

PUNJAB STATE INFORMATION COMMISSION

RED CROSS BUILDING, NEAR ROSE GARDEN,

SECTOR 16, CHANDIGARH.

Ph: 0172-2864112, Email: - psic23@punjabmail.gov.in

Visit us: - www.infocommpunjab.com; Helpline No. 0172-2864100



APPEAL CASE NO. 2908 OF 2021

Shri Amrik Lal, (99151 16442)
S/o Shri Basdev,
R/o Village Banbhora, Tehsil Malerkotla,
District Sangrur.

...Appellant

Versus

Public Information Officer,
O/o The Milk Producers Cooperative Society Ltd.,
Banbhora, District Sangrur.

First Appellate Authority
O/o Joint Registrar,
Cooperative Societies, Patiala Division,
Patiala.

...Respondents

HEARD Through CISCO WEBEX – VC/TELEPHONE

PRESENT: None for the Parties.

ORDER (SECOND HEARING):

The RTI application is dated 27.03.2020 vide which the Appellant has sought information as enumerated in his RTI application. First Appeal was filed with the First Appellate Authority (hereinafter FAA) on 27.08.2020 and Second Appeal was filed in the Commission on 18.06.2021 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act) and Notice of hearing was issued to the parties for 14.12.2021.

During the hearing dated 14.12.2021, the appellant stated that no information has been provided to him whereas the respondent was absent, adjourned for 08.02.2022.

The case is fixed for today. The Appellant is absent. The PIO is also absent. However, a letter has been received in the Commission vide diary no. 2297, dated 04.02.2022 mentioning therein that our Sabha is co-operative society which is does not fall under the RTI Act, 2005.

After perusal of the case file, it is observed the Milk Producers Cooperative Society Ltd., Banbhora, District Sangrur does not fall under within the definition of "Public Authority". The Hon'ble Supreme Court has laid in ***Thalappalam Service Cooperative Bank Ltd. and others. Vs State of Kerala and others*** in Civil Appeal No.9017 (& 9020, 9029 and 9023) of 2013 in its order dated 07.10.2013, the parameters of determining an NGO as a public authority.

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It was incumbent upon the appellant to prove that the respondent Institute is a public authority in the light of section 2 (h) of the RTI Act, 2005. I agree with the contention of the respondent that the said Institute does not fall in the ambit of RTI Act and the appellant has not been able to build forth his case in proving that the said Institute is a public authority.

In light of the above, no further action is required in the instant Appeal Case, hence **closed and disposed of**. Copies of the order be sent to the parties.

Chandigarh
08.02.2022

Sd/-
(Maninder Singh Patti)
State Information Commissioner