

From,
Venkatesh Nayak
#55A, 3rd Floor
Siddharth Chambers-1
Kalu Sarai
New Delhi- 110 016

To,
The Central Public Information Officer &
Chief General Manager
Department of Currency Management
Reserve Bank of India
Central Office
4th Floor, Amar Building
Sir P. M. Road,
Mumbai - 400 001



Dear sir,

Sub: Submission of request for information under *The Right to Information Act, 2005*

Apropos of S.O. No. 3407(E) notified in the Gazette of India, dated 08 November, 2016, regarding the decision to cease bank notes of denomination 500 and 1000 Rupees as legal tender, I would like to obtain the following information from your public authority, under the RTI Act:

- 1) A clear photocopy of the minutes of all meetings of the Central Board of Directors regarding the aforementioned subject matter, held till date, along with the papers, presentations or other documents placed before them at every meeting;
- 2) A clear photocopy of all communication along with Annexures if any sent to the Government of India regarding the decisions/recommendations of the Central Board of Directors, subsequent to the meetings specified at para #1 above;
- 3) A clear photocopy of all submissions/petitions/representations or communication, by whatever name called, from any person/organisation/institution or entity, by whatever name called, regarding demonetisation of currency notes, since 24 May 2014 till date
- 4) A clear photocopy of all responses sent by your public authority to the senders of the submissions/petitions/representations or communication, by whatever name called, specified at para #3 above;
- 5) A clear photocopy of all file notings and correspondence held by your public authority in hard copy or electronic form, including emails regarding demonetisation of currency notes.

I am a citizen of India. I have enclosed an IPO (bearing #38F 012814) for Rs. 10/- towards payment of the prescribed application fee. I would like to receive the

information specified above at my address mentioned above by post. Kindly inform me of the additional fee payable for obtaining the information specified above.

Thanking you,
Yours sincerely,

S.S. Venkatesh Nayak

Venkatesh Nayak

14/11/16

भारतीय डाक



India Post

SP 14117 3402 01400360

ED1210487231N

Counter No:1, OP Code:KY1

To:THECITYTO,

MURRAY, PIN:400001

From:VINAYATRU, NO

0142000000,

On:09.00, 15/11/2016, 10:30

Barcode:R4.5.00<Track on www.indiapost.gov.in>



भारतीय रिज़र्व बैंक
RESERVE BANK OF INDIA

www.rbi.org.in

मासंप्रवि.कैका.आरआईए सं. १७७४ /07.50.01/2016-17

23 नवम्बर 2016

Venkatesh Nayak
55A, 3rd Floor
Siddharth Chambers - 1
Kalu Sarai
New Delhi 110016.

महोदय / महोदया

Sir / Madam

सूचना का अधिकार अधिनियम, 2005 - पूछताछ -
हमारी संदर्भ संख्या :
RIA No.RBIND/R/2016/04706

The Right to Information Act, 2005 - Query -
Our Ref No:
RIA No. RBIND/R/2016/04706

हम 14.11.2016 के आपके पत्र अपेक्षित आवेदन शुल्क
के साथ कि प्राप्ति सूचना देते हैं।

We acknowledge the receipt of your letter dated
14.11.2016 alongwith payment of requisite fees.

भवदीय /Yours faithfully

(Signature)

(अशोक धाकतोडे)

कृते केंद्रीय लोक सूचना अधिकारी /p. Central Public Information Officer
सूचना का अधिकार अधिनियम प्रभाग/RIA Division

मानव संसाधन प्रबंध विभाग, आर.आई.ए.प्रभाग, केन्द्रीय कार्यालय, 21 मंजिल भारतीय रिज़र्व बैंक, शहीदभगत सिंग मार्ग, मुम्बई 400 001,
टेली 022-2264 2678, फैक्स 022-2263 2480, E-mail: cpiorbi@rbi.org.in

Human Resource Management Department, RIA Division, Central Office, Reserve Bank of India, 21st Floor, Shahid Bhagat Singh Marg, Mumbai 400 001,
Tel.022-2264 2678 Fax 022-2263 2480 E-mail: cpiorbi@rbi.org.in

