

**Gujarat Information Commission**  
**Bureau of Economics & Statistics Building**  
1<sup>st</sup> Floor, Sector 18, Gandhinagar.

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**Appeal Nos. 358/06-07, 384/06-07. 394/06-07**  
**403/06-07, 404/06-07, 480/06-07**  
**488/06-07, 502/06-07 (Total – 8)**

**Complaint Nos. 85/06-07, 376/06-07, 445/06-07**  
**525/06-07, 526/06-07, 562/06-07,**  
**620/06-07, 637/06-07, 651/06-07**  
**653/06-07, 654/06-07, 655/06-07**  
**689/06-07, 754/06-07, 785/06-07**  
**901/06-07, 931/06-07, 978/06-07**  
**1049/06-07, 1645/06-07 (Total -20)**

**(Total Appeals and Complaints 28)**

**[ The names and addresses of the appellants/complainants and the respondents in the above captioned appeals/complaints are given in the Appendix attached to this decision/order. ] \_\_\_\_\_**

**The 15th day of May, 2007.**

1. These 28 Appeals and complaints have been clubbed together for hearing since the main issue raised therein is common, that is, the co-operative societies and the co-operative banks from whom or pertaining to whom information under the Right to Information Act, 2005, hereinafter referred to as the said Act, was sought, had taken a common plea that they were not public authorities under the said Act. Even in those matters where the District Registrar of Co-operative Societies was the respondent, except in one matter (Appeal No. 394/06-07) where the respondent first appellate authority, that is, the District Registrar of Co-operative Societies, Patan, held that the co-operative banks function in public interest and therefore, he decided that

information sought for be provided to the appellant, in the remaining matters, the respondent District Registrar of co-operative Societies, quoting the provision in the circular dated 24.3.2006 of the Registrar of co-operative Societies, held that the co-operative societies and the co-operative banks were not public authorities under the said Act. Although that circular of the Registrar has been revised by the Circular dated 23.3.2007 wherein it has been held that the co-operative societies of all types and co-operative bodies are public authorities under the said Act, the issue needs to be conclusively resolved.

- 1.1 Hearing in the 28 matters was given on 10.4.2007. In the hearing, the Commission heard the appellants/complainants, the representatives, including in some matters, the Advocates of the co-operative societies/banks, the representative of the State Government, the Deputy Secretary, Co-operation and of the Registrar of the Co-operative Societies.
- 1.2 Before deliberating upon the main submissions of the appellants/complaints, the co-operative societies/banks and the representatives of the State Government, it would be worthwhile to briefly state the nature of information pertaining to them which were sought by the appellants/complainants.
- 1.3 The information sought varied from details of profit and loss account, including specified details; loans and mortgages, non-performing assets loans etc. given to relatives of the Directors and others, malfunctioning of the co-operative banks, inspection and Audit reports etc.
2. The submissions made by the appellants/complainants are summarized below:
  - (i) Co-operative banks are first functioning as a co-operative Societies registered under the relevant Co-operative Societies Act. It is only a co-

operative society which is registered under the relevant Co-operative Societies Act, that is, either the State Co-operative Societies Act or the Multi State Co-operative Societies Act, that after being registered, if the said society seeks a license to be a co-operative bank, then only it can be considered for issue of such a license. Without first being registered as a co-operative society, it cannot get license to run its banking business, as a co-operative bank. Therefore, the relevant provisions of the Co-operative Societies Act would apply both to the societies and the co-operative banks.

- (ii) The co-operative societies are public authorities in Gujarat. They are subject to various controls exercised by the State Government and the Registrar. Information sought from them such as then therefore, would fall under the definition of "Information" under the said Act particularly since the Auditors are appointed by the Registrar under section 84 of the Gujarat Co-operative Societies Act, and the Audit Report is submitted to the Joint Registrar (Banking). The citizen cannot be denied such information under the said Act.
- (iii) The Registrar of the Co-operative Societies, Gujarat has issued a circular dated 23.3.2007 clarifying that the co-operative societies are public authorities under the said Act.
- (iv) The activities and functions of the co-operative societies and the banks affect general public. Particularly in the case of Co-operative Banks, the depositors in such banks include general public and as such information regarding the activities and functions of these societies and banks have

connotations on larger public interest. Information relating to such societies/banks, therefore, not only falls under the said Act, but the custodian of such information, that is, the society or the bank is a "public authority".

