



Ref.No.180814 /RTI/A-18/2019-20

November 29, 2019

**APPEAL NO. A-18/2019-20 BEFORE  
APPELLATE AUTHORITY UNDER  
RIGHT TO INFORMATION ACT (RTI ACT), 2005**

**Background:**

The Appellant, Shri Nagesh Uppla, 88, New Kaneri, Padmanagar, Bhiwandi-421305, Distt-Thane, Maharashtra has preferred the present appeal dated nil under section 19(1) of RTI Act and received by office of First Appellate Authority (FAA) on November 05, 2019 against the letter number 176228/ RTI-5 /2751 dated October 11, 2019 passed by CPIO, requesting intervention of FAA in providing information sought by him in the RTI application.

**Observations:**

I have gone through the contents of his appeal dated nil as also the letter number.176228/ RTI-5 /2751 dated October 11, 2019 passed by CPIO in the matter. It is observed that vide his RTI application dated September 19, 2019, the appellant has sought information on 1) Certified copy of Entire File and preceding till date, in S K S Textile Sanctioned Term Loan of Rs. 45 Lakh under Technology Upgradation Fund Scheme – TUFFS on September 02, 2008 for acquiring 30 Nos. of semi-automatic power loom machines and other machines. 2) Certified copy of entire list of payment/s of Rs. 45 Lakh (Sanctioned Term Loan made with corresponding date/s and amount along with the beneficiary account/ name with his/its Bank account number (whether current account or otherwise). 3) Certified copy of All bills for sale and dispatch of Machinery by M/s J.K.Machines, Proprietor –(Jagdish Singh Bhati and Karan Jagdish Singh Bhati) Address: 1/B – 1705, Dheeraj Dreams Bldg., L B S Marg, Bhandup, Mumbai-400078. 4) Certified copy of all (1) Bills (2) Transport Delivery Challans (3) Pickup and Drop Address with date and vehicle no. details (4) Octroi /Taxes paid (5) Excise Duty paid challans and/or Bills (6) Government Taxes paid Receipts, and all and any other incidental and consequential documents with respect to the distribution

