

Central Information Commission

**Appeal No. 17/IC(A)/2006
F.No. 11/54/2006-CIC**

Dated, the 28th March, 2006

Name of the Appellant : Manoj K. Kamra, 7-B-37, Near Church, J.N.V. Nagar, Bikaner (Rajasthan)

Name of the Public Authority : Punjab National Bank, Zonal Office, 2, Nehru Place, Tonk Road, Jaipur.

DECISION

Grounds of Appeal :

The appellant asked for all the 'valuation reports of the last two years of immovable assets of borrowers. The appellate authority upheld the decision of CPIO and contended that the information sought is exempted from disclosure under 8(1)(d),(e) and (j) of RTI Act.

The appellant has mentioned that, 'loaning is a public activity and the prevailing practice of unduly excessive valuation of substandard assets have led to increase in NPA. So in wider public interest, overvalued loans needs to be exposed'.

A detailed comment received from the Bank indicate that the individual borrowers are required to mortgage their immovable properties to obtain loans and they submit valuation report to the Banks. The details of their properties are personal information, the disclosure of which is exempt under section 8(j) as it may cause unwarranted invasion of privacy.

As the Bank is engaged in commercial activities, parting of information relating to borrowers and valuation of their properties may affect their economic and commercial interests and competitiveness. Disclosure of such information is therefore exempted under Section 8(1) (d) of RTI Act, 2005.

The Banks are, moreover, under obligation to maintain secrecy about the affairs of its clients as per Section 13(1) of the Banking Companies Act, 1970.

Commission's Decision :

Disbursement of loans is a public activity and therefore the issue of NPA is a matter of serious concern to the society. However, disclosure of reports of valuation of immovable properties of borrowers is not enough to identify the sources of NPA. The

appellant has not asked for the details of bad loans that have contributed to NPA or the action taken by the Bank to recover loans. It therefore cannot be established how the valuation reports of last two years would indicate the extent of NPA attributable to high or low valuation of properties of borrowers. In fact, the appellant has made a mention of NPA in his appeal to the Commission, while he was silent on this issue in his original application for information.

The link between valuation of mortgaged properties of borrowers and NPA is not clear. There is therefore no bonafide public interest in disclosure of valuation reports submitted to the Bank by the borrowers. The Bank is also required to maintain secrecy of details of loan accounts as it is personal information and is also in the nature of commercial confidence. The exemption from disclosure of information under Section 8(1)(d),(e) and (j) has been correctly applied by the Bank.

The appeal is therefore dismissed.

Sd/-
(M.M. Ansari)
Information Commissioner

Authenticated true copy :

(P.K. Gera)
Registrar

Cc:

1. Shri Manoj K. Kamra, 7-B-37, Near Church, J.N.V. Nagar, Bikaner (Rajasthan)
2. Shri Siddhartha Kapur, Chief Manager, Punjab National Bank, Zonal Office, 2, Nehru Place, Tonk Road, Jaipur.