- (v) Therefore, information pertaining to such co-operative societies/banks need not only be furnished under the said Act by such societies/banks but the controlling authority, that is, the Registrar may, in exceptional cases, be also held accountable to furnish such information.
- (vi) In Gujarat, the co-operative societies and the banks play a significant role in various spheres. Their functions and activities affect the lives, properties, professions etc. of large number of people. Since their functions at times are not transparent there is need to promote transparency in their functions and make them accountable to the public. Therefore, the pleas taken by such societies/banks that they are not public authorities under the said Act, if upheld, would adversely affect the larger public interest.

3. The representatives of the co-operative societies and the co-operative banks made the following main submissions;

- (i) An opinion was obtained on a query by the Gujarat State Co-operative Bank Ltd. from Shri Krishnakant Vakharia in which it was opined that the co-operative banks cannot be said to be public authorities under the RTI Act, 2005. The grounds on which the opinion was given were elaborate. A copy of the said opinion was also placed on record. The main contentions made in the opinion shall be considered in this decision hereinafter.

- (ii) With reference to the provision made in section 2 (h), (a), (b), (c) and (d) the co-operative banks are not established or constituted either by or under the Constitution, or by any other law made by Parliament, or by any other law made by State Legislature or by notification issued or order made by the appropriate Government.
- (iii) The co-operative banks are registered as co-operative societies under the State Co-operative Societies Act, but such registration does not either establish or constitute the co-operative societies/banks.
- (iv) The co-operative societies/banks are neither "authorities" nor "institutions of self government". The reference to "a body" in the first part of section 2 (h) must be read alongwith the preceding word "authority" and the succeeding word "institution of self-government" to mean a body either as an authority or an institution of self government. Since co-operative societies are neither authorities nor institutions of self-government, by the above interpretation they cannot be considered as bodies for the purpose of section 2 (h).
- (v) The inclusive part of the definition in 2 (h), that is, "and" includes any body owned, controlled or substantially financed, non government organizations substantially financed, directly or indirectly by funds provided by the appropriate Government" qualifies only part (d) of section 2 (h), that is, an authority or body or institution of self government established or constituted by notification issued or order made by the appropriate Government.

- (vi) Whatever control is exercised by the State Government on the co-operative societies is part of the regulatory functions of the Government under the Co-operative Societies Act but such regulatory function does not amount to exercising control over the co-operative society/bank.
- (vii) There have been number of decisions by various High Courts which have been cited in the opinion of Shri Vakharia holding that co-operative banks are not authorities falling within the ambit of Article 12 of the Constitution of India. On the same analogy, they cannot be said to be public authorities under the RTI Act, 2005. The Apex Court had, in the case of Zee Telefilms Limited, while interpreting the words 'other authorities' in Article 12 of the Constitution of India with reference to a society registered under the Societies' Registration Act applied the following test.
- (1) The society was not created by a statute.
  - (2) No part of the share capital was held by the Government.
  - (3) Practically no financial assistance was given by the Government to meet the whole or entire expenditure of the society.
  - (4) Though the society was enjoying a monopoly status in the field of cricket, such status was not state conferred or State projected.
  - (5) There was no existence of deep and pervasive state control
  - (6) The control over the society was only regulatory in nature as applicable to other similar bodies.
  - (7) All functions of the society are not public functions nor closely related to the governmental functions.

- (8) The society was not created by transfer or a Government owned Corporation.
- (9) The society was an autonomous body.
- (viii) Applying the above mentioned test, the co-operative societies/banks would not fall under the definition of authorities within the scope of Article 12 of the Constitution and applying the same yardsticks they will not fall under the definition of public authorities in the RTI Act.
- (ix) The main business of the co-operative banks is to carry on banking business in pursuance of the licence granted under section 22 of the Banking Regulation Act. Whatever regulatory control is the control by the Reserve Bank of India and NABARD and not by the Government. The Reserve Bank of India will not fall within the definition of "appropriate government" as defined in section 2 (a) of the said Act.
- (x) Gujarat High Court in the case of Bank of Baroda (nationalised bank) [reported in 2001 (1) GCD 651] has held banking business as commercial activity and not a government function.

