

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग, मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

शिकायत संख्या / Complaint No. CIC/UBKOI/C/2020/129899/PNBNK

Avijit Chowdhury

...शिकायतकर्ता/Complainant

VERSUS

बनाम

CPIO: Punjab National Bank
(Erstwhile United Bank of India)
Kolkata

...प्रतिवादीगण /Respondents

Relevant dates emerging from the complaint:

| | | |
|-------------------|-----------------|------------------------|
| RTI : 20.04.2019 | FA : 12.06.2019 | Complaint : 28.09.2020 |
| CPIO : 13.03.2020 | FAO : No Order | Hearing : 20.09.2022 |

CORAM:

Hon'ble Commissioner

SHRI SURESH CHANDRA

ORDER

(27.09.2022)

1. The issue under consideration i.e. the reliefs sought by the complainant in the **complaint dated 28.09.2020** due to alleged non-supply of information vide RTI application dated 20.04.2019 are as under:-

➤ *Kindly initiate necessary action as per the provisions of the RTI Act.*

2. Succinctly facts of the case are that the complainant filed an application dated 20.04.2019 under the Right to Information Act, 2005 (RTI Act) before the Central Public Information Officer (CPIO), United Bank of India, Kolkata, seeking following information:

➤ *Request for information regarding mortgage of the premises no. 56, Hazra Road, P. S. Gariahat, Kolkata – 700019, District South 24 – PGS comprising land measuring 3 (Three Cottahs 8 (Eight) Chittaks or 234.20 S G Mtrs under ward no.*

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From the Available Records


R. SITARAMA MURTHY
Deputy Registrar
Central Information Commission
Baba Gangnath Marg, Munirka
New Delhi-110067

86 of the K.M.C. (said property). Inform whether the above numbered premises stands mortgaged since 1993 by deposit of the title deed in new Maniktala Branch or not if mortgaged, please inform:-

- (i) The date of execution of the memorandum by the mortgagor and date of deposit of title deed of the said property in new Maniktala Branch, Police Station – Phool Bagan, Kolkata – 700054.
- (ii) Whether the original title deed of the said property was in bank's possession during 01 February 1993 to 31st March 1993.
- (iii) Total amount lying outstanding and payable to said branch till date showing separately the amount of loan provided against the said mortgage and interest accrued thereon.
- (iv) Total amount realized by said branch from the mortgagor and the guarantor till date.
- (v) Whether any legal/disciplinary action was initiated at the instance of any authority of bank against the concerned manager of the said branch who provided the loan in question against mortgage of the said property? If initiated, then on what ground and eventual consequence of such action.
- (vi) Whether the mortgagors of the said property were also impleaded in the proceeding(s) along with Manager of the said branch?

The CPIO did not give any reply. Meanwhile, aggrieved by the same, the complainant filed first appeal dated 12.06.2019. Thereafter, the CPIO vide letter dated 13.03.2020 replied to the complainant. The First Appellate Authority (FAA) did not pass any order. Aggrieved by the First Appellate Authority order, the complainant filed complaint dated 28.09.2020 before the Commission which is under consideration.

3. The complainant has filed the instant complaint dated 28.09.2020 *inter alia* on the grounds that reply given by the CPIO was not satisfactory. The complainant requested the Commission to direct the CPIO to take necessary action as per Section 20 (1) of the RTI Act.

4. The CPIO replied vide letter dated 13.03.2020 and the same is reproduced as under:-

"We are to inform you that the information sought could not be retrieved as you have not mentioned the details like name of the borrower of loan account number against which the questioned property was purportedly mortgaged to our bank."

The FAA did not pass any order.

5. The complainant remained absent and on behalf of the respondent Mr. Kunj Bihari Das, CPIO, Punjab National Bank, Kolkata attended the hearing through video conference.

5.1. The respondent while defending their case *inter alia* submitted that the complainant had not provided the details of the borrower including the account number, etc. In absence of those details, the requisite information could not be provided to the complainant.

6. The Commission after adverting to the facts and circumstances of the case, hearing the respondent and perusal of records, observed that reply was given by the CPIO vide letter dated 13.03.2020 that the information could not be provided for want of details such as name of the borrower or the loan account number against which the property was purportedly mortgaged. Further, in the absence of the complainant or any written objections thereof, the averments made by the respondent were taken on record. There appears to be no merit in the complaint. Accordingly, the complaint is rejected.

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

Sd/-

(Suresh Chandra) (सुरेश चंद्रा)

Information Commissioner (सूचना आयुक्त)

दिनांक/Date: 27.09.2022

Authenticated true copy

R. Sitarama Murthy (आर. सीताराम मूर्ती)

Dy. Registrar (उप पंजीयक)

011-26181927(०११-२६१८१९२७)

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Deputy Registrar
Central Information Commission
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New Delhi-110067

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Addresses of the parties:

The CPIO

Punjab National Bank
(Erstwhile United Bank of India)
Circle Office Kolkata
South United Tower 9th Floor
11, Hemanta Basu Sarani
Kolkata - 700001

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First Appellate Authority

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