

**CENTRAL INFORMATION COMMISSION**  
**Club Building (Near Post Office)**  
**Old JNU Campus, New Delhi - 110067**  
**Tel: +91-11-26101592**

File No.CIC/SM/A/2011/001971/BS/1169

**Relevant Facts emerging from the Appeal**

**Appellant** : Mr. Ramesh Shankarrao Pawar  
Type C-5/2, Govt. Colony,  
Near Small Hanuman Mandir,  
Ravinagar, Nagpur – 440001

**Respondent** : CPIO  
**EPFO**  
Sub regional Office, Plot no. 2,  
Town Centre, Commercial Area,  
CIDCO, Aurangabad- 431003

**RTI application filed on** : 09/05/2011  
**PIO replied** : 13/05/2011  
**First appeal filed on** : 24/05/2011  
**First Appellate Authority order** : 05/07/2011  
**Second Appeal received on** : 04/08/2011

**Information sought:**

The Appellant had sought following information:-

1. The copies of monthly PF deduction statement of the employee named Shri “Mahesh Manikar Rao Deshpande” working in “Akar Tools Ltd. for the period from 1990-1991 to 1999-2000.
2. Copies of challan by which the amount of PF subscription is deposited by the employer from period 1990-1991 to 1999-2000.

**Grounds for the Second Appeal:**

Being aggrieved and not satisfied with decision of first Appellate Authority. Order made by the CPIO is without jurisdiction. CPIO made observation “information pertains to third party” is without restoring to the lawful provision, etc.

**Relevant Facts emerging during Hearing:**

The following were present

**Appellant:** Absent.

**Respondent:** Mr. G M Kahu ACPIO through VC (M: 9405313173)

The ACPIO stated that the appellant in his RTI application dated 09/05/2011 had requested for information relating to monthly PF contributions of a subscriber, Mr. M. M. Deshpande, who is a third party and since such information is held under fiduciary relationship, exemption has been claimed under Section 8(1)(e) of the RTI Act. He added that as regards copies of challan(s)

requested by the appellant in query no. 2 such document(s) is/are retained for a period of three years after which they are weeded out. The appellant is not present for making his submissions/contesting the facts.

**Decision Notice:**

The Commission in the past has held that accounts of subscribers maintained by bank(s)/post office(s)/EPFO are held under fiduciary relationship and hence information relating to such accounts is exempt from disclosure to third party under Section 8(1)(e) of the RTI Act.

As regards copy(s) of challan(s) the CPIO is directed to furnish to the appellant a copy of record retention policy along with a declaration that the information has been weeded out.

**The appeal is disposed of accordingly.**

This decision is announced in open chamber.  
Notice of this decision be given free of cost to the parties.

**BASANT SETH**  
**Information Commissioner**  
**November 05<sup>th</sup>, 2012**

(In any correspondence on this decision, mention the complete decision number.) (BK)