

Central Information Commission

Mr.K Minakshi Sundram vs Bank Of India on 20 October, 2011

CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)

Old JNU Campus, New Delhi - 110067

Tel: +91-11-26161796

Decision No. CIC/SM/A/2011/0015

Appeal No. CIC/SM/A/201

Relevant facts emerging from the Appeal:

Appellant : Mr. K Minakshisundaram  
5/2, First street, K K Nagar,  
Kolathur post, Chennai- 600099

Respondent : Mr. Anand Bade  
Public Information Officer & AGM  
Bank of India, Chennai zonal office  
Star House, IIInd floor, 30 (old 17)  
Errabalu street , Chennai-600001

RTI application filed on : 11-02-2011  
PIO replied on : 11-03-2011  
First Appeal filed on : Not mentioned.  
First Appellate Authority order of : Not mentioned.  
Second Appeal received on : 19-05-2011

Q.No.	Information sought	Reply of P
1.	Date of contract.	Account was opened on 19-0
2.	Date of expiry.	Account was closed on 31-1
3.	Whether any interest can accrue on a default account of a void contract.	Unable to reply.
4.	Date of dematerialization came into effect	Unable to reply
5.	Date on which dematerialization was done	Unable to reply.
6.	When the customer was incapacitated from selling the shares during the intervening period, whether any interest can accrue.	Yes.
7.	Whether demand and acceptance on 25.06.2002 when the contract was void is regular.	Unable to reply.
8.	Reason for the delay from 25.06.2002 to 11.08.2006 in effecting another recovery.	Unable to reply.
9.	Whether sale of shares on 11.08.2006 when the contract was void is valid.	Request not considered und
10.	Excess amount lying with bank, if any	
11.	Statement of account from 19-05-1997 with principal and interest component each separately.	
12.	S.B account No. with balance on date.	

Grounds for the First Appeal:

The CPIO did not give complete and true information and CPIO did not provide information

Order of the First Appellate Authority (FAA):

No order..

Ground of the Second Appeal:

PIO had not given complete and true information.

Relevant Facts

emerging during Hearing:

The following were present Appellant: Mr. K Minakshisundaram on video conference from NIC-Chennai Studio; Respondent: Mr. Anand Bade, Public Information Officer & AGM on video conference from NIC-

Chennai Studio;

The PIO states that Appellant did not mentioned the contract regarding which he wanted information. The Appellant has not revealed that he now wants information regarding the Account no. OD 687 which was his account with the Bank. The respondent states that with this he would be able to identify the account and provide the information. The respondent states that he is not very clear what information the Appellant is seeking. Since OD 687 is an over draft account of the Appellant the PIO is directed to give an inspection of the account of OD 687 to the Appellant on 04 November 2011 from 11.00AM at the office of the PIO. In case there are any records or file which the appellant believes should exist, which are not shown to him, he will give this in writing to the PIO at the time of inspection and the PIO will either give the files/records or give it in writing that such files/records do not exist.

Decision:

The Appeal is allowed.

The PIO is directed to facilitate an inspection of the relevant records by the Appellant on 04 November 2011 from 11.00AM onwards. The PIO will give attested photocopies of records which the Appellant wants free of cost upto 100 pages. This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties. Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi Information Commissioner 20 August 2011 (In any correspondence on this decision, mention the complete decision number.) (KH)