from 40km. away from the said bank, wants to open savings bank account in the said bank.

- (iii) Please provide me name, fathers name with full present and permanent address of the bank staff who generated/lead / assisted to open my savings bank account in this bank. If the said bank staff submitted any report / certificate in connection with opening of my bank account, provide me copy of that report.*
- (iv) Please provide me mobile phone no. which is connected with my savings bank account.*
- (v) Please provide me copy of my application form in connection with opening of my savings account no. 50731*****37 in Bank of India, Gokulnagar Branch, and Rastramatha, etc./ other related information*

9.1. Having not received any reply from the CPIO, the Appellant filed a First Appeal dated 16.03.2023. FAA's order, if any, is not available on record. Thereafter, the CPIO replied on 28.04.2023 that the information sought pertained to third-party, hence, the same was denied to the appellant.

9.2. Due to non-receipt of any order from the First Appellate Authority, the Appellant approached the Commission with the instant Second Appeal dated 25.05.2023.

Hearing Proceedings on 13.08.2024:

10. The appellants' representative and counsel Advocate Siraj Ali and on behalf of the respondent Shri Amit Roshan, Branch Manager, attended the hearing through video conference.

11. The appellants' counsel *inter alia* submitted that the reply was not given by the respondent within stipulated time limit. Moreover, the appellant(s) had sought information about their own accounts and the exemption claimed by the respondent under Section 8 (1) (j) of the RTI Act, was not applicable in these cases.

12. The respondent while defending their case *inter alia* submitted that the RTI applications submitted in all the cases carried signatures of the counsel Advocate Shri Siraj Ali, whereas the information sought in the applications pertained to the respective account-holders/RTI applicants. The CPIO further submitted that one of the bank officials had visited the address mentioned in the RTI applications (as address of the RTI applicants) and the applicants informed that they were not aware of any RTI application filed by them or in their name. Therefore, they had replied on 28.04.2023 and denied the information under Section 8 (1) (j) of the RTI Act.

13. The Commission after adverting to the facts and circumstances of the case, hearing both parties and perusal of records, observes that the counsel has not uploaded latest authorization letters for attending the matters before the Commission and relied upon the Vakalatnama filed along with the second appeals in 2023. Therefore, in absence of any of the applicants in 9 cases, it cannot be ascertained whether the applicants have authorized the counsel for attending the hearings on 13.08.2024 or not. The respondent contended that the RTI applications carried the signatures along with the signatures of the applicants seeking information about the account-holders. Keeping in view the non-clarity of the fact regarding authorization of the counsel representing the applicants, the respondent is directed to follow the procedure laid down under Section 11 (1) of the RTI Act and provide revised reply/information in accordance with the response from the applicants in all 9 cases within 15 days from the receipt of such response, under intimation to the Commission. The entire exercise in compliance of the above-mentioned directions, should be completed by the respondent within 30 days from the date of receipt of this order. With these observations and directions, the appeals are disposed of.

Copy of the decision be provided free of cost to the parties.

Sd/-

(Anandi Ramalingam) (आनंदी रामलिंगम)
Information Commissioner (सूचना आयुक्त)
दिनांक/Date: 16.08.2024

Authenticated true copy

Col S S Chhikara (Retd) (कर्मल एस एस छलकलरल (रलटलरुडु))

Dy. Registrar (उड डङुगुडक)

011-26180514

Addresses of the parties:

1. The CPIO

Bank Of India,

Branch Manager & CPIO, Branch- Gokulnagar,

PO-Purba Gokulnagar, Rastar Matha, Agartala-

Sabroom Road, Distt-West Tripura, Tripura-799130

2. Babul Debbarma

3. Bibash Debbarma

4. Sankar Debbarma

5. Hiran Debbarma

6. Balendra Debbarma

7. Biswajit Debbarma

8. Satyabrata Debbarma

9. Prafulla Debbarma

10. Champa Rani Debbarma



Annexure of Second Appeals

Sl. No.	Second Appeal No.
1.	CIC/BKOIN/A/2023/123317
2.	CIC/BKOIN/A/2023/123316
3.	CIC/BKOIN/A/2023/123314
4.	CIC/BKOIN/A/2023/123313
5.	CIC/BKOIN/A/2023/123340
6.	CIC/BKOIN/A/2023/123336
7.	CIC/BKOIN/A/2023/123334
8.	CIC/BKOIN/A/2023/123327
9.	CIC/BKOIN/A/2023/123315



Recomendation(s) to PA under section 25(5) of the RTI Act, 2005:-

Nil