हिंदी आसान है, इसका प्रयोग बढ़ाइए

सतर्कता : भारतीय रिज़र्व बैंक किसी बैंक खाते का ब्यौरा, पासवर्ड आदि जैसी व्यक्तिगत जानकारी के लिए कोई मेल, एसएमएस नहीं भेजता है अथवा फोन नहीं करता है। रिज़र्व बैंक किसी के लिए भी कोई राशि नहीं रखता है अथवा राशि का प्रस्ताव नहीं करता है। कृपया ऐसे प्रस्तावों का किसी भी माध्यम से जवाब न दें।

Caution: RBI never sends mails, SMSs or makes calls asking for personal information like bank account details, Passwords, etc. It never keeps or offers funds to anyone. Please do not respond in any manner to such offers.



भारतीय रिज़र्व बैंक
RESERVE BANK OF INDIA
www.rbi.org.in

मुद्रा (आईएफसीडी) सं.
SPEED POST

1902 /06.08.05/2016-17

दिसम्बर 20, 2016

Venkatesh Nayak
55A 3rd Floor
Siddharth Chambers
1 Kalu Sarai
New Delhi 110 016

<p>महोदय/महोदया ,</p> <p>सूचना का अधिकार अधिनियम 2005- हमारी संदर्भ सं RBIND/R/2016/04706</p> <p>कृपया आपका नवम्बर 21, 2016 का आवेदन देखे जो हमें नवम्बर 21, 2016 को प्राप्त हुआ ।</p> <p>2. आपके प्रश्नों के संबंधित जानकारी संलग्न है ।</p> <p>3. आपके जानकारी के लिए भारतीय रिज़र्व बैंक के प्रथम अपील प्राधिकारी डॉ. (श्रीमती) दीपाली पंत जोशी, कार्यपालक निदेशक, भारतीय रिज़र्व बैंक (प्रथम अपील प्राधिकारी मुद्रा प्रबंध विभाग) केन्द्रीय कार्यालय , अमर भवन, सर पी एम रोड, मुंबई 400001 है। उपर्युक्त उत्तर के प्रति अपील, अगर हो, तो 30 दिनों के अंदर प्रथम अपील प्राधिकारी को प्रस्तुत की जाए।</p>	<p>Sir / Madam,</p> <p>Right to Information Act, 2005 - हमारी संदर्भ सं RBIND/R/2016/04706</p> <p>Please refer to your application dated November 21, 2016 received by us on November 21, 2016 .</p> <p>2. The required information to your queries is enclosed herewith.</p> <p>3. For your information, the First Appellate Authority in Reserve Bank of India is Dr.(Smt.) Deepali Pant Joshi, Executive Director, Reserve Bank of India, (First Appellate Authority - Department of Currency Management), Central Office, Amar Building, Sir P.M. Road, Mumbai-400 001. Appeal, if any, in respect of the above reply, should be preferred within 30 days to the First Appellate Authority.</p>
--	---

भवदीय/ Yours faithfully

(पी विजय कुमार)

केंद्रीय लोक सूचना अधिकारी / Central Public Information Officer

अनुलग्नक / Encl- 2

मुद्रा प्रबंध विभाग, केन्द्रीय कार्यालय, चौथी मंज़िल, अमर भवन, सर पी . एम . रोड, पोस्ट बॉक्स सं 1379, मुंबई 400 001

फोन: +91-22-2260 3000 , 2260 4000 फ़ैक्स : +91-22-2262 2442 ई-mail : cgmincdcm@rbi.org.in

Department of Currency Management, Central Office, Amar Building, 4th Floor, Sir P.M.Road, Fort, Mumbai 400 001
Tel No: 91-22-2266 1644 Fax No: 91-22-2266 2442 Email ID : cgmincdcm हिन्दी आसान है, इसका प्रयोग बढ़ाईए



सूचना का अधिकार अधिनियम 2005 के तहत आवेदन पत्र

Application under the Right to information Act, 2005

पंजीकरण सं. Registration no.	:	RBIND/R/2016/04706
आवेदक Applicant	:	Venkatesh Nayak
आवेदन के तारीख Date of application	:	14 नवंबर 2016