3.1 The respondents' Advocate in Appeal No. 488/06-07 representing the Gujarat State Co-op. Agriculture and Rural Development Bank, in addition to relying on the above-mentioned opinion of Shri Vakharia made the following additional submissions:

- (i) The Gujarat State Co-operative and Rural Development Bank is incorporated and registered as a co-operative society under the Gujarat Co-operative Societies Act, 1961 but it is neither a scheduled bank nor a cooperative bank . It is not required to take

nor has it taken any licence from the RBI. It is also not a non-banking financial company. It is simply a co-operative society.

- (ii) As on 31.1.2007, its share capital was about Rs. 52.40 crores but the State Government's share is merely 3.48%. The share capital, however, fluctuates from time to time.
- (iii) As regards the expression "substantially financed" appearing in section 2 (h) of the said Act has not been defined in the said Act. As such one is required to gather the meaning of the adverb "substantially" from a legal dictionary with a view to arrive at the correct meaning and scope of the said adverb in the context of the definition of 'public authority' WEST's legal thesaurus and dictionary by William P. Statsky at page 725 defines the adverb "substantially" to mean without material qualifications, essentially, in the main, in substance, materially, in a substantial manner. Applying the said definition, to qualify as a "public authority", a body ought to have been provided with atleast more than 50% of its total funds/capital/corpus by the appropriate Govt. In the case of the Gujarat State Co-operative Agriculture and Rural Development Bank Ltd., the Government's share in the share capital being only 3.48%, it can not be said that the said Bank is "substantially financed" and therefore, the said Bank cannot be said to a "public authority".

4. On behalf of the State Government, Department of Agriculture and Co-operation and the Registrar of the Co-operative Societies, the following main submissions were made:

- (i) Under the Gujarat Co-operative Societies Act, the Government and the Registrar have been vested with controlling power on the co-operative societies registered under the said Act. In particular, reliance was placed on sections 9, 13, 15, 16, 17, 20, Chapter VI, sections 65 to 72, Chapter VII sections 73 to 83, Chapter VIII sections 84 to 95, Chapter IX sections 96 to 106, Chapter X sections 107 to 115, Chapter XII sections 146 to 106, Chapter XII sections 146 to 149, section 159 and section 160 in support of the contention on controlling powers of the Registrar/State Government on the co-operative societies. Therefore, the cooperative societies are bodies controlled by the Government.
- (ii) In addition, Co-operative Societies are authorities and institutions of self Government. They are democratically governed, any person can become a member of the co-operative societies; the members elect the body. As provided for in section 4 of the Gujarat Co-operative Societies Act, the object of a co-operative society is required to be in accordance with the seven principles of Co-operation prescribed by the International Co-operative Union, that is, voluntary and open membership, democratic member control, members' economic participation, autonomy and independence, educational training and information, co-operation among co-operative and concern for community.

- (iii) The issue of "substantially financed" in relation to the co-operative societies/banks being considered as public authority under the said Act is not entirely relevant. However, if that issue is to be considered relevant, it must encompass not only the direct shareholding of the Government but also the guarantees being given by the State Government particularly when refinancing is given by NABARD. In the case of the Gujarat State Co-operative Agriculture and Rural Development Bank Ltd., in the year 2006-07, the State Government had given guarantee of Rs. 150 crores . The implication of the State Government guarantee is that if the said Bank fails to repay to NABARD, the guarantee given by the State Government can be revoked.
- (iv) The co-operative banks while making farm sector loans can be said to be participating in larger public interest matters. Similarly, while taking deposits from members as well as non members, these banks serve public interest and conversely if these banks are liquidated, public interest gets adversely affected and at that stage the State's direct responsibility increases.
- (v) The Registrar of co-operative societies had already issued a circular dated 23.3.2007 declaring all categories of co-operative societies and organizations as public authorities.