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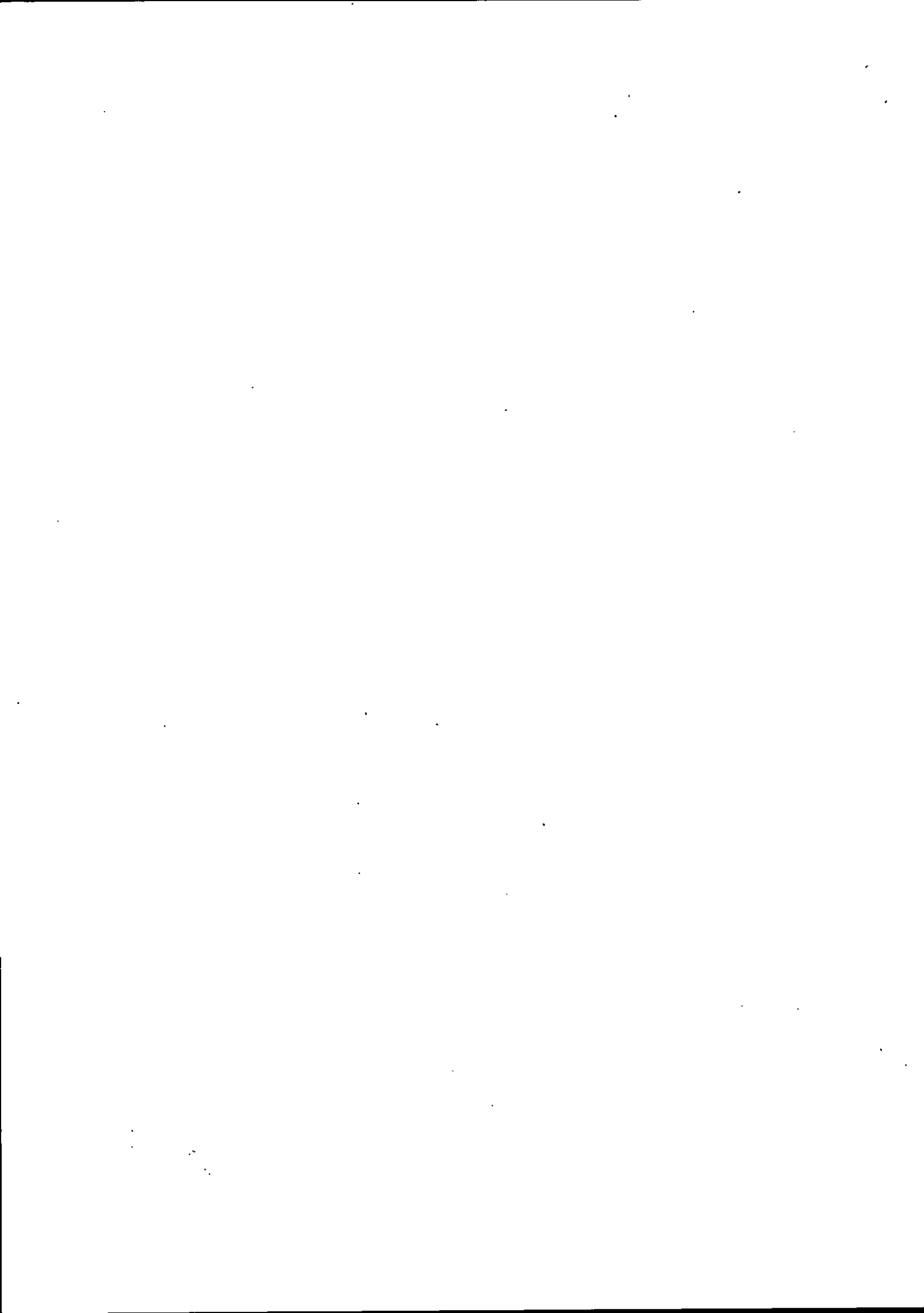
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of the said Term Loan of Rs. 45 lakh. 5) Certified copy of any and all subsidy under the Technology Upgradation Fund Scheme – TUFS granted with amount and list of corresponding dates. 6) Certified copy of measures taken under the MSME ACT to revive / help assist and SKS Textiles / Prabhakar Narayan Adep. 7) Certified copy of the List of Name/s along with corresponding Model Number/s of the Machinery along with Manufacture/s Name along with Factory Name and Address there on. Not satisfied with the reply given by the CPIO, the Appellant has made his appeal on the grounds that CPIO has denied the information. Besides, vide his application dated nil, the appellant has requested the FAA to grant for a personal hearing in compliance of the natural justice.

I observe that CPIO has provided the factual position to Appellant. I find that CPIO has rightfully stated that a part of the requested information is exempted under section 8(1)(d) and 8(1)(e) of the RTI Act.

The RTI mechanism is meant for providing available information which is not exempted under the provisions of RTI Act.

In view of the above, I do not find any infirmity in the order of the CPIO.

It is observed that there is no specific requirement under the provisions of the RTI Act of providing a personal hearing by the First Appellate Authority and that the discretion of the First Appellate Authority to give hearing to the appellant shall be exercised considering the complexity of the issues involved and the timeline specified under the RTI Act. In this context, reliance is also placed on the decisions of the Hon'ble CIC in the matters of Mr. Milind Hemant Kotak, Mumbai vs Canara Bank (Decision dated April 24, 2008) and Mr R.K.Jain vs UPSC (Decision dated March 10, 2014). In view of the above observations, I have carefully considered the application, the reply and the Appeal. The appellant has not stated any specific reason for seeking a personal hearing. The appeal and the grounds of appeal listed therein are elaborate and self-explaining. Hence the matter can be decided based on the material available on record.

VA-21-5



**Order:**

The appeal is accordingly disposed of. Copy of this order be sent to the appellant and CPIO.

जी. सम्पत कुमार

(जी सम्पत कुमार / G. Sampath Kumar)

मुख्य महाप्रबंधक तथा प्रथम अपीलीय प्राधिकारी

Chief General Manager and First Appellate Authority

