

ABSTRACT

Bankers' contractual duty of confidentiality under common law has been established over 86 years. In *Tournier* case four exceptions to the duty of confidentiality have been announced in 1924. With the fast expansion of technology, fraudulent activities are gradually increased in the banking sector also. It will badly effect to the bankers duty of confidentiality. The bank is obliged to protect the duty of confidentiality of information of the customers without disclosing them to third parties and on the other hand banks are compelled to reveal such details by legislative requirements. However balancing of these conflicting rights, the right to financial privacy and duty of confidentiality is not an easy task. Therefore now it is high time to examine the adequateness of this traditional duty of confidentiality in the present scenario. Further it has become necessary to identify legal uncertainties in the field and proper legislative and judicial guidance should be approached to meet the needs of the future in the banking sector.