

Central Information Commission

Decision No.272/IC(A)/2006
F. No.CIC/MA/A/2006/00425

Dated, the 14th September, 2006

Name of the Appellant : Smt. Susheela Mathew, IV/304 Jayanthi Road,
Maradu PO, Ernakulam – 682304, Kerala

Name of the Public Authority: Punjab National Bank, Inspection & Audit
Department, Kerala Zone, Shathadbhi Bhavan,
P.O. Govindapuram, Kozhikode – 673 016.

DECISION

Facts of the Case:

1. The appellant, an officer of the bank, applied for voluntary retirement from the services of the bank, which was accepted by the competent authority. A day before she was to be relieved from her services, she was informed that her relief from service is to be kept in abeyance for the time being. She was also informed that her name had appeared in two special investigation reports in respects of two loan accounts at the M.G. Road, Ernakulam Branch.
2. In this backdrop, she had asked for 'copies of the two special investigation reports' in which her name has been mentioned.
3. The CPIO refused to furnish the information on the ground that the information sought was available with the bank in its fiduciary relationship, the disclosure of which is exempted u/s 8(1)(e) of the Act. The appellate authority upheld the decision of the CPIO.
4. In a separate communication, the bank had also informed the appellant that *'the acceptance of voluntary retirement was subject to ensuring that there is no pending/contemplated disciplinary action against you. In view of certain lapses committed by you while working in the branch, the acceptance of your voluntary retirement has been kept in abeyance'*.
5. In the meantime, the appellant had also filed a case against the Bank and others in the Kerala High Court for adjudication on the matter relating to her voluntary retirement and relief from the services of the bank.

Commission's Decision:

6. Information sought relate to the investigation reports in which the appellant's name is stated to have been mentioned. There are alleged lapses on the part of the appellant, against whom disciplinary proceedings are contemplated by the Bank. The disclosure of information at this stage might impede the process of further investigation and prosecution of the case. Therefore, exemption claimed u/s 8(1)(e) and (h) are justified. The matter is also pending before the Court and it may be expected that a fair opportunity to ensure justice to the appellant would be afforded by the Court.

7. The appeal is accordingly disposed of.

Sd/-

(Prof. M.M. Ansari)
Information Commissioner

Authenticated true copy:

(L.C. Singhi)
Additional Registrar

Cc:

1. Smt. Susheela Mathew, IV/304 Jayanthi Road, Maradu PO, Ernakulam – 682304, Kerala
2. The CPIO, Punjab National Bank, Inspection & Audit Department, Kerala Zone, Shathadbhi Bhavan, P.O. Govindapuram, Kozhikode – 673 016.