सं.	विषय वस्तु	सूचना
	Apropos of S.O. No. 3407 (E) notified in the Gazette of India, dated 08 November, 2016, regarding the decision to cease bank notes of denomination 500 and 1000 rupees as legal tender, I would like to obtain the following information from your public authority, under the RTI Act:	
1	A clear photocopy of the minutes of the Central Board of Directors regarding the aforementioned subject matter, held till date, along with the papers, presentations or other documents placed before them at every meeting	The information sought relates to sensitive matters pertaining to discontinuation/ withdrawal of banknotes. The information is exempt from disclosure under section 8(1)(a) of RTI Act, 2005.
2	A clear photocopy of all communication along with Annexures if any sent to the Government of India regarding the decisions/ recommendations of the Central Board of Directors, subsequent to the meetings specified at para #1 above	Please refer to answer no. 1.



3	A clear photocopy of all submissions/ petitions/ representations or communication, by whatever name called, from any person/ organization/ institution or entity, by whatever name called, regarding demonetization of currency notes, since 24 May 2014 till date	In terms of Section 7(9) of RTI Act 2005, the information cannot be provided as it is not available in the form that is sought and collating the same would disproportionately divert the resources.
4	A clear photocopy of all responses sent by your public authority to the senders of the submission/ petitions/ representations or communication, by whatever name called, specified at para #3 above	Please refer to answer no. 3.
5	A clear photocopy of all file noting and correspondence held by your public authority in hard copy or electronic form, including emails regarding demonetization of currency notes.	Please refer to answer no. 1.



Before the Designated First Appellate Authority

and Executive Director

Reserve Bank of India, Central Office

Sir P. M. Road, Mumbai - 400 001

Appeal filed under Section 19(1) of the Right to Information Act, 2005

In the matter of

Venkatesh Nayak v CPIO, RBI

Date of submission : 13/01/2016

Table of Contents

<u>No.</u>	<u>Item</u>	<u>Page</u>
1.	Letter of First Appeal submitted under Section 19(1) of the RTI Act	2-8
2.	Annexe1: Self-attested copy of the RTI application dated 14/11/2016	9-10
3.	Annexe 2: Self-attested copy of the communication received from the PIO dated 20/12/2016	11-13
4.	Annexe 3: Self-attested copy of the printout of the consignment tracking report downloaded from the website of the Department of Posts	14

SP HAUZ KHAS (110016)
ED1960086491N
Counter No:2, OP-Code:103
To: RESERVE BANK OF INDIA,
MUMBAI, PIN:400001
From: VENKATESH NAYAK, NO 16
Wt:65grams,
Amt:49.00, 14/01/2017, 13:43
Taxes:Rs.9.00<<Track on www.indiapost.gov.in



S.S. Venkatesh Nayak

Before the Designated First Appellate Authority
and Executive Director

Reserve Bank of India, Central Office, Sir P. M. Road, Mumbai - 400 001

Appeal filed under Section 19(1) of the Right to Information Act, 2005

Date: 13/01/2016

- 1) Name and address of the Appellant** : Venkatesh Nayak
#55A, 3rd Floor, Siddharth Chambers-1
Kalu Sarai
New Delhi- 110 016
- 2) Name and address of the Central Public Information Officer (CPIO) to whom the Application was addressed** : The Central Public Information Officer &
Chief General Manager
Department of Currency Management
Reserve Bank of India
Central Office
4th Floor, Amar Building
Sir P. M. Road, Mumbai- 400 001
- 3) Name and address of the Central Public Information Officer who gave reply to the Application** : Shri P. Vijay Kumar
Central Public Information Officer
Department of Currency Management
Reserve Bank of India
Central Office
4th Floor, Amar Building
Sir P. M. Road, Mumbai- 400 001
- 4) Particulars of the RTI application-**
- a) No. and date of submission of the RTI application** : No. RTI/RBI/2016/1 dated
14/11/2016
- b) Date of payment of additional fee (if any)** : Not applicable.
- 5) Particulars of the order(s) including number, if any against which the appeal is preferred** : Communication No. MuPraVi(IFCD) No.
1902/06.08.05/2016-17
dated 20/12/2016

