

**OFFICE OF THE
ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : **KP(M)824/2017**
Complainant/ Appellant : **Sri Suren Choudhury and Ajoy Kr. Das**
Respondent : **Registrar of Cooperative Societies.**
Date of Hearing : **1-11-2017**
Complaint/ Second : **Shri H. S. Das, IAS (Retd)**
appeal heard by : **State Chief Information Commissioner, Assam**

O R D E R
1-11-2017

1. The appellant/petitioners Sri Suren Chowdhury and Sri Ajoy Kr. Das were themselves absent but vide their letter dated 31-10-2017 they have authorized their advocate Sri Debabrata Banerjee to represent them before this Commission's hearing today. The public authority is represented by Smti Kabita Rani Das, SPIO and Additional Registrar of Cooperative Societies, Assam , Khanapara, Guwahati-22
2. The second appeal petition dated 28-8-2017 is taken up for hearing in presence of both the parties.
3. From perusal of the case records it is seen that the petitioners filed an RTI petition dated 16-6-2017 before the Registrar of Cooperative Societies (G), Assam, Khanapara, Guwahati seeking certain informations about certain aspects of functioning of the Industrial Cooperative Bank Ltd., Lakhtokia, Guwahati which is learnt to be a Cooperative Bank. The Additional Registrar of Cooperative Societies and SPIO , vide her letter dated 20th June, 2017 wrote to the Managing Director of the Bank forwarding the RTI petition to him requesting necessary action and submission of action taken report. In reply to ARCS's letter the Managing Director of Industrial Cooperative Bank Ltd., Guwahati informed vide his letter dated 22-6-2017 the SPIO and ARCS that the concerned Bank is not a cooperative Bank under the purview of RTI Act, 2005. The Managing Director also mentioned in his letter that all the informations sought for by the RTI applicants related to the business of the Bank and individual personal Information. Hence, the same could not be provided. On receipt of the reply from the Bank the SPIO and ARCS forwarded the same to the petitioners vide her letter dated 27th June, 2017. The SPIO and ARCS submitted a written statement dated 1st November, 2017 stating the above position.
4. When enquired by this Commission the Learned Advocate for the applicants submitted that he is still interested in getting the informations sought for by them through the Registrar, Cooperative Societies.
5. This Commission is of the view that Industrial Cooperative Bank , Guwahati, being a Cooperative Bank cannot be deemed to be a public authority under the meaning of Section 2(h) of the RTI Act, 2005. However, under Section 2(f) of the RTI Act, 2005, information means , inter alias , information relating to any private body which can be accessed by a public authority under any other law for the time being in force.
6. This Commission, therefore, directs the ARCS and SPIO of the office of Registrar of Cooperative Societies, Assam to access the admissible informations in

exercise of powers provided under the Assam Cooperative Societies Act, 2007 from the Industrial Cooperative Bank, Guwahati and furnish the same to the petitioners within 30 days from the date of receipt of this order.

7. With the above order the second appeal petition dated 28-8-2017 is disposed of.

(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

Registrar
Assam Information Commission

Memo No SIC/ KP(M). 824//2017/

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Dated 1-11-2017

Copy to:-

- 1) Smti Kabita Rani Das, SPIO and Additional Registrar of Cooperative Societies, Assam , Khanapara, Guwahati-22 for information and necessary action.
- 2) Sri Suren Chowdhury and Sri Ajoy Kr. Das, Dilip Commercial Complex, M.N Road, Panbazar, Guwahati-1 for information.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

Registrar
Assam Information Commission.