5. The Commissions has considered all the submissions. The substantive issue involved in the present matter relates to determining whether (a) the co-operative societies, and (b) the co-operative banks are public authorities under the RTI Act, 2005. The issue of "Public Authority". and the applicability of the

provisions of the RTI Act, 2005 to such an authority needs to be examined, in the Commission's view, not only with reference to definition of "Public Authority" given in section 2 (h), but also with reference to section 2 (f), proviso to section 8 (1) (j) as also to the objectives of the said Act, as expressed in its preamble. While section 2 (h) defines "Public Authority", as the Commission would explain hereafter, the definition is both delimiting/exhaustive and extending. Therefore, a contextual and purposive interpretation of the definition of public authority is required to be made by reading the statute as a whole, particularly the more closely related provisions. As has been observed in *K.V. Muthu v. Angamuthu Ammal*, AIR 1997 SC 628, a definition like any other word in a statute has to be read in the light of the context and scheme of the Act as also the object for which the Act was made by the Parliament.

- 5.1 "Public Authority" has been defined in section 2 (h) of the said Act to mean any authority or body or institution of self-government established or constituted –
- (a) by or under the constitution;
  - (b) by any other law made by Parliament;
  - (c) by any other law made by State Legislature;
  - (d) by notification issued or order made by the appropriate Government, and includes any –
    - (i) body owned, controlled or substantially financed;
    - (ii) non-government organizations substantially financed, directly or indirectly by funds provided by the appropriate Government"

- 5.2 It is noteworthy that the Section 2 (h) defines public authority both in an exhaustive/delimiting and extending manner. While parts (a) to (d) in section 2 (h) can be said to be delimiting, the later part, that is, "and includes any – (i) body owned, controlled or substantially financed; (ii) non-government organizations substantially financed, directly or indirectly by funds provided by the appropriate Government" is extending. While the first part is, prima facie, restrictive, the second part is to be understood in terms of enlarging the meaning of the words occurring therein. The words used in such an inclusive definition would denote extension and cannot be treated as restricted.
- 5.3 The Commission is also of the view that each one of the five categories of public authorities, that is, four categories appearing in section 2 (h) (a) to (d) in the exhaustive/delimiting class, and the fifth appearing in the illustrative/extending class stand on their own legs, independent of each other. Section 2 (h), particularly the inclusive part of it, in the opinion of the Commission, confers an expanding connotation to the expression 'Public Authority'.
- 5.4 Section 2 (f), inter alia, provides that information pertaining to any private body which can be accessed from that private body by a public authority under any other law for the time being in force is included in the definition of "Information". This provision enables a person to seek information under the RTI Act, 2005 pertaining to any private body. The only difference is that in the case of a private body, only the information which can be accessed from that private body by a public authority under the relevant law, can be sought for, by inference, not directly from the private body but from the appropriate public authority which, under the relevant law, has access to that information. The important and

relevant aspect is that such information relating to the private body also falls within the scope of the RTI Act, 2005. This provision, like section 2 (h) gives an expanding connotation to the expression "information". The provision also amply illustrates the scheme of the Act under which even information relating to private bodies can be sought for. It can be said to fulfill the object of the legislation and the legislative intent.

5.5 The extent and scope of information which falls within the scope of the RTI Act is further expanded in the Proviso to section 8 (1) (j) that even the personal information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person under the said Act. In other words whatever personal information can be provided to the Parliament or the State Legislature in whatever form is also required to be furnished under the RTI Act.

5.6 The objectives of the RTI Act, 2005 as manifested in its preamble is to promote transparency and accountability as well to contain corruption in the working of every public authority by ensuring access to information under the control of public authorities, to the citizen. The preamble of the Act, though not an enacting provision, nevertheless, as held in State of MP versus Mahant Kamal Puri AIR 1965 MP 183, may be regarded, like the title of the Act, as part of the statute for the purpose of explaining, restricting or even extending enacting words. The Preamble in this sense, though "cannot be used to control or qualify the precise and unambiguous language of the enactment", it is a key to the understanding of the statute.

