

CENTRAL INFORMATION COMMISSION

Room No. 307, 2nd Floor, 'B' Wing, August Kranti Bhawan, Bhikaji Cama Place,
New Delhi -110067, website-cic.gov.in

Appeal No.CIC/MP/A/2015/001240

No.CIC/MP/A/2015/001242

No.CIC/MP/A/2015/001243

Appellant : Shri Rajan Madhav
Korday, Mumbai
Public Authority : State Bank of India,
Thane/Mumbai

Date of Hearing : 16.12.2015
Date of Decision : 29.1.2016

Present:

Appellant : Not Present
Respondent : Ms. Laxmi Nyer , Dy.
Manager representing FAA and Shri
Manish
Chaudhary,
Asst. Manager

ORDER

1. Shri Rajan Madhav Korday, the appellant submitted the RTI application dated 03.05.2014 seeking detailed information like copy of original application, valuation report, title clearance, loan sanction letters etc., regarding loan approved and disbursed by State Bank of India and their Eastern Express Highway Branch against various properties as described in RTI application for the period January, 2010 to till date etc., through a total of 5 points.

2. The CPIO vide letter dated 15.05.2014 denied the information sought as the records asked were exempted under Section 8(1)(j) of RTI Act as being third party information. The appellant filed first appeal before the first appellate authority (FAA) dated

30.05.2014. The FAA gave reply vide letter dated 04.06.2014 and upheld the decision of CPIO stating that as the information was held by the Bank in its fiduciary capacity and that under section 8(1)(j) of the Act as personal information, disclosure of which would cause unwarranted invasion of privacy of the individual and that the applicant is in no way connected with the accounts regarding which information is being sought . Dissatisfied with the order of FAA, the appellant filed a second appeal dated 25.05.2015 before this Commission under section 19(3) of the RTI Act.

3. The matter was heard by the Commission. The appellant was not present in the hearing despite a notice of hearing sent to him. The respondents stated that the appellant was a defaulter and that his loan account was declared NPA by the bank. The respondents stated that the appellant is filing multiple RTI applications on similar and identical matters and a lot of time is wasted in answering the queries which are not specific and are ambiguous in its content. He said that information was denied as the records sought were exempt under Section 8(1)(j) of RTI Act as being third party information as mentioned in an earlier decision of the Commission in the case of A.P. Singh vs. Punjab National Bank (Appeal No. 12/IC (A)/2006, dated 14.3.2006) the Commission held that a bank is under duty to maintain the secrecy of accounts of its customers, who are also third party. The CIC further held in this case that since the applicant had not established any bona-fide public interest in having access to the information sought nor did he have any association or business relationship with the company (bank), his appeal cannot be accepted in terms of the law as provided in Section 8(1)(j) of the Act.

4. Having considered the submissions of the parties, the Commission upholds the decision of First Appellate Authority. This order disposes of all the three appeals of the appellant viz., appeal nos. CIC/MP/A/2015/001240, CIC/MP/A/2015/001242 and CIC/MP/A/2015/001243 seeking identical information.

5. The Commission also advises the appellant to refrain from misusing the precious Right to Information by filing repetitive RTI applications. As held in the case of CBSE vs Aditya Bandopadhyay & Ors , Civil Appeal No.6454 of 2011: **"the Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties."** Also, the Information sought should be clearly specified in terms of Sec. 2(f) of the Act and should not be vague as held In the case of *S.K. Ranga vs. Container Corporation of India Ltd.* (Appeal No.CIC/OK/A/2006/00260, dated 2/1/2007).

(Manjula Prasher)
Information Commissioner

Authenticated true copy:

(T.K. Mohapatra)
Dy. Secretary & Dy. Registrar
Ph. No. 011-26105027

Address of the parties:

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The Central Public Information Officer
State Bank of India
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First Appellate Authority
State Bank of India
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