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भारतीय लघु उद्योग विकास बैंक
SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA

By Registered AD

Ref. No.L00084487/RTI/A-14/2018

January 09, 2018

**FIRST APPELLATE AUTHORITY UNDER
RIGHT TO INFORMATION ACT (RTI ACT), 2005
SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA (SIDBI)
Appeal No.14/2017-18**

**APPEAL UNDER SECTION 19(1) OF THE RTI ACT BY SHRI SANJAY GUPTA
AGAINST ORDER NO.2289 DATED DECEMBER 04, 2017 OF
CENTRAL PUBLIC INFORMATION OFFICER (CPIO) OF SIDBI
REGARDING HIS RTI APPLICATION RECEIVED ON DECEMBER 14, 2017.**

Background:

The Appellant, Shri Sanjay Gupta, Deputy General Manager, Small Industries Development Bank of India, MSME Development Centre, 4th Floor, Corporate Accounts Vertical, C-11, G Block, BKC, Bandra(East), Mumbai-400051 has preferred the present appeal dated December 14, 2017 against the Order No.2289 dated December 04, 2017 by CPIO of Small Industries Development Bank of India (SIDBI) received on November 14, 2017.

Not satisfied with the said order, the appellant has preferred this appeal, requesting intervention of FAA in providing him information sought by him in his RTI application with respect to sl. no. i, ii & x of his RTI application dated November 06, 2017.

Observations :

I have gone through the contents of his Appeal dated December 14, 2017, as also the order No.2289 dated December 04, 2017 passed by CPIO in the matter. It is observed that vide his above RTI application; the appellant had sought information broadly relating to the office note / documents indicating the action taken by the Bank (during April 2016 till October 31, 2017) of the sealed cover containing his promotional result for the post of General Manager in Grade E for panel year 2016-17, NPA case of Rajkot Branch

बैंक हिन्दी में पत्राचार का स्वागत करता है।

"सिडबी टॉवर", 15, अशोक मार्ग, लखनऊ - 226 001, दूरभाष : 0522-2288546-50, फैक्स : 0522-2288455-59.
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Office(RJBO) in the matter of Champion Agro Limited, Disciplinary proceedings against the Appellant , Charge Sheet filed by Central Bureau of Investigation(CBI) or any other State Investigating Agency in a Court of law against him, Charge Sheet by the Bank, Details of any criminal trial against him, Policy guidelines of the Bank as on April 16, 2016 stipulating maximum time period within which the Disciplinary Authority has to conclude disciplinary proceedings and Policy guidelines / Delegation of Power(DoP) of Bank on or before April 16, 2016 for promotional result which has been kept under sealed cover for the Appellant.


I observe that information with respect to the queries at Sl. no. 1 & 2 of his RTI application, CPIO rightly claimed exemption from furnishing the information under Section 8(h) of RTI Act, 2005 since disclosure of this information would impede the process of investigation. Therefore, the ground for appeal by the Appellant cannot be entertained.

With respect to queries at sl. no. x, the Appellant has stated that he could not find the relevant document of Bank's Promotion Policy in force on or before April 16, 2016 in the Bank's Intranet and Bulletin Board which provide for keeping the provisional result in sealed cover even when none of the condition indicated at point no. x (a to e) are complied with. I have carefully examined the request of the appellant and found the ground for appeal is justified on this count. CPIO is, therefore, requested to ascertain the information from concerned vertical of SIDBI and provide the same to Appellant, if available. If it is not available, the same may also be communicated to appellant.

Order :

I allow this appeal partly in respect of his Sl. No. 'x' of RTI application and direct the CPIO to provide the information, if available, or otherwise within 20 working days from the date of receipt of the order. The appeal is disposed off accordingly.

Copy of this order be sent to the appellant and CPIO.


(यू. एस. लाल / U. S. Lal)
मुख्य महाप्रबंधक (विधि) तथा प्रथम अपीलीय प्राधिकारी
Chief General Manager (Legal) and
First Appellate Authority