6. The opinion of Shri Vakharia relied upon by the representatives of the co-operative societies/banks has selectively quoted decisions of the High Courts

and the Apex Court on the interpretation of "other authorities" appearing in Article 12 of the Constitution of India, in support of their contention that in these decisions, the Co-operative banks/societies have been held not to be within the ambit of "other authorities". Reliance has been made in the opinion on the decisions of the Gujarat High Court in the case of A.M. Bhutaiya Vrs. Amreli District Central Cooperative Bank Ltd, reported in 1998 (2), GLR 1740; V.I. Khalifa versus Satubha reported in 1988 (1) GLR page 679 in which the Surendranagar District Cooperative bank was held not to be an authority within the meaning of Article 12 of the Constitution of India; of Kerala High Court in R.B. Bhaskaran Vrs. Additional Secretary of Agriculture (Cooperation Department) Trivandrum reported in AIR 1988 Kerala 75; and of the Apex Court in the matter of Zee Telefilms Limited, reported in (2005) 4 SCC 649. To be fair, the opinion does state that "no doubt, it is true that the cases referred above decided by the High Court of Gujarat, Andhra Pradesh High Court, Kerala High Court and the Apex Court were the cases with regard to the meaning of the words "other authority" under Article 12 of the Constitution of India. However, the same ratio will be applicable when we consider the interpretation of the word "Public authority....."

- 6.1 The Commission is of the view that the respondents co-operative societies/banks have selectively cited the decisions of the Apex Court and the High Courts in respect of the interpretation of "authority" as appearing in Article 12 or Article 226 of the Constitution in relation to the societies constituted under the Societies Registration Act, the co-operative societies and the co-operative Banks. There have been other decisions by the Apex Court and the High Courts where a

contrary view has been taken. The Commission considers it necessary to briefly cite such decisions.

6.2 In the matter of U.P. State Co-operative Land Development Bank Ltd. v/s Chandra Bhan Dubey (1999) 1 Supreme Court cases 741 in Civil Appeal No. 514 of 1985 with CAs Nos. 515-516 of 1985 decided on December 18, 1998, the Apex Court held that the UP State Co-operative Land Development Bank was an instrumentality of the State or an authority within the ambit of Article 12 of the Constitution of India. It was held that the said Bank is controlled by the State Government.

6.3 In Phool Chand V/s State of Rajasthan and others, 1985 RLR 365, the Central Co-operative Bank Ltd., Bharatpur was held to be State within the meaning of Article 12 of the Constitution. It has also been reported that in Gopal Lal V/s Sikar Central Co-operative Bank, the Rajasthan High Court held that the co-operative Bank is an instrumentality of the State. Arun Madan J. observed:

"It was held by the Apex Court that concept of instrumentality or agency of the Government is not limited to a cooperative created by a statute but equally applicable to a company or society and in a given case it would have to be decided on consideration of the relevant factors whether the company or society is an instrumentality or agency of the Government so as to come within the meaning and the expression 'Authority' in Act, 12. It was further held that the test of determining if an authority falls within the definition of 'State' in Article 12 is whether it is an instrumentality or agency of the Government as per the criteria laid down by the Apex Court in the matter of R.D. Shetty V/s

International Airport Authority of India wherein the Apex Court held that Corporations acting as instrumentality or agency of the Government would obviously be subject to the same limitations in the field of constitutional and administrative law as Government itself, though in the eye of law, they would be distinct and independent legal entities xxx Applying the ratio of aforesaid judgements of the Apex Court, I am of the view that the Central Co-operative Bank Ltd. Sikar is an instrumentality of the State under Act 12 and hence amenable to the writ jurisdiction of this Court".

