

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. CIC/IDBIL/A/2017/157369

C.D. Sounder Rajan

... अपीलकर्ता/Appellant

VERSUS
बनाम

CPIO: IDBI Bank Limited
Regd. Office, Cuffe Parade,
Mumbai

...प्रतिवादीगण /Respondents

Relevant dates emerging from the appeal:

RTI : 20.05.2017	FA : 28.06.2017	SA : 09.08.2017
CPIO : 23.06.2017	FAO : No Order	Hearing : 10.12.2018

ORDER

1. The appellant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), IDBI Bank Limited, Regd. Office, WTC Complex, Cuffe Parade, Mumbai, seeking information on seven points, including, inter-alia (i) the reason why the net loss of IDBI Bank Ltd. in the fourth quarter widened to 3200 crores as on 31 March, 2017 against 1736 crores a year ago and the action taken in this regard, and (ii) the

reason why the operating profit fell to Rs. 1389 crores from Rs. 1595 crore for the full year and the action taken in this regard.

2. The appellant filed a second appeal before the Commission on the grounds that he is not satisfied with the information provided by the CPIO on point nos. 4 and 7 of his RTI application. The appellant stated that he has not received information on point nos. 1, 2, 3, 5 and 6 of the RTI application and that the FAA did not pass any order on his first appeal. The appellant requested the Commission to punish the erring official, who closed his two F.D. accounts without his knowledge, under Section 20(1) and 20(2) of the RTI Act.

Hearing:

3. The Notice for Hearing served upon the appellant was returned undelivered to the Commission with the remark “Deceased” on the envelope. The respondent no. 1, Shri Ranjan Kanhaiya, DGM & CPIO (RBG), the respondent no. 2, Shri Sachin Bortake, GM & CPIO (Finance & Accounts) and the respondent no. 3, Shri Anurag Sharma, AGM & CPIO (Compliance Dept.), IDBI Bank Ltd., Cuffe Parade, Mumbai attended the hearing through video-conferencing.

4. The respondent no. 2 submitted that the CPIO (F&A Dept.) vide reply dated 07.06.2017 has provided information, as per the available records, on point nos. 1, 2, 3, 5 and 6 of the RTI application. He further stated that the appellant had sought the reasons for Net Loss of IDBI Bank Ltd. for FYs 2016 and 2017, rise in Gross NPA of the Bank, the action taken by the Bank to increase its profits, which is in the nature of seeking explanation/comments of the CPIO which does not qualify as ‘information’ under Section 2(f) of the RTI Act. The respondent further stated that

the information sought by the appellant vide point no. 4 of the RTI application relating to the action taken by the Bank on invocation of Prompt Corrective Action (PCA) framework by RBI on IDBI in 2017, is also in the nature of query. Hence, the CPIO (Compliance Dept.) vide reply dated 23.06.2017 has informed the appellant that the query is in the nature of question, seeking answer, explanation or comments from the bank, and hence, does not fall within the meaning of 'information' as defined under Section 2(f) of the RTI Act.

5. With respect to point no. 7 of the RTI application, the respondent no. 1 stated that the CPIO (RBG) vide reply dated 28.06.2017 has already informed the appellant that his two deposit receipts (FDRs) were pre-closed owing to a technical error. However, the funds were credited to his Savings Bank Account. The respondent further informed that the Bank has since issued new FD Receipts to the appellant.

Decision:

6. The Commission, after hearing the submissions of the respondent and perusing the records, observes that the respondent no. 2 has denied the information sought vide point nos. 1, 2, 3, 5 and 6 of the RTI application on the grounds that the information sought is in the nature of queries, and hence, does not fall within the definition of 'information' as per Section 2(f) of the RTI Act. The Commission, however, observes that perhaps, the IDBI Management must have recorded the reasons for Net Loss of IDBI Bank for FYs 2016 and 2017, rise in Gross NPA of the Bank and the action taken by the Bank to increase its profits. In case it is so, IDBI Bank Ltd. is obliged to provide the same to the appellant.

7. The Commission, however, notes that the Notice for Hearing served upon the appellant was returned undelivered to the Commission with the remark “Deceased”. In view of the death of the appellant and the Commission’s Circular F.No. 2/Management regulation2007/CIC-MR dated 18.06.2018, the Commission directs the respondent to publish the information sought vide point nos. 1, 2, 3, 5 and 6 of the RTI application, as per the available records, suo-motu on their website, within a period of four weeks from the date of receipt of a copy of this order under intimation to the Commission.

8. With the above observations, the appeal is disposed of.

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

Sudhir Bhargava (सुधीर भार्गव)
Information Commissioner (सूचना आयुक्त)
दिनांक / Date 21.12.2018

Authenticated true copy
(अभिप्रमाणित सत्यापित प्रति)

S. S. Rohilla (एस. एस. रोहिल्ला)
Dy. Registrar (उप-पंजीयक)
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Addresses of the parties:

1. The Central Public Information Officer (CPIO),
IDBI Bank Limited.,
Regd. Office, IDBI Tower,
WTC Complex, Cuffe Parade,
Mumbai-400005.
2. Shri C.D. Sounder Rajan,

