

Central Information Commission

Room No.307, II Floor, B Wing, August Kranti Bhawan, Bhikaji Cama Place, New Delhi-110066
Telefax:011-26180532 & 011-26107254 website-cic.gov.in

Appeal: No. CIC/DS/A/2011/000841

Appellant /Complainant : Shri Kulbhushan Jain, Rohtak (Haryana)
Public Authority : SBI, Vijaywada/Hyderabad
(Sh.Shyam Pd.,CPIO, Sh.TVA Shastry, L.O. and
Sh. V.B. Sree Ram, Mgr. – through
videoconferencing)

Date of Hearing : 21 March 2012

Date of Decision : 21 March 2012

Facts:-

1. Appellant submitted RTI application dated 13 September 2010 before the CPIO, SBI, Hyderabad seeking the details of the defaulting cases which were compromised by the public authority during the last three years.
2. Vide CPIO Order dated 10 November 2010, CPIO did not provide information to the Appellant as the information sought, contains matters of commercial confidence and trade secrets, disclosure of which may harm the competitive position of the entity. Further information sought is vast and also will disproportionately divert the resources of the public authority as per section 7 (9) of the RTI Act, 2005.
3. Not satisfied with the CPIO reply, Appellant preferred appeal dated 1 December 2010, before the First Appellate Authority.
4. Vide FAA Order in 28 December 2010, FAA upheld the CPIO Order.
5. Being aggrieved and not being satisfied by the above response of the public authority, the appellant preferred second appeal before the Commission.

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6. Matter was heard today via videoconferencing. Appellant was present at Rohtak. Respondents made submissions from Guntur and Hyderabad. Appellant reiterated that he was not seeking the names of the defaulting parties and therefore the argument by the respondents of compromising information pertaining to third parties did not arise. Appellant relied on Commission's previous order no. CIC/AT/A/2010/001238 – DS dated 31 October 2011 to support his case. Respondents stoutly argued against disclosure of information that was commercial in nature, the disclosure of which would hurt the commercial interests and operations of the bank.

Decision notice

7. After hearing both parties, Commission is of the view that there is a larger public interest involved in disclosing the year-wise aggregate settled amount by the banks with the defaulting parties as it will help in transparent functioning of the public authority which is the very objective of the RTI Act. Accordingly Commission directs the respondent to furnish information limited to the total number of entities who have defaulted and the total settled amount. Information to be provided for the past three years. Respondent has stated that there are as many as 1200 branches under the Hyderabad region. Therefore a period of 4 weeks is allowed for furnishing information.

(Smt. Deepak Sandhu)
Information Commissioner (DS)

Authenticated true copy:

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

Copy to:-

1. Shri Kulbhushan Jain
Anaaj Mandi

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Rohtak-124001 (Haryana)

2. The CPIO
Assistant General Manager
State Bank of India
Region-2, Administrative Unit
Praksam Road, **Vijaywada**
(Krishna Distt.) Andhra Pradesh

3. The Appellate Authority
General Manager (Network-2)
State Bank of India
Local Head Office,
Bank Street, Koti,
Hydeabad-500095 (Andhra Pradesh)