



RIGHT TO  
INFORMATION

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STATE INFORMATION COMMISSION, HARYANA  
SCO 70-71 and 114-115, SECTOR 8-C,  
Chandigarh.  
Website: cicharyana.gov.in

Appeal Case No. 2696 of 2012  
SCN No. 181 of 2014 In  
Appeal Case No. 5430 of 2013

1. Sh. Sanjay Tyagi, S/o Sh. Rattan Lal Tyagi,  
R/o VPO- Hathwala, Tehsil & Distt. Panipat.
2. Sh. Piare Lal, S/o Sh. Hari Ram,  
Jeewan Vihar Colony, Gali No. I, Murthal Road, Sonapat.

.....Appellant(s)

Versus

1. The Panipat Urban Cooperative Bank Ltd., Panipat.
2. SPIO-cum-Assistant Registrar, Cooperative Societies,  
Sonapat.

.....Respondent(s)

These matters came up before the Bench to decide whether the Panipat Urban Cooperative Bank Ltd., Panipat and the Sonapat Urban Cooperative Bank, Sonapat is a public authority in term of Section 2(h) of the RTI Act or not. The Bench issued notices to the parties for hearing the matter on 17.06.2014.

2. Shri Piare Lal, the appellant, Shri Harit Sharma, Advocate, Sh. Varinder Singh, Recovery Inspector and Shri Mahvir Sharma, Assistant Registrar, Cooperative Societies, Sonapat appeared before the Commission.

*Shri*  
*De*



Shri Harit Sharma, the learned counsel submitted that the order dated 28.01.2014 passed by the Bench of Shri Hemant Atri, was challenged by filing CWP No. 4904 of 2014 by the Sonapat Urban Cooperative Bank Ltd., Sonapat with the prayer that the respondent bank is not a public authority within the meaning of Section 2 (h) of the RTI Act, 2005. The Hon'ble High Court on 14.03.2014 has stayed the order of the Commission alongwith penal proceeding initiated vide letter dated 07.02.2014 by passing following orders:

“Learned counsel for the petitioner contends that the petitioner-Bank is not a public authority within the meaning of Section 2 (h) of the Right to Information Act, 2005 as neither there is Government share money in the Bank nor nay control in any manner. Learned counsel further contends that the case of the petitioner is squarely covered by the judgment of Hon'ble the Apex Court in **Thalappalam Ser. Coop. Bank Ltd. and others Vs. State of Kerala and others** 2013 (4) RCR (Civil) 912.

Notice of motion for 01.07.2014.

Meanwhile, operation of impugned order (annexure P-9) shall remain stayed”.

*Harit*



The learned counsel of the respondent No.2 prayed that it would be appropriate to wait for the decision of the Hon'ble High Court which is listed for 01.07.2014.

The Bench perused the order dated 14.03.2014 which has been passed on the Writ Petition filed by the Sonapat Urban Cooperative Bank Ltd., Sonapat. Similar is the case of the Panipat Urban Cooperative Bank Ltd., Panipat. Hence, the Bench adjourned the matter sine die till the decision of the Hon'ble High Court is arrived.

Announced to be Communicated.

**Place: Chandigarh**

**Date: 17.06.2014**

**(Hemant Atri)**

**State Information Commissioner**

**(Sajjan Singh)**

**State Information Commissioner.**

**(Naresh Gulati)**

**State Chief Information Commissioner**