- 6.4 From the above, it is clear that the applicability of "authority" with reference to Article 12 of the constitution in respect of co-operative societies/banks, the decisions of the Courts have been divided. While Article 12, inter alia, speaks of "other authorities", the said Act not only speaks of "public authority" but also defines it in a rather expansive manner. The obligations of the public authorities under the Chapter 11 of the said Act, pertain, inter alia, to proper maintenance of records, voluntary disclosure of certain information, designation of APIOs/PIOs/Appellate Authorities, and furnishing of information to the citizens in furtherance of the objectives of the said Act as stated in its preamble. Both the aspects under the said Act, that is, giving a rather expansive definition to the term "public authority" and specifying the obligations of the public authority would, in the Commission's view, limit the applicability of the strict interpretation of "other authorities" appearing in Article 12 of the Constitution. The Commission, concerned as it is not only with the provisions of the said Act but also its "spirit" .

which is an enacting word in section 25 (5) of the said Act, should, therefore, to make an expansive interpretation of the term "public authority".

6.5 The Commission's approach to the issues under determination in these matters would be on the lines of some of the observations of Bhagwati J. in *Ajay Hasia V/s Khalid Mujib Sehravali* (1981) 1 Supreme Court cases 722, (that is, much before the said Act came into force), reproduced below:

- (1) We must.....give such an interpretation to the expression "other authorities" as will not stultify the operation and reach of the fundamental rights by enabling the government to its obligations in relation to fundamental rights by setting up an authority to act as instrumentality or agency for carrying its functions. Where constitutional fundamentals vital to the maintenance of human rights are at stake, functional realism and not facial cosmetics must be the diagnostic tool, for constitutional law must seek the substance and not the form".

(Paragraph 7)

- (2) "It must be remembered that the Fundamental rights are constitutional guarantees given to the people of India and are not merely paper hopes or fleeting promises and so long as they find a place in the Constitution, they should not be allowed to be emasculated in their application by a narrow and constricted judicial interpretation. The Courts should be anxious to enlarge the scope and width of the Fundamental Rights by bringing within their sweep every authority which is an instrumentality or agency of the Government or through the corporate personality of which the government

is acting, so as to subject the Government in all its myriad activities, whether through natural persons or through corporate entities, to the basic obligation of fundamental rights".

(Paragraph 7)

- (3) "We may point out that it is immaterial for this purpose whether the corporation is created by a statute or under a statute. The test is whether it is an instrumentality or agency of the government and not as to how it is created. The inquiry has to be not as to how the juristic person is born but why it has been brought into existence. The corporation may be a statutory company formed under the companies Act, 1956 or it may be a society registered under the Societies Registration Act, 1860 or any other similar statute. Whatever may be its genetical origin, it would be an "authority" within the meaning of Article 12 if it is an instrumentality or agency of the Government and that would have to be decided on a proper assessment of the facts in the light of relevant factors. The concept of instrumentality or agency of the Government is not limited to a corporation enacted by a statute but is equally applicable to a company or society and in a given case it would have to be decided, on a consideration of the relevant factors,....."

(Paragraph 11)

7. As regards the submission of the respondent co-operative societies/banks that they are not established or constituted either by or under the Constitution is correct. However, their submission that they are not established or constituted by any other law made by Parliament or by any other law made by the State Legislature, the Commission, following the observation made by the Bhagwati

J. at para 6.5 (3) above, for the purpose of determining the issue being considered here, is of the view that it is immaterial whether they are created *by* a statute or under a statute. co-operative societies are constituted/registered under either the Multi State Co-operative Societies Act or the co-operative societies Act enacted by the State Legislatures. Similarly co-operative societies registered under the above mentioned Acts can seek license under the Banking Regulation Act, 1949 in order to function as banks. Under Section 2 (19) of the Gujarat Co-operative Societies Act, 1961, a "society" means a co-operative society registered or deemed to be registered under that Act, while a "co-operative bank", under section 2 (7) of that Act means a society registered under that Act and doing the business of banking, as defined in Clause (b) of sub-section (1) of section 5 of the Banking Companies Act, 1949, and "a Central Bank", under section 2 (3) of that Act, means a co-operative bank, the objects of which include the creation of funds to be loaned to other societies. Section 115-B (f) defines an "Urban Co-operative Bank" to mean a society registered under the Gujarat Co-operative Societies Act and doing the business of banking, as defined in Clause (b) of the Banking Regulation Act, 1949. Section 5 (b) of the Banking Regulation Act defines "banking" to mean the accepting, for the purpose of lending