S. S. Venkatesh Nayak

6) Brief facts leading to the appeal :

6.1) On 14/11/2016 this Appellant despatched by Speed Post a request for information to the CPIO mentioned at para #2 above along with the prescribed application fee, stating as follows (**Annexe 1**):

"Apropos of S.O. No. 3407(E) notified in the Gazette of India, dated 08 November, 2016, regarding the decision to cease bank notes of denomination 500 and 1000 Rupees as legal tender, I would like to obtain the following information from your public authority, under the RTI Act:

- 1) A clear photocopy of the minutes of all meetings of the Central Board of Directors regarding the aforementioned subject matter, held till date, along with the papers, presentations or other documents placed before them at every meeting;
- 2) A clear photocopy of all communication along with Annexures if any sent to the Government of India regarding the decisions/recommendations of the Central Board of Directors, subsequent to the meetings specified at para #1 above;
- 3) A clear photocopy of all submissions/petitions/representations or communication, by whatever name called, from any person/organisation/institution or entity, by whatever name called, regarding demonetisation of currency notes, since 24 May 2014 till date;
- 4) A clear photocopy of all responses sent by your public authority to the senders of the submissions/petitions/representations or communication, by whatever name called, specified at para #3 above;
- 5) A clear photocopy of all file notings and correspondence held by your public authority in hard copy or electronic form, including emails regarding demonetisation of currency notes."

6.2) On 23/12/2016 the CPIO mentioned at para #3 above sent this Appellant a communication of number and date captioned at para #5 above, stating as follows (**Annexe 2**):

"सं.	विषय वस्तु	सूचना
	Apropos of S.O. No. 3407(E) notified in the Gazette of India, dated 08 November, 2016, regarding the decision to cease bank notes of denomination 500 and 1000 Rupees as legal tender, I would like to obtain the following information from your public authority, under the RTI Act:	

S. S. Vardakrishna Nayak

1	A clear photocopy of the minutes of all meetings of the Central Board of Directors regarding the aforementioned subject matter, held till date, along with the papers, presentations or other documents placed before them at every meeting	The information sought relates to sensitive matters pertaining to discontinuation/ withdrawal of bank notes. The information is exempt from disclosure under Section 8(1)(a) of RTI Act, 2005.
2	A clear photocopy of all communication along with Annexures if any sent to the Government of India regarding the decisions/recommendations of the Central Board of Directors, subsequent to the meetings specified at para #1 above	Please refer to answer no. 1.
3	A clear photocopy of all submissions/petitions/representations or communication, by whatever name called, from any person/organisation/institution or entity, by whatever name called, regarding demonetisation of currency notes, since 24 May 2014 till date	In terms of Section 7(9) of RTI Act 2005, the information cannot be provided as it is not available in the form that is sought and collating the same would disproportionately divert the resources.
4	A clear photocopy of all responses sent by your public authority to the senders of the submissions/petitions/representations or communication, by whatever name called, specified at para #3 above	Please refer to answer no. 3.
5	A clear photocopy of all file notings and correspondence held by your public authority in hard copy or electronic form, including emails regarding demonetisation of currency notes	Please refer to answer no. 1."

6.3) This Appellant is aggrieved by the response provided by the said CPIO against the said RTI application for reasons explained below.

7) Prayers or relief sought :

This Appellant prays that this First Appellate Authority be pleased to:

- 1) admit this appeal and inquire into the matters raised herein;**
- 2) order the disclosure of all the information sought in the said RTI application, free of charge in accordance with Section 7(6) of the RTI Act; and**

S.S. Venkatesh Nayak

- 3) issue an office memorandum to the CPIO to discharge his statutory responsibilities under the RTI Act with greater care and diligence in future.

