**By Regd. Post AD**

Ref.No.695/FAA/2014-15/A-02 May 12, 2014

***APPELLATE AUTHORITY UNDER***

***RIGHT TO INFORMATION ACT (RTI ACT), 2005***

***SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA (SIDBI)***

***Appeal No.02/2014-15***

**APPEAL UNDER SECTION 19(1) OF THE RTI ACT BY SHRI RANDOLPH ROWE AGAINST THE ORDER NO. 1158 DATED 05/03/2014 OF CENTRAL PUBLIC INFORMATION OFFICER (CPIO) OF SIDBI REGARDING HIS RTI APPLICATION DATED 31/01/2014**

**Background :**

The Information Seeker Shri Randolph Rowe, resident of 504, Durvankur Cooperative Housing Society Limited, Citi Corner II, Plot No. 53, Sector 29, Vashi, Navi Mumbai - 400 703, filed an application dated January 31, 2014 under the provisions of the Right to Information Act, 2005 (RTI Act) before the CPIO of Small Industries Development Bank of India, seeking information under 3 heads, i.e. about names of employees against whom disciplinary proceedings were initiated by SIDBI in respect of alleged lapses in the accounts of SMEVS Engineering Works and Shriram Industries, together with penalties imposed against those employees etc. and certified copy of the office note with regard to approval of the Competent Authority of SIDBI for apportioning the entire financial loss suffered by SIDBI in the above mentioned two accounts.

CPIO disposed off the said application vide order no. 1158 dated March 05, 2014 providing information to the applicant (subject to deposit of cost) in respect of item no.(iii) of the application while claiming exemption under Section 8(1)(d) of the RTI Act with regard to the information sought by the applicant under item no.(i) and (ii) of the application.

***Contd/-…***

**: 2 :**

The Applicant challenged the said order of CPIO vide his appeal dated March 18, 2014 (received on March 21, 2014), which was allowed by FAA vide order dated April 01, 2014 and thereafter, the information was also provided to the Applicant by CPIO vide letter April 23, 2014. Now, the Applicant has again challenged the said order no. 1158 dated March 05, 2014 of CPIO, inter alia, on the ground that information provided to him vide RTI Cell letter dated March 20, 2014 is incomplete.

**Decision :**

I have gone though the contents of the Appeal dated April 10, 2014 (received on April 22, 2014) of the Appellant as also the order no.1158 dated March 05, 2014 passed by CPIO of the Bank and the information provided to him vide RTI Cell letter dated March 20, 2014. It is noticed that the information now sought by the applicant did not form part of the original application and the same is in the form of additional information based on information received by him from CPIO vide the said letter dated March 20, 2014. In that view of the matter, the information sought having not been covered under the original application which is subject matter under present appeal, the appellant will have to comply to the provisions of the RTI Act and move fresh application in that regard to CPIO.

Order accordingly.

Copy of this decision be sent to the Information Seeker and the CPIO.

**Sd/-**

**(शैलेन्द्र महलवार / Shailendra Mahalwar)**

**मुख्य महाप्रबंधक (विधि) तथा प्रथम अपीलीय प्राधिकारी /**

**Chief General Manager (Legal) and**

**First Appellate Authority**

Endt. No.695A/FAA/2014-15/A-02 of date 12/05/2014

1] Shri Randolph Rowe, 504, Durvankur Cooperative Housing Society Limited, Citi Corner II, Plot No.53, Sector 29, Vashi, Navi Mumbai – 400 703.

2] Shri U.S.Lal, GM [Legal] & CPIO, SIDBI, Head Office, Lucknow.

**द्वारा सहा. महाप्रबंधक (प्रथम अपीलीय प्राधिकारी का कार्यालय) /**

**For Assistant General Manager (Office of FAA)**