



**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : **LPR.23/2013**

Complainant/ appellant : **Sri Khetra Dev Sarma**

Respondent : **Branch Manager, Assam Co-operative Apex Bank**

Date of hearing : **18 -9--2015**

Complaint/ Second : **Shri H.S. Das, IAS (Retd)**
appeal heard by **Chief Information Commissioner, Assam**

O R D E R

The petitioner Sri Khetra Dev Sarma is present . The Public Authority i.e., the PIO of Assam Cooperative Apex Bank Ltd. North Lakhimpur branch , Dist- Lakhimpur is absent without information.

The complaint petition dated 9-7-2013 is taken up for hearing ex-parte in the absence of the concerned public authority.

From a perusal of the case records, it is seen that vide his RTI petition dated 15-2-2013, addressed to the Branch Manager, Assam Cooperative Apex Bank, North Lakhimpur branch, Dist- Lakhimpur, the applicant Sri Khetra Dev Sarma sought information about the Savings Bank Accounts/ Recurring Deposit Accounts/ Fixed Deposit Accounts of one Late Padmaja Devi, who according to the petitioner was an employee of that Bank Branch. He further wanted information on the pending salary, Gratuity, Group Insurance , GPF etc. and any other receivables of Late Padmaja Devi. He wanted to know whether the deposits in the various Bank Accounts and all other payments due to her by the Bank , as their employer has been withdrawn by anybody and if so, who drew and when, together with supporting documentary evidence of such withdrawal. Sri Khetra Dev Sarma, the appellant stated that Late (Miss) Padmaja Devi was un-married and died while in service of the Cooperative Apex Bank, North Lakhimpur Branch. He claimed that (i) he is her elder brother by birth from the same parents.(ii) Late (Miss) Padmaja Devi was un-married at the time of her death and her parents also pre-deceased and (iii) Besides the complainant,. Sri Khetra Dev Sarma Late Padmaja Devi left behind 2 more brothers and 5 sisters.

The appellant produced a copy of letter No. ACAB/ADMN/HO/PD/2000 dated 30-12-2000 from the Deputy General Manager (Administration) of the Assam Cooperative Apex Bank Ltd. addressed to Mrs. Maya Sarma and Mrs. Kabita Sarma Baishya, sisters of the deceased Smti Padmaja Devi, and also her nominees. By that letter the Deputy G.M had asked Mrs. Maya Sarma and Mrs.,Kabita Sarma Baishya to convey their 'No Objection' to the Succession Certificate granted by the District Judge, Tezpur in respect of Late Padmaja Devi in favour of Sri Mitra Dev Sarma, eldest among the brothers of the deceased.

After carful consideration of the grievance of the petitioner, Sri Khetra Dev Sarma and the facts and circumstances of the case, the Commission is of the view that the information sought for by the petitioner is a third party information. In this case the third party has since expired. Therefore, the Successors as declared by the competent authority , i.e., the District Judge, can only have access to the information sought for by the petitioner. To this the petitioner submitted that Sri Mitra Dev Sarma, his elder brother obtained the Succession Certificate in his favour by mis-representation of facts before the Hon'ble Dist. Judge, Tezpur. This Commission is not in a position to redress

this grievance of the applicant by facilitating furnishing of the sought for information to him. If the appellant Sri Khetra Dev Sarma believes that he should also have been one of the successors of Late Padmaja Devi, he may then submit his prayer before the District Judge, Tezpur accordingly and if the Hon'ble District Judge, Tezpur includes his name also as one of the successors, then the Successors may approach the concerned Bank for furnishing the information as sought for.

With the above order, the complaint petition dated 9-7-2013 is disposed of.

Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.
Sd/-
Secretary & Registrar
Assam State Information Commission

Memo No. **LPR.23/2013 / -A**

Dtd. 18-9-.2015

Copy to:,

1. PIO of Assam Cooperative Apex Bank Ltd. North Lakhimpur branch , Dist- Lakhimpur for information and necessary action, as ordered above.
2. Sri Khetra Dev Sarma, Vill- Gadhariabasti, P.O- Gomiri, Dist- Sonitpur, PIN- 784172 for information.
3. Computer Section for uploading in the Website.
- 5 Office File.

Secretary & Registrar
Assam State Information Commission