8) Grounds for the prayer or relief :

8.1) According to Section 19(1) of the RTI Act any person who is aggrieved by a decision of the CPIO may prefer a first appeal to an officer, senior in rank to him, within 30 days of receiving the decision. This Appellant received the decision of the CPIO mentioned at para #3 above on the 23/12/2016. This first appeal is being submitted on the 21st day of receipt of the CPIO's decision which is well within the statutory deadline stipulated in Section 19(1) of the the RTI Act. This Appellant is aggrieved with the decision of the CPIO mentioned at para #3 above for reasons explained below:

8.1.1) The CPIO mentioned at para #3 above has reasoned that the information sought at paras #1, 2 and 5 of the instant RTI application cannot be provided as they are sensitive matters pertaining to discontinuation/ withdrawal of bank notes and cannot be provided under Section 8(1)(a) of the RTI Act. Section 8(1)(a) is reproduced below:

"8. (1) Notwithstanding anything contained in this Act, there shall be no obligation to give any citizen,—

(a) information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State, relation with foreign State or lead to incitement of an offence;"

The phrase- "sensitive matters pertaining to discontinuation/ withdrawal of bank notes" is not found anywhere in Section 8(1)(a) of the RTI Act. Therefore the reply of the CPIO is bad in law and deserves to be set aside. **Hence the submission of this first appeal to this Hon'ble First Appellate Authority.**

8.1.2) Further, even if one were to imagine temporarily that the CPIO mentioned at para #3 above intended to invoke the protection of Section 8(1)(a) in a considered manner, that section contains at least eight grounds for refusing access to information, seven of which are- the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the State or relations with a foreign State. The said CPIO has not indicated which of these grounds is attracted by the information sought at paras #1, 2 and 5 of the instant RTI application. Further, if the said CPIO implies that the eighth ground, namely, incitement to commission of offence is applicable, that is a serious charge levelled against this Appellant. The said CPIO has not provided any opportunity to this Appellant to present his case for disclosure of the information but has insinuated that the Appellant is likely to be use the information to incite the commission of an offence. As the Department of Personnel and Training has advised all public authorities including the RBI to proactively disclose the RTI applications and replies provided, the eventual placement of this reply in the public domain may amount to libel committed against this Appellant. This Appellant reserves his right to decide the appropriate course of action in this regard against the said CPIO at an appropriate juncture. However, to the extent of this first appeal, the aforementioned

S.S. Venkatesh Nayak

arguments clearly demonstrates the lack of application of mind by the said CPIO to the contents of the instant RTI application. As this Appellant believes that this is not a well-reasoned but an ill-considered decision by the said CPIO, it is bad in law and deserves to be set aside. **Hence the submission of this first appeal to this Hon'ble First Appellate Authority.**

8.1.3) Further, in response to queries specified at paras #2 and 3 of the instant RTI application, the CPIO mentioned at para #3 above, has reasoned that the information cannot be provided as it is not available in the form in which it is sought and collating the same would disproportionately divert resources. The CPIO has stated that the information cannot be provided under Section 7(9) of the RTI Act. This reply of the CPIO also demonstrates a lack of adequate understanding of the provisions of the RTI Act. Section 7(1) of the RTI Act clearly states that a CPIO may reject a request for information only for reasons specified under Sections 8 and 9 of the RTI Act. Therefore, within the scheme of the RTI Act, it is not permissible for a CPIO to reject an RTI application on the ground that Section 7(9) is applicable. Also, the reasoning of the CPIO that the information has to be collated from different sources is mischievous. This Appellant has never sought any information that requires collation of data. All that the CPIO is required to do is provide photocopies of the information sought without doing any collation. Therefore, the CPIO's reply is bad in law and deserves to be set aside. **Hence the submission of this first appeal to this Hon'ble First Appellate Authority.**

8.1.4) Further, the CPIO mentioned at para #3 above has failed to understand the true import and meaning of Section 7(9) of the RTI Act. Section 7(9) is an enabling provision for providing access to information to an RTI applicant in the form sought as far as possible unless the two conditions specified in that provision against doing so are attracted. The Hon'ble Central Information Commission has clarified as far back as in 2006 as to what Section 7(9) of the RTI Act means. In the matter of **Er. Sarbajit Roy vs Delhi Development Authority** [Appeal No. 10/1/2005/ decision dated 25/02/2006], the Hon'ble CIC ruled as follows:

"Sec 7(9) of the Act does not authorize a public authority to deny information. It simply allows the authority to provide the information in a form easy to access. We agree that providing the information on all responses to the public notice of the Board of Enquiry and Hearings, even if they number only 7000 as claimed by the DDA and more than 10,000 according to the complainant, in the form of certified copies will attract the provisions of Sec 7 (9) as averred by DDA. But this provision does not exempt disclosure of information, only of the form in which it is provided."

