

CENTRAL INFORMATION COMMISSION

Room No. 302, CIC Bhawan, Baba Gang Nath Marg,
Munirka, New Delhi-110067

Decision No. CIC/DENAB/A/2016/302859 Dated 01.12.2017

**Narottamdas Laxmidas Jobanputra vs. CPIO, Dena Bank, Vile Parle
(West), Mumbai**

Relevant dates emerging from the appeal:

RTI: 02.05.2016	FA: 22.06.2016	SA: 17.08.2016
CPIO: 01.06.2016	FAAO: 18.07.2016	Hearing: 30.11.2017

ORDER

1. The appellant filed an application under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), Dena Bank, Vile Parle (West), Mumbai seeking certified copies of the entire file pertaining to the mortgage on Flat No. 6, 1st Floor, 'A' Wing, Mahavir Darshan .H.S. Ltd., Plot No. 135/2, Kirol Road, Cama Lane, Ghatkopar (West) Mumbai.

2. The appellant filed a second appeal before the Commission on the grounds that the CPIO evaded the information sought by him by informing that the file had been transferred to Asset Recovery Branch at Mumbai and all correspondence are available with them. The appellant stated that the FAA did not provide him an opportunity for personal hearing before passing his Order. The appellant also stated that only copies of the Mortgage Deed and Share Certificate were provided, and no information relating to site inspection reports, letters sent to society/developer, OTS settlement, court cases, etc. was provided. The appellant requested the Commission to invoke its power under Section 19(8) (a)(i) of the RTI Act to direct the CPIO to provide the information immediately free of cost, to invoke its power under Section 19(8)(b) to direct the public authority to compensate him for any loss or other detriment suffered, to invoke its power under Section 19(8)(c)

to impose penalty on the respondents as per Section 20(1) of the RTI Act and to recommend disciplinary action against the respondents as per Section 20(2) of the RTI Act.

Hearing:

3. The appellant was not present despite notice. The respondent Shri Uday Shankar Yallamata, Sr. Manager (Legal), Dena Bank, Mumbai attended the hearing through video conferencing.

4. The respondent submitted that the appellant is seeking information pertaining to the Mortgage on his flat. The respondent further submitted that a copy of the Mortgage Deed and Share Certificate were provided to the appellant vide letter dated 18.07.2016. The appellant was also requested to clearly mention the documents which are required by him. The respondent also stated that the appellant was informed, telephonically that he could inspect the relevant file and take documents as per the provisions of the RTI Act.

Decision:

5. The Commission, after hearing the submissions of the respondent and perusing the records, directs the respondent to allow the appellant to inspect all relevant records pertaining to the information sought in his RTI application on a mutually decided date and time and to provide photocopies of the requisite documents, as per the provisions of the RTI Act. The above directions shall be complied with, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above observations, the appeal is disposed of.

7. Copy of the decision be provided free of cost to the parties.

(Sudhir Bhargava)
Information Commissioner

Authenticated true copy

(S.S. Rohilla)
Designated Officer

Addresses of the parties:

1. The Central Public Information Officer (CPIO),
Dena Bank,
Mumbai Suburban Zonal Office,
Sharda Bhawan, Opp. NMIMS,
JVPD Scheme, Vile Parle (West)
Mumbai-400 056.
2. Shri Narottamdas Laxmidas Jobanputra,