

Central Information Commission

**Appeal No. 64 /IC(A)/2006
F.No.CIC/MA/A/2006/00229 & 243**

Dated, the 19th June, 2006

Name of the Appellant : Mrs. Sunita, H.No. 621/1, Gali No. 2, New Railway Road, Ashok Vihar, Gurgaon-122001.

Name of the Public Authority : Reserve Bank of India, Department of Administration & Personnel Management, Central Office, Shahid Bhagat Singh Marg, Mumbai-400 001.

DECISION

1. On the issue of unauthorized withdrawal of money from her account, the appellant has preferred two separate appeals on different dates, against the order dated 27.3.2006 passed by the appellate authority of Reserve Bank of India. The appellant had sought detailed information with reference to the Bank's letter RPCD No.981/06.07.01/(complaint) 2004-05 dt. 28.9.2005 and her complaint of dated 21.9.05.

2. The matter relates to the complaint of the appellant about alleged unauthorized withdrawal of Rs. 10,000/- (Rupees ten thousand) from the saving account of the appellant from her saving bank account in Gurgaon Gramin Bank. The appellant has stated that she has filed a case in the court and she wanted to file the reply of the Reserve Bank in the court.

3. The CPIO has furnished copies of the correspondence between the Reserve Bank of India (RBI) and Gurgaon Gramin Bank. RBI has advised the appellant that action was taken by the Bank on her complaint. On the basis of information given by the Gramin Bank, she was advised that her matter was pending in the court and in the event, any loss

is caused to the bank or the complainant by the concerned officer of Gurgaon Gramin Bank , the same will be compensated by the officer concerned. On the basis of office notings, letters were written to the bank and replies obtained from the Gramin Bank were furnished to the appellant. However, the copy of the office notings and drafting were denied, which are confidential and privileged documents containing information furnished by the bank in fiduciary capacity, is exempt from disclosure u/s 8(1) (e) and (j) of RTI Act. The appellate authority accordingly upheld the decision of the CPIO.

3. In view of the above, there is as such no question of denial of information from RBI as all the information asked for has already been provided to the appellant except copies of the notings from the concerned file of the Bank. In the instant case, file notings in possession of RBI is furnished by the Gramin Bank (third party) in fiduciary capacity. Therefore, the exemption u/s 8(1)(e) has been correctly applied by the public authority.

4. Since the matter is pending before the court for adjudication, it is hoped that all the material on record would surely be examined for ensuring justice to the applicant.

5. The appeal is accordingly disposed of.

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

Authenticated true copy :

(Tarsem Lal)
Deputy Registrar

Cc:

1. Mrs. Sunita, H.No. 621/1, Gali No. 2, New Railway Road, Ashok Vihar, Gurgaon-122001.
2. Shri H.N. Prasad, CPIO under RTI Act, Reserve Bank of India, Department of Administration & Personnel Management, Central Office, Shahid Bhagat Singh Marg, Fort, Mumbai-400 001.