In other words, the CPIO is required to provide access in such other form that will not divert the resources of the organisation. This Appellant has not sought collation of any data. This Appellant has sought only photocopies of the information relating to submissions and representations from any person or organisation regarding demonetisation of currency notes and a clear photocopy of all responses sent by this Public Authority against such submissions and representations. This Appellant believes that doing so will not divert the resources of this organisation as falsely claimed by the said CPIO. Therefore the CPIO's

S.S. Venkatesh Nayak

decision is bad in law and deserves to be set aside. **Hence the submission of this first appeal to this Hon'ble First Appellate Authority.**

8.1.5) Further, in order to support his demand for information in public interest this Appellant wishes to draw the attention of this Hon'ble First Appellate Authority to the address of the Hon'ble Prime Minister delivered to the nation on 31/12/2016. In his address to the nation, *inter alia*, the Hon'ble Prime Minister opined that the events after Diwali will be studied by economists, not doubt but he called upon sociologists and other academics also to study the effects of demonetisation. The relevant para from his speech published on the website of the Press Information Bureau is reproduced below:

"साथियों, दीवाली के बाद जो घटनाक्रम रहा, निर्णय हुए, नीतियां बनीं-
इनका मूल्यांकन अर्थशास्त्री तो करेंगेही, लेकिन अच्छा होगा कि देश के समाजशा-
स्त्री भी इस पूरे घटनाक्रम, निर्णय और नीतियों का मूल्यांकन करें।"

Further, on 01/01/2017, the Hon'ble Finance Minister, Shri Arun Jaitley, while making a public statement, announced that his Ministry will do its best to implement every word of what the PM announced on 31/12/2016. A contemporaneous news report of this public statement is accessible at this weblink: <http://www.thehindu.com/business/Economy/Hoarded-black-money-to-be-converted-into-cheaper-loans-Jaitley/article16974282.ece>

This statement of intent by the Hon'ble PM that the exercise of demonetisation must be studied thoroughly and the public assurance of the Hon'ble Finance Minister that every word of the former's speech will be implemented are clear signals for transparency of all information regarding the demonetisation exercise, because it is in the public interest to do so. This Public Authority being a body under the Government of India and the Finance Ministry, albeit vested a fair measure of autonomy, is duty bound to implement the policy of transparency enunciated by the highest authorities under the Central Government. The first requirement for such a research to take place is the public disclosure of all information sought in the instant RTI application. As the two statements cited above were made after the CPIO mentioned at para #3 gave his decision on the instant RTI application this Appellant does not wish to blame him for ignoring government policy of transparency regarding the steps taken towards demonetisation of high value currency notes. Instead these two statements are being brought to the notice of this Hon'ble First Appellate Authority to impress upon him the imperative of transparency voiced at the highest level in Government. Therefore there is enormous public interest in making all the information sought in the instant RTI application public. **Hence the submission of this first appeal to this Hon'ble First Appellate Authority.**

8.1.6) Further, the instant RTI application was delivered to the office of this Public Authority on 17/11/2016. A copy of the consignment tracking report printed from the website of the Department of Posts is attached as proof of this claim (**Annexe 3**). The substantial reply of the CPIO mentioned at para #3 above is dated 20/12/2016 which is well beyond the 30-day deadline for the disposal of an RTI application stipulated in Section 7(1) of the RTI Act.

S.S. Venkatesh Nayak

According to Section 7(6) of the RTI Act, where a CPIO fails to provide the information within the time limits specified under Section 7(1) of the RTI Act, the applicant is entitled to receive all the information free of charge. Should this Hon'ble First Appellate Authority decide that the said CPIO's decision deserves to be set aside, this Appellant is entitled to receive all the information specified in the instant RTI application free of charge. **Hence the submission of this first appeal to this Hon'ble First Appellate Authority.**

9) I hereby verify that the aforementioned facts are true to the best of my knowledge. I also declare that I have authenticated the Annexes to this appeal.

