**By Regd. Post AD**

Ref.No.1313/FAA/2015-16/A-04 June 10, 2015

***APPELLATE AUTHORITY UNDER***

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

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

***Appeal No.04/2015-16***

**APPEAL UNDER SECTION 19(1) OF THE RTI ACT BY SHRI V.B. PATWARDHAN AGAINST THE ORDER DATED 28/04/2015 OF CENTRAL PUBLIC INFORMATION OFFICER (CPIO) OF SIDBI REGARDING HIS RTI APPLICATION DATED 31/03/2015**

**Background :**

The Information Seeker Shri V.B. Patwardhan having his address at 402, Sahawas Madhuvan, 4, B.P. Cross Road, Mulund (W), Mumbai – 400080, filed an application dated March 31, 2015 under the provisions of the Right to Information Act, 2005 (RTI Act) before the CPIO of Small Industries Development Bank of India (SIDBI), seeking documents such as copy of internal noting, copy of memorandum submitted to the Board and resolution passed thereof and SIDBI letter to Ministry, Government of India in connection with DA Relief on Pension of Retirees. The said application was disposed by CPIO vide his order dated April 28, 2015, whereby he was provided with copies of letters sent by SIDBI to the Ministry of Finance, Department of Financial Services, Government of India. As regards the internal noting it was informed that the requested information was not available and as regards the memorandum to the Board and the resolution thereof, exemption was claimed under section 8(1)(d) of RTI Act. Not satisfied with the said order Information seeker filed the present appeal.

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**Decision :**

I have gone through the contents of the Appeal filed by the information seeker as also the order dated April 28, 2015 passed by CPIO of the Bank. In this context, it is noted that the issue of disclosure of minutes of Board meeting of Bank has not generally found feasible and is accepted as exempted from disclosure under section 8(1) of the RTI Act. The Board Memorandum and resolution involve critical issues of protecting the core principles of banking, its relationships and commercial confidence, thus, exempted from disclosure. In the matter of Shri  Kishanlal Mittal Vs Central Public Information Officer, State Bank of India, it was observed that Board minutes are connected with various work areas of banking policy, financial decision ­making, commercial lending and other administrative aspects, where considerations of confidentiality and fiduciary relationships is part of the matrix. In view of the above accepted practice I do not find any infirmity with the exemption claimed by CPIO with regard to the board resolutions as sought for by the information seeker. As regards internal noting on the subject, it was informed that the same was not available. In view of the above, I find no infirmity with the order passed by CPIO of SIDBI in the matter. The appeal, therefore, dismissed. The information seeker has also attached a banker cheque of Rs. 10 along with his appeal under reference. Since, no fee is payable on appeal to FAA, the said cheque be returned to him.

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.1313A/FAA/2015-16/A-04 of date 10/06/2015

1] Shri V.B. Patwardhan, 402, Sahawas Madhuvan, 4, B.P. Cross Road, Mulund(W), Mumbai – 400080.

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

**प्रथम अपीलीय प्राधिकारी का कार्यालय**

**Office of FAA**