

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/RBIND/A/2018/611153

Anand Nallan

... अपीलकर्ता/Appellant

VERSUS  
बनाम

CPIO: Reserve Bank  
Of India, Central  
Office, Sir P M Road,  
Fort, Mumbai.

...प्रतिवादीगण/Respondents

Relevant dates emerging from the appeal:

RTI : 27.11.2017	FA : 23.12.2017	SA : 29.01.2018
CPIO : 22.12.2017	FAO : 04.01.2018	Hearing : 26.11.2019

**ORDER**  
**(27.11.2019)**

1. The issues under consideration arising out of the **second appeal dated 29.01.2018** include non-receipt of the following information raised by the appellant through his RTI application dated 27.11.2017 and first appeal dated 23.12.2017:-

- (i) cepcchennai@rbi.org.in, CEPC, Chennai has intimated vide email dated 31 Oct 2017, as matter has been taken up with HDFC Bank and reply will be provided. (copy of email is appended below). Provide the following information.
- a) Provide the copy of written reply provided by HDFC Bank to RBI, Chennai against said email.
  - b) Provide information on Action taken by RBI, Chennai against my fraudulent alert complaint to your Good Office against my email dated 26 Oct 2017, as per RBI mater circular and guidelines.
- (ii) Action taken by CEPC, Chennai against my emails dated 24 Nov 2017.
- (iii) Provide me the copies of information on protocols followed by HDFC Bank against issue of reported fraudulent credit card. The documents shall be ink signed copy of Application form, Any mode of communications of verification of documents, Voice records of telephone verification, Verifications details of KYC and other verification documents as mandated in RBI guidelines to issue credit card to customer.
- (iv) I have reported about fraudulent SMS against disputed credit card on 25 Oct 2017. Further, several reminders made. However, the bank has closed the credit card on 14 Nov 2017. The reason for HDFC banks inaction against my formal complaint of fraudulent credit card in between days, 25 Oct 2017 to 14 Nov 2017, leaving customer at risk.
- (v) I have not received acknowledgement for receipt of emails dated 24 Nov 2017 addressed to CEPC, Chennai. Provide copies acknowledgement of my complaints.

(vi) Please provide information on following requests made vide email to CEPC, Chennai on 24 Nov 2017 and action taken against all four complaints:-

It is therefore, your Office is requested to:-

- a) Seek records of evidence like card application, documentation, verification records, KYC, Voice recordings etc., and protocols followed by HDFC Bank for issue of disputed credit card.
- b) Report to RBI under clause 3.2.1 ASAP.
- c) Report to RBI under Banking Ombudsman Manual.
- d) Provide resolution to my grievance for los of my personal information including Aadhar details from my Banking Account.

**2.** Succinctly facts of the case are that the appellant filed an application dated 27.11.2017 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Reserve Bank of India, Customer Education & Protection Department, Mumbai, seeking aforesaid information. The CPIO replied vide letter dated 22.12.2017. Dissatisfied with this, the appellant has filed first appeal dated 23.12.2017. The First Appellate Authority disposed the appeal vide letter dated 04.01.2018. Aggrieved by this, the appellant has filed a second appeal dated 29.01.2018 before this Commission which is under consideration.

**3.** The appellant has filed the instant appeal dated 29.01.2018 *inter alia* on the grounds that no satisfactory response/communication was received from the CPIO. The appellant requested the Commission to direct the CPIO to provide the information free of cost immediately under the RTI Act.

**4.** The CPIO replied vide letter dated 22.12.2017 provided information on Query no.1, 2,4, 5,6 (1) but did not provide information query no.3 & 6 (2), (3) & (4) stating that they do not have the information. Dissatisfied with this, the

appellant has filed first appeal dated 23.12.2017. The First Appellate Authority passed order vide letter dated 04.01.2018 partly allowing the appeal and directing the CPIO, CEPD to revisit query no. 6(2) along with the clarification provided by the appellant in the appeal.

**5.** The appellant remained absent and on behalf of the respondent Shri Arun Kumar, Legal Officer, Reserve Bank of India, Bandra, attended the hearing through video conference.

**5.1.** The respondent submitted that the appellant had raised a grievance through his RTI application relating to issuing of new credit card in his name without proper verification. However, he did not share the details regarding date of issuing card, financial loss caused, etc. The respondent further submitted that they had issued Master Direction DBR.AML.BC.No. 81/14.01.001/2015-16 (Master Direction-Know Your Customer (KYC) Directions, 2016) and as per provision 56 (a) of the Directions, the banks were under an obligation to maintain secrecy regarding customer information which arise out of the contractual relationship between the banker and customer. The respondent further submitted that the appellant's complaint had been forwarded to HDFC bank and product and pricing documents provided by the HDFC bank were made available to the appellant. They had given point-wise information vide their letter dated 26.12.2017.

**6.** The Commission after adverting to the facts and circumstances of the case, hearing the respondent and perusal of records, feels that due reply was given vide CPIO's letter dated 26.12.2017. The appellant has sought redressal of his grievance through RTI Act but this Commission is not an appropriate forum for such relief. However, the respondent is advised to ensure that the supervision and inspection in respect of the Master Direction-Know Your Customer (KYC) Directions, 2016

were strictly followed by all the banks in order to check misuse of customers' identification details. Moreover, the appellant being absent and not having filed any written objections, the averments of the respondent are taken on record. There appears to be no public interest in further prolonging the matter. With the aforementioned observations, the appeal is disposed of.

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

Sd/-

(Suresh Chandra) (सुरेश चंद्रा)

Information Commissioner (सूचना आयुक्त)

दिनांक/Date: 27.11.2019

Authenticated true copy

R. Sitarama Murthy (आर. सीताराम मूर्ती)

Dy. Registrar (उप पंजीयक)

011-26181927(०११-२६१८१९२७)

Addresses of the parties:

**CPIO :**

RESERVE BANK OF INDIA  
Human Resources Management  
Department Central Office,  
Central Office Building 21st  
Floor, Shahid Bhagat Singh  
Marg, Fort, Mumbai-400001

THE F.A.A, RESERVE BANK OF INDIA,  
AMAR BUILDING, 1ST  
FLOOR, SIR P.M. ROAD, FORT,  
MUMBAI – 400001

**Anand Nallan**

