

BEFORE THE HON'BLE CENTRAL INFORMATION COMMISSION  
NEW DELHI

File No.:CIC/RBIND/A/2024/602288

Shri YOGI M. P. SINGH

...Appellant

-vs-

The Central Public Information  
Officer,  
Consumer Education and Protection  
Department  
Central Office  
Reserve Bank of India  
Mumbai

...Respondent

**WRITTEN SUBMISSIONS ON BEHALF OF THE CPIO, CEPD, CO**  
**RESERVE BANK OF INDIA, MUMBAI**

I, Manoj Kumar working as General Manager in Consumer Education and Protection Department (CEPD), Central Office (CO), Reserve Bank of India (RBI), Mumbai, do hereby submit as under:

1. That I am the Central Public Information Officer (CPIO) of the CEPD, CO, RBI, Mumbai. I have made myself conversant with the facts of the case as derived from the records of CEPD, CO, RBI, Mumbai. These Written Submissions are in response to the assertions/allegations made and reliefs sought by the appellant in his second appeal before this Hon'ble Commission.

2. It is submitted that the appellant, Shri Yogi M P Singh, had filed an online RTI application on 01.09.2023 bearing RTI no. RBIND/R/E/24/004921 under the Right to Information Act, 2005 ("RTI Act"). Through the RTI request, the appellant, had sought for action taken by the RBI in complaint bearing no. PMOPG/E/2023/0174605, noting made on the said grievance and the endorsement by the competent authority, minutes of the

proceeding, name and designation of the staff of the Bank who are processing the complaint and various other related queries.

The copy of the RTI application is annexed herewith and marked with letter "A".

3. In response thereto, the CPIO vide letter dated 27.09.2023 informed the appellant that the CPGRAMS grievance no. PMOPG/E/2023/0174605 was received by RBI from Department of Financial Services (DFS) on August 31, 2023 and the same was returned by RBI to DFS on September 04, 2023 with the comments that "**the grievance does not fall under the ambit of RBI . Hence returned for appropriate action by GOI. It may be taken with the postal authority**". The action taken report of the aforesaid CPGRAMS complaint was provided and the appellant was advised to approach the appropriate public authority for action in the matter.

The copy of cpio's reply is annexed herewith and marked as with letter – "B".

4. It is submitted that the appellant had filed a first appeal bearing no. RBIND/A/E/23/00957 dated 08.12.2023 before the Appellate Authority, Reserve Bank of India ("FAA"). In the appeal, the appellant has *inter alia* contended that RBI has refused to entertain his grievance.

The copy of the first appeal is annexed herewith and marked as with letter – "C".

5. It is submitted that after duly considering the contentions of the appellant, queries raised in the RTI application and CPIO's reply thereto, the FAA observed that that the appellant had essentially sought for the action taken on his CPGRAMS complaint which had been forwarded by DFS to RBI. Therefore, in connection with the above, the CPIO had also informed the appellant that the complaint did not fall under the ambit of RBI and hence was returned to Government of India for appropriate action to be taken with the postal authorities. Since the CPIO had discharged his duties under RTI, the FAA dismissed the appeal.

The copy of FAA order dated 29.12.2023 is annexed herewith and marked with letter – "D".

#### **Second Appeal and Submissions:**

6. The CPIO humbly submits that the appellant in the instant appeal has contended that the respondent has not provided him the requested information on flimsy grounds. The

appellant has further contended that since the matter concerns to cyber-fraud in the working of the public authorities, which falls under the Department of Banking Services which is under regulatory control of Reserve Bank of India, the CPIO must provide the requested information to the appellant.

7. It is humbly submitted that under the framewok of disclosure of information under the RTI Act is that the CPIO is supposed to only provide the information which is existing and as it is available and held by the public authority. The CPIO is not obligated to create or invent a piece of information which is not the part of public reocrds. Since, the CPIO has appropriately infomed the appellant regarding the fact that the RTI application was returned to the Government of India as it did not fall under the ambit of the Reserve Bank of India, the CPIO had discharged his obligations under the RTI Act. Therefore the averments and allegations made by the appellant are devoid of any merit and are denied *in toto*. Similarly, the High Court of Bombay in **Dr. Celsa Pinto, Ex-Officio Joint Secretary (School Education) vs The Goa State Information Commission on 3 April, 2008 (2008 (110) Bom L R 1238)** had held as under:

*"Section 2(f) -Information means any material in any form, including records, documents, memos e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force; The definition cannot include within its fold answers to the question why which would be the same thing as asking the reason for a justification for a particular thing. The Public Information Authorities cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification because the citizen makes a requisition about information. Justifications are matter within the domain of adjudicating authorities and cannot properly be classified as information."*

8. In view of the above submissions, it is most humbly submitted that the CPIO and FAA have duly discharged their duties as contemplated under the RTI Act and necessary information has been provided to the appellant in response to his RTI application in accordance with the provisions of the RTI Act. Therefore, there is no merit in the present appeal and the same is liable to be dismissed.

**Prayer**

9. In view of the above submissions, it is most humbly submitted that the CPIO and FAA have duly discharged their duties as contemplated under the RTI Act. It is respectfully prayed that the Hon'ble Central Information Commission may be pleased to take this written submission on record and dismiss the instant second appeal in accordance with the law which is devoid of any merit in the interests of justice.

Dated this 1<sup>st</sup> day of April, 2025



(Manoj Kumar)  
Central Public Information Officer  
Consumer Education and Protection Department  
Central Office, Reserve Bank of India  
Mumbai

**List of Annexures:**

**Annexure A** - Copies of RTI application dated 01.09.2023.

**Annexure B** - Copy of CPIO's reply dated 27.09.2023.

**Annexure C** - Copy of First Appeal dated 08.12.2023.

**Annexure D** - Copy of FAA order dated 29.12.2023.