

Central Information Commission, New Delhi
File No. CIC/SH/A/2014/000111
Right to Information Act-2005-Under Section (19)

Date of hearing : 11th December 2014

Date of decision : 11th December 2014

Name of the Appellant : **Shri Satinder Nath Sood,**
145 MIG Flats, 2nd Floor, Prasad Nagar,
New Delhi 110 005

Name of the Public Authority/Respondent : **Central Public Information Officer,**
United Bank of India,
Regional Office New Delhi, P-9/90,
Connaught Circus, New Delhi 110 001

The Appellant was present in person.

On behalf of the Respondents, Shri Vivek Mishra, Manager (Law) was present in person.

Information Commissioner : **Shri Sharat Sabharwal**

This matter pertains to an RTI application dated 4.7.2013 filed by the Appellant, seeking information on four points in the context of the account of M/s Lakhani India Ltd. The CPIO responded on 30.7.2013 and denied the information under Section 8 (1) (h) of the RTI Act. Not satisfied with the reply of the CPIO, the Appellant filed an appeal to the

First Appellate Authority on 10.8.2013. Not having heard from the FAA, he filed second appeal dated 27.11.2013 to the CIC, which was received by the Commission on 28.11.2013.

2. We heard the submissions of the Appellant and the Respondents. The Appellant submitted that he and his co-signatory to the RTI application, Shri Suresh Elwadhi were independent Directors of the above company. He further submitted that the bank has filed ten criminal cases against M/s Lakhani India Ltd. and its Directors; as well as a Civil Suit in DRT. He stated that the information sought by him in respect of himself and his co-signatory Shri Suresh Elwadhi was in the above context. He also questioned the decision of the Respondents in denying the information to him. He stated that he has received the information in response to point No. 3 of the RTI application as a result of a court order. Therefore, he now needs only the information in response to points No. 1, 2 and 4.

3. The Respondents stated that the information was denied under Section 8 (1) (h) of the RTI Act, because the matter is sub-judice. However, they did not make any additional submission to justify the invocation of Section 8 (1) (h). We note that none of the grounds mentioned in Section 8 (1) (h) is applicable in this case. The Respondents have not made any submission regarding any pending investigation or any issue of apprehension or prosecution. Therefore, we do not agree with their decision to invoke Section 8 (1) (h) to deny the information. In response to our query, the Respondents submitted that no court has expressly forbidden the disclosure of the information sought by the Appellant. We further note that in the queries at points No. 1, 2 and 4, the Appellant and his co-signatory to the RTI application have sought information in regard to their own involvement with the account in question.

4. In view of the foregoing, we direct the CPIO to provide information to the Appellant in response to points No. 1, 2 and 4 of his RTI application dated 4.7.2013, within twenty days of the receipt of this order, under intimation to the Commission.

5. With the above direction and observations, the appeal is disposed of.

6. 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