

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 10510/2024

State Public Information Officer And Managing Director, The
Alwar Central Co-Operative Bank Limited, Alwar District Alwar
(Raj.).

-----Petitioner

Versus

Shri Surendra Arya Son Of Shri Yashpal Arya, 30/228, Mohalla
Chakla Gundi. Malakheda Market, Alwar District Alwar (Raj.)
301001.

-----Respondent

For Petitioner(s) : Mr. Ram Kumar Sharma

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

06/08/2024

1. Learned counsel for the petitioner submits that an application was submitted by the respondent seeking certain information under Right to Information Act, 2005 (in short 'Act, 2005'). Counsel submits that vide order dated 09.05.2023, his application was declined on the ground that petitioner's institution does not fall within the definition of "public authority" as defined under 2(h) of the RTI Act. Petitioner is an autonomous body that runs from its own sources and full control and financial power reserve with the management Board itself. Counsel submits that first appeal filed by respondent was also dismissed vide order dated 01.08.2023. Counsel submits that in second appeal vide order dated 23.04.2024, it has been ordered by the Rajasthan State Information Commission that petitioner should provide the information sought by the sole respondent. Counsel submits that

no material was available before learned State Information Commission to show that petitioner's institution is owned, controlled or substantially financed by appropriate Govt.

2. In view of above submissions, issue notice to sole respondent, through both the process, returnable on next date of hearing. Requisites be filed within a period of two weeks, failing which, this petition shall stand dismissed without any further reference to the bench.

3. List this matter after eight weeks. Till next date of hearing, operation and effect of the order dated 23.04.2024 passed by Rajasthan State Information Commission in Appeal No.RIC/ALWR/A/2023/300974 shall remain stayed.

(ANIL KUMAR UPMAN),J