

CENTRAL INFORMATION COMMISSION

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

Decision No. CIC/IDBIL/A/2016/294310/C Dated 01.12.2017

Gyanendra Murari vs. CPIO, IDBI Bank, WTC Complex, Mumbai

Relevant dates emerging from the complaint:

RTI: 20.06.2013	FA: 31.08.2013	Compl: 11.07.2016
CPIO: 27.07.2013	FAAO: 27.09.2013	Hearing: 30.11.2017

ORDER

1. Shri Gyanendra Murari filed a complaint dated 11.07.2016 under the Right to Information Act, 2005 (RTI Act) before the Commission (CIC) stating that Mr. N. R. Viswanadhan, CPIO, IDBI Bank and Mr. Brij Mohan Sharma, CPIO, IDBI Bank have been furnishing contradictory information. The complainant requested that penal action be taken against the above mentioned CPIOs under Section 20(1) & (2) of the RTI Act and to compensate him for the cost of attending the hearing before the Commission under Section 19(8)(b) of the RTI Act.

Hearing:

2. The complainant Shri Gyanendra Murari and the respondent Shri C. A. Navalikar, DGM, attended the hearing through video conferencing.

3. The complainant submitted that Mr. N. R. Viswanadhan had informed him on 27.07.2013 that "..... it was decided to extend free services to our Savings and Current Customers for a finite number of transactions (linked to AQB) and levy service charges beyond these threshold limits. Our service charges for Saving customers were introduced w.e.f. December 15, 2011 and for Current customers w.e.f. January, 2012". But on 06.06.2015, Mr. Brij Mohan Sharma, CPIO had enclosed a document dated 27.04.2012

(Important Notice to Customers) which informs that “All Savings Account & Current Account Customers w.e.f June 01, 2012 will now be charged Annual Card fee (free for the first year) & replacement Card fee of Rs. 110/- per card.” Thus, the information furnished by the above mentioned CPIOs is contradictory. The complainant further submitted that the information furnished is also not in conformity with CMD, IDBI Bank’s letter to customers dated 30.09.2010, wherein, the bank had informed that it had waived all charges relating to savings and current account services.

4. The respondent submitted that both the CPIOs had provided information on the basis of circulars issued by the bank. The respondent has also submitted copies of the circulars on the basis of which information was provided to the complainant. The respondent clarified that the information furnished by Shri N. R. Viswanadhan pertains to transactions linked to Savings and Current account whereas, the information furnished by Shri Brij Mohan Sharma pertains to the Annual Card Fee. Hence, it is not correct to say that the information furnished by both the CPIOs is contradictory. The respondent also stated that Mr. Malla’s communication to the customers is dated 30.09.2010, whereas, the CPIOs letters are dated 27.07.2013 and 01.03.2012 respectively.

Decision:

5. The Commission, after hearing the submissions of both the parties and perusing the records, observes that under the RTI Act the CPIO provides information available with him or held by him. The Commission also notes that the respondent has clarified that the information furnished by the CPIOs was based on the circulars issued by the bank. Thus, the information furnished was as per the available records. Hence, it cannot be said that the CPIOs had acted deliberately with a malafide intention to provide misleading information to the complainant. Hence, in the absence of any malafide intention, it would not be appropriate to initiate any action for the imposition of penalty on the CPIO.

6. With the above observations, the complaint 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),
IDBI Bank, Regd. Office,
IDBI Tower, WTC Complex,
Cuffe Parade, Mumbai-400 005.
2. Shri Gyanendra Murari,