

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/UCOBK/A/2022/669652

Harmohan Kumar Arora

... अपीलकर्ता/Appellant

VERSUS

बनाम

CPIO:  
UCO Bank,  
Kolkata, W.B.

...प्रतिवादीगण/Respondent

Relevant dates emerging from the appeal:

RTI : 17.10.2022	FA : 10.12.2022	SA : 27.12.2022
CPIO : 16.11.2022	FAO : 15.12.2022	Hearing : 22.12.2023

**Date of Decision: 28.12.2023**

**CORAM:**

**Hon'ble Commissioner**  
**ANANDI RAMALINGAM**

**ORDER**

1. The Appellant filed an RTI application dated 17.10.2022 seeking information on the following points:

- *In the matter of Consortium Account M/s Shree Shyam Pulp & Board Mills Ltd. – Mid Corporate Nehru Place Branch, New Delhi, provide the copies of following documents:*
- (i) *Copy of duly approved note of competent authority (i.e. MD & CEO) for refusal to grant permission to CBI for prosecution of staff in first time.*
- (ii) *Copy of duly approved note of competent authority (i.e. MD & CEO) for granting permission to CBI for prosecution of staff in second attempt.*

- (iii) Copy of duly approved December 2021 – Note of competent authority (i.e. MD & CEO) for reversing its earlier decision to grant permission for prosecution staff.
- (iv) Copy of charges submitted by CBI to Bank for which prosecution refusal/permission was granted.

2. The CPIO replied vide letter dated 16.11.2022 and the same is reproduced as under :-

*“(i) to (iii) These information is confidential in nature as per sub point b & c of point no. 1.2.2 of information disclosure Policy 2022, therefore cannot be disclosed.*

(iv) The information sought is exempted from disclosure under Section 8 (1) (h) of RTI Act, 2005.”

3. Dissatisfied with the response received from the CPIO, the Appellant filed a First Appeal dated 10.12.2022 alleging that the information provided was incomplete, false and misleading. The FAA vide order dated 15.12.2022 provided information to the appellant.

4. Aggrieved with the FAA’s order, the Appellant approached the Commission with the instant Second Appeal dated 27.12.2022.

5. The appellant was present at the VC venue and on behalf of the respondent Sanjay Kumar Sinha, representative of the CPIO attended the hearing through video conference.

6. The appellant submitted that the information was incorrectly denied as the charge sheet has been filed.

7. The respondent while defending their case submitted that the matter is yet to reach conclusion and is still pending. Hence, the sought for information cannot be provided.

8. The Commission after adverting to the facts and circumstances of the case, hearing both parties and perusal of records, observed that on points no. 1, 2 & 3, the reply of the CPIO is incomplete. Even though the CPIO in his reply has explained that as per points

no. (b) & (c) of the Information Disclosure Policy Document 2022-23 dated 16.09.2022 , the information being confidential in nature cannot be provided, however, no exemption as enlisted u/s 8 of the RTI Act has been claimed by the CPIO. The CPIO should note that only such information is exempted from disclosure if the same falls under any of the sub-categories mentioned in Section 8 of the RTI Act. The CPIO is therefore directed to provide a revised reply to the appellant on these points while claiming a proper exemption under the provisions of the RTI Act.

9. With regard to point no. 4, the information has been rightly denied u/s 8(1)(h) of the RTI Act. Hence, no relief can be given on this point.

10. In view of the above, the CPIO is directed to provide a revised reply on points no. 1, 2 & 3 as per the provisions of the RTI Act. This direction is to be complied within a period of 15 days from the date of receipt of this order under intimation to the Commission.

11. **The Appeal is disposed of accordingly.**

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

Sd/-

(Anandi Ramalingam) (आनंदी रामलिंगम)  
Information Commissioner (सूचना आयुक्त)  
दिनांक/Date: 28.12.2023

Authenticated true copy

Suman Bala  
Dy. Registrar (उप पंजीयक)  
011-26180514

Addresses of the parties:

1. The CPIO  
UCO Bank,  
Nodal CPIO, RTI Cell,  
Customer Services and Customer Complaints Cell,  
and Operations and Services Department,  
Head Office, 2nd Floor, 10, B.T.M. Sarani,  
Kolkata, W. B.- 700001

2. Harmohan Kumar Arora

