

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

Case No. : KP(M).1053/2017
Complainant : Shri Lohit Mahanta
Respondent : SPIO of the office of the General Manager,
Gauhati Co-operative Urban Bank Ltd.
Date of hearing : 7.2.2018
Complaint/ Second : Smti. N.A. Hazarika, IAS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R

7.2.2018

The petitioner Shri Lohit Mahanta is absent without any intimation. The public authority is represented by Shri Bhola Nath Sharma, Managing Director, Gauhati Co-operative Urban Bank Ltd. accompanied by Shri Manaranjan Sarma, Branch Manager. He has submitted a written statement dated 6.2.18 that the co-operative societies do not fall within the definition of public authority under the RTI Act, 2005 and as such they are not bound to furnish any information sought for under the RTI Act, 2005. They have enclosed a copy of the order of the Chief Information Commissioner, Assam in case No. KP(M)43/2017 dated 10.3.17 wherein it has been ordered that **"The Commission also notes that as per existing order of the Hon'ble Supreme court, co-operative societies do not fall within the definition of public authority under the right to information Act, 2005. The Commission would also like to refer to section 2(f) of the RTI Act, 2005, which states, inter alia, that information relating to any private body, which can be accessed by a public authority under any law for the time being in force is admissible information under the Act"**

This Commission therefore, directs the petitioner to approach if he wants to, the Registrar of Co-operative Societies, Government of Assam, for seeking information from the Gauhati Co-operative Urban Bank Ltd. under the relevant provisions of the Assam Co-operative Societies Act, 2010.

With the above order, the second appeal petition dated 9.10.17 is disposed of.

Sd/-

(N.A. Hazarika)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Joint Registrar
Assam Information Commission

Memo No. SIC/ KP(M).1053/2017/

Dated 7.2.2018

Copy to:

1. The SPIO, office of General Manager, Gauhati Co-operative Urban bank Ltd., Panbazar, Guwahati-1 for information.
2. The FAA/ Managing Director, Gauhati Co-operative Urban Bank Ltd., Guwahati-1 for information.
3. Shri Lohit Mahanta, Bye Lane No. 1, Ashram Road Santipur, Guwahati-781009 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Joint Registrar
Assam Information Commission