

**Case No.** : SIC/KP(M).02/2021  
**Complainant/ Appellant** : Shri Lakhan Teron  
**Respondent** : The SPIO, Assam Co-Operative Apex Bank Ltd.  
Panbazar, Guwahati.  
**Date of Hearing** : 17-03-2021  
**Complaint/ Second**  
**Appeal heard by** : Shri Samudra G. Kashyap.  
State Information Commissioner, Assam.

**O R D E R**  
**17-03-2021**

1. The appellant Shri Lakhan Teron is absent without any intimation.
2. The SPIO, Assam Co-Operative Apex Bank Ltd. Panbazar, Guwahati, is absent. But the Commission has received a letter No. ACAB/ADV.GEN/RTI/LT/2021/947 dated 16.03.2021, from the General Manager, Assam Co-Operative Apex Bank Ltd. Panbazar, Guwahati, in which it has been stated that the Assam Co-Operative Apex Bank Ltd. does not fall under the purview of the RTI Act, 2005, since it is not a Public Authority as defined under the Act. The General Manager referred to a Hon'ble Supreme Court order in the matter of Thalappalam Service Co-Operative Bank Ltd vs State of Kerala (reported in (2013) 16 SCC 82) and said that as such there is no requirement by the Bank to share information under provisions of the RTI Act, 2005, unless held otherwise by a competent Court of Law.
3. Though the appellant Shri Lakhan Teron is absent without any intimation, the Commission, while talking up the matter today, is of the opinion that it is amply clear from the written statement of the General Manager, Assam Co-Operative Apex Bank Ltd., as mentioned above, that the said Bank is not bound to provide information against a RTI application.
4. In view of the above this 2<sup>nd</sup> Appeal is hereby disposed of.

Sd/-  
(Samudra G. Kashyap)  
State Information Commissioner,  
Assam.

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/KP(M).02/2021**

**Dated: 17-03-2021**

Copy to:

1. The SPIO, Assam Co-Operative Apex Bank Ltd. Panbazar, Guwahati, for information.
2. The First Appellate Authority/ Assam Co-Operative Apex Bank Ltd. Panbazar, Guwahati, for information.
3. The petitioner, Shri Lakhan Teron, Chandrapur, Hajongbori Village, P.O. Chandrapur, Guwahati, for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.

Secretary & Registrar  
Assam Information Commission