Signature of the Appellant:

S.S. Venkatesh Nayak

(Venkatesh Nayak)

13/1/17



भारतीय रिज़र्व बैंक
RESERVE BANK OF INDIA
www.rbi.org.in

DCM (IFCD) No ³⁷⁴⁰/06.08.05/2016-17

March 08, 2017

By Speed Post - Immediate

Shri Venkatesh Nayak
55A 3 rd floor
Siddharth Chambers
1 Kalu Sarai
New Delhi – 110 016

Dear Sir,

Offline appeal no 00101 RIA no 04706/ 2016-17

We forward herewith an Order dated February 17, 2017 issued by the Appellate Authority, Reserve Bank of India in connection with your Offline Appeal No 00101 dated January 17, 2017.

As directed by Executive Director and Appellate Authority, the necessary compliance will be forwarded shortly.

Yours faithfully

(S Ray)
General Manager

Encls: As above

मुद्रा प्रबंधन, केंद्रीय कार्यालय, अमर भवन, चौथी मंजिल, सर पी. एम. रोड, मुंबई 400 001
दूरभाष: 91-22-2260 3000/4000 फैक्स: 91-22-2266 2442 ईमेल आईडी: helpdcm@rbi.org.in.in

Department of Currency Management, Central Office, Amar Building, 4th Floor, Sir P.M.Road, Mumbai 400 001
Tel No: 91-22-2260 3000 /4000 Fax No: 91-22-2266 2442 Email ID: helpdcm@rbi.org.in

Before the Appellate Authority under Right to Information Act, 2005
Reserve Bank of India, Central Office, Mumbai
Appeal No. RBIND/A/2017/00101

Name of the appellant : Shri Venkatesh Nayak
Date of receipt of RTI : November 21, 2016
Application (RIA No. RBIND/R/2016/04706)

CPIO, Department of Currency Management (DCM) : Reply dated December 20, 2016 - Annex A

Date of receipt of appeal : January 17, 2017

The papers have been examined and contentions of the appellant have been considered.

Ground

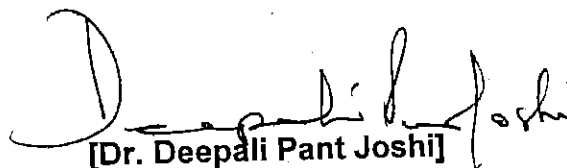
2. Not satisfied with the reply of the CPIO.

My observations:

3. In the original application, at query no. 1, 2 and 3 of the application, the appellant had sought for a copy of the minutes of the meeting of central board of RBI and recommendation sent on the issue of withdrawal of the legal tender character of denominations of the existing series of the value of five hundred rupees and one thousand rupees (hereinafter referred to as specified bank notes-SBNs). The CPIO informed the appellant that the information sought relates to sensitive matters pertaining to discontinuation/ withdrawal of banknotes and that the information is exempt from disclosure under section 8(1)(a) of RTI Act.

4. In the appeal, the appellant has expressed his dissatisfaction on the exemption claimed by the CPIO. As regards, query nos. 1, 2 and 3 of the application, the CPIO is directed to look into the application afresh and issue a suitable supplementary reply to the appellant within a period of fifteen working days from the date of receipt of this order. As regards, query no. 3 and 4 of the application, there is no infirmity in the reply of the CPIO.

5. The appeal is accordingly disposed of with the above direction. The order may be served on the appellant. A copy of the order may be marked to the CPIO of DCM for necessary compliance.



[Dr. Deepali Pant Joshi]

Executive Director & Appellate Authority

17/2/2017



भारतीय रिज़र्व बैंक

RESERVE BANK OF INDIA

www.rbi.org.in

DCM (IFCD) NO. 4568 /06.08.05/2016-17

April 13, 2017

By Speed Post

Shri Venkatesh Nayak
55A 3rd floor
Siddharth Chambers
1, Kalu Sarai
New Delhi – 110 016

Dear Sir,

Offline appeal No. 00101, RIA No. 04706/2016-17

Please refer to our letter no. DCM (IFCD) NO. 3740 /06.08.05/2016-17 dated March 08, 2017 wherein we forwarded Appellate Authority's Order dated February 17, 2017 on the captioned subject.

