



By Registered AD

Ref. No.L000109776/RTI/A-02/2018

May 30, 2018

**APPEAL No.02/2018-19 BEFORE
FIRST APPELLATE AUTHORITY UNDER
RIGHT TO INFORMATION ACT (RTI ACT), 2005**

Background:

The Appellant, Shri Vijay Wamanrao Bodke, Prop. Poly Products, Nashik, 3, Sunshine Apartment, Near Aditya Petrol Pump, Gangapur Road, Nashik-422013, Maharashtra has preferred the present appeal dated May 07, 2018 under section 19(1) of RTI Act (received by office of First Appellate Authority (FAA) on May 11, 2018) against the Order No.2374 dated April 26, 2018 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 May 07, 2018, as also the order No.2374 dated April 26, 2018 passed by CPIO in the matter. It is observed that vide his RTI application dated April 03, 2018, the appellant had sought various information regarding loan availed by Mr. Vijay Wamanrao Bodke, Prop. of Poly Products, Nashik from SIDBI, Nashik Branch Office, Nashik i.e. The Statement of Accounts indicating principal and interest separately of the Loans availed by the Mr. Vijay Wamanrao Bodke duly certified as per Banker's Book of Evidence Act-1981 & section 65(B) of the Indian Evidence Act 1872; Chart for interest rate on priority sector lending to SME / SSI unit determined by Bank on the basis of RBI's directives; The NPA report for declaration of NPA allegedly declared by the Internal Mechanism constituted by the Bank for the loan a/c in the name of Mr. Vijay Wamanrao Bodke (Proprietor- Poly Products) at SIDBI Bank, Sharanpur Branch, Nashik as per section 2{1(0)} of the SARFAESI Act and as per ruling of the Hon'ble Supreme Court in Mardia

बैंक हिन्दी में पत्राचार का स्वागत करता है।

भारतीय लघु उद्योग विकास बैंक

"सिडबी टावर", 15, अशोक मार्ग, लखनऊ - 226 001. दूरभाष: +91 522 4259700, फैक्स: +91 522 2288459

SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA

"SIDBI Tower", 15, Ashok Marg, Lucknow-226 001, Tel. : +91 522 4259700, Fax : +91 522 2288459

Toll Free No.: 1800 22 6753

www.sidbi.in | www.sidbistartupmitra.in | www.udvamimitra.in

Chemical's case; The copy of the acknowledgement for Prior Intimation Possession Notice issued by the Bank in taking symbolic possession of all that part and parcel of property consisting of Plot No. A-39/2, admeasuring 1502 Sq.Mtrs. situated in Nashik Industrial Co-operative Estate Limited (NICE) at Village Satpur, Taluka & District Nashik and within the limits of Nashik Muncipal Corporation, Nashik and the copy of the OTS Scheme made available in the SIDBI and also the RBI guidelines under OTS Scheme applicable to the SIDBI.

The Appellant has made this appeal on the following grounds i.e. i) The information sought is not provided as per the application dated 04/04/2018 & incomplete information is provided, ii) The statement of account as per Para No. 1 is sought since inception of account to till date, iii) Para No. 3 NPA Report declared by the internal mechanism constituted by the SIDBI is not provided., iv) Para No. 5 OTS scheme circular of the SIDBI as well as RBI is a public document which is required to be furnished by the POI (Public Information Officer) and not a single Bank /Financial Institution is exempted for disclosure which is not a trade secrets and v) The information sought concerned the Interests of a large number of borrowers. Hence such information has to be disclosed in public interest.

I observe that information with respect to the query at Sl. no.3(i) & (ii) of his application dated April 03, 2018 had been provided by CPIO and I did not find any incompleteness of the information supplied. Further, I found that the appellant has never mentioned in his RTI application that the statement of account is for the period from the inception of account to till date as claimed in his appeal. Therefore, the ground for appeal by appellant is not maintainable.

With respect to query no. 3(iii), the information has already been provided by CPIO and there is no information available with SIDBI to be shared. All Banks including SIDBI are following the RBI Guidelines on Asset Classification and Income

Recognition for classifying an account NPA.. The ground for appeal by the Appellant is not maintainable.


With respect to query no. 3 (iv) & (v), CPIO has rightly claimed the exemption under section 8(1)(d) of RTI Act. It is also informed that OTS Scheme is internal policy document meant for internal circulation and use. The Appellant may also refer the disclosure policy on SIDBI's website i.e. www.sidbi.in. Therefore, the ground for appeal is not maintainable.

Since there is no provision of fees for appeal in RTI Act, the fees submitted by the appellant for appeal i.e IPO of Rs.20/- may be returned to the appellant.

Order :

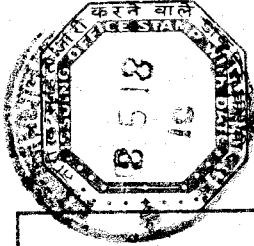
The appeal is accordingly disposed of.

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

महंगा नाम टाका हस रुपिया ककु उरुकायु रुमुस वरुतु उरुव दहा रुपये उरु उरु। रस वुपटे दश रुपयाकि

अपरक्राम्य
NOT NEGOTIABLE



डाक टिकट

POSTAGE STAMPS



डाक महानिदेशक DIRECTOR GENERAL OF POSTS.

PAY TO Small Industries Development
Bank of India (SIDBI) को

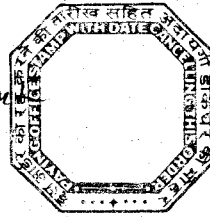
दस रुपए की रकम THE SUM OF RUPEES TEN ONLY



AT THE POST OFFICE AT

Lucknow - 226001

के डाकघर में अदा करें।



सत्यमेव जयते

कमीशन COMMISSION फीस 50 PAISE

प्रेषक अपना नाम और पता यहाँ लिखें।

SENDER MAY FILL IN HIS NAME AND ADDRESS HERE.

Vijay W. Bodke
POLY PRODUCTS
NASIK.

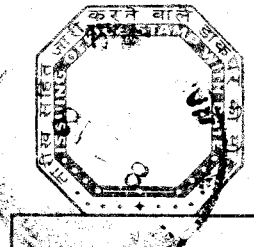
इस लाइन के नीचे मत लिखिए DO NOT WRITE BELOW THIS LINE

21F 085518

पोस्ट मास्टर POSTMASTER

महंगा नाम टाका हस रुपिया ककु उरुकायु रुमुस वरुतु उरुव दहा रुपये उरु उरु। रस वुपटे दश रुपयाकि

अपरक्राम्य
NOT NEGOTIABLE



डाक टिकट

POSTAGE STAMPS



डाक महानिदेशक DIRECTOR GENERAL OF POSTS.

PAY TO Small Industries Development
Bank of India (SIDBI) को

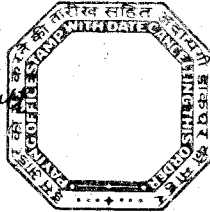
दस रुपए की रकम THE SUM OF RUPEES TEN ONLY



AT THE POST OFFICE AT

Lucknow - 226001

के डाकघर में अदा करें।



सत्यमेव जयते

कमीशन COMMISSION फीस 50 PAISE

प्रेषक अपना नाम और पता यहाँ लिखें।

SENDER MAY FILL IN HIS NAME AND ADDRESS HERE.

Vijay W. Bodke
POLY PRODUCTS
NASIK.

इस लाइन के नीचे मत लिखिए DO NOT WRITE BELOW THIS LINE

21F 085517

पोस्ट मास्टर POSTMASTER