In continuation to same, please find enclosed necessary compliance for your kind reference.

Yours faithfully

(Aviral Jain)
General Manager

Encls: As above

मुद्रा प्रबंध विभाग, केन्द्रीय कार्यालय, चौथी मंज़िल, अमर बिल्डिंग, सर पी. एम. मार्ग, पोस्ट बॉक्स स. 1379, मुंबई -400 001(भारत)
फोन:-+91 22 2266 1644; फ़ैक्स :- +91 22 2266 2442; ई-मेल :- helpdcm@rbi.org.in

Department of Currency Management, Central Office, 4th Floor, Sir P.M. Road, P.B. No.1379, Mumbai-400 001 (India)
Phone: - +91 22 2260 3000, 2260 4000 Fax: - +91 22 22670570 E mail: helpdcm@rbi.org.in

हिन्दी आसान है, इसका प्रयोग बढ़ाए

चेतावनी: रिज़र्व बैंक द्वारा मेल-डाक, एसएमएस या फोन कॉल के जरिए किसी की भी व्यक्तिगत जानकारी जैसे बैंक के खाते का ब्यौरा, पासवर्ड आदि नहीं मांगी जाती है। यह धन रखने या देने का प्रस्ताव भी नहीं करता है। ऐसे प्रस्तावों का किसी भी तरीके से जवाब मत दीजिए।

Caution: RBI never sends mails, SMSs or makes calls asking for personal information like bank account details, Passwords, etc. It never keeps or offers funds to anyone. Please do not respond in any manner to such offers.

ANNEX

Before the Appellate Authority under the Right to Information Act, 2005, Reserve Bank of India, Central Office, Mumbai

Appeal No.:	Appeal No. RBIND/A/2017/00101 (arising from RIA No.RBIND/R/2016/04706)
Appellant:	Venkatesh Nayak

Compliance by the Central Public Information Officer with the Order dated February 17, 2017 of the Appellate Authority

Gist of the direction of the Appellate Authority	Compliance
As regards queries Nos. 1, 2 3 of the application, the CPIO is directed to look into the application afresh and issue a suitable supplementary reply to the appellant.	<p>The queries have been revisited. It is advised as follows-</p> <p><u>(1)Query Nos. 1 and 2 of the application-</u></p> <p>The documents containing the information pressed for by the appellant in these queries have been examined. The documents reveal factors/modus operandi which preceded a highly sensitive decision of withdrawing the legal tender character of Rs. 500 and Rs. 1000 denomination banknotes by the Central Government having bearing on the economy of the state. It is reiterated that the information sought relates to vital economic interests of the country which takes in its expanse an array of economic, financial and security factors, data, exchange of opinions etc of secret nature, disclosure of which would harm more the larger</p>

<i>Gist of the direction of the Appellate Authority</i>	<i>Compliance</i>
	<p>national interest as compared to the interest of an individual. Disclosure is also likely to impede the decision-making processes in the area of future economic and financial policies of the State. In effect, it attracts the provisions of the Section 8(1)(a) of the Right to Information Act, 2005(the Act) and the information sought qualifies for an exemption under this Section.</p> <p>After careful consideration it is also observed that none of the information available can reasonably be severed from any part that contains exempt information as envisaged in Section 10 of the Act.</p> <p><u>Query No. 3 of the application-</u></p> <p>The information sought for is not available /identifiable at one place in any particular form and is scattered over different offices of RBI. The available information for the period of almost two-and-half year sought for by the appellant is required to be called for from different offices of RBI throughout the country, compiled at one place, classified as exempted information and non-exempted information so as to be able to satisfactorily reply the query. Considering the volume and niceties of the work involved, it is reiterated that it will entail disproportionate diversion of the resources of the public authority as contemplated in Section 7(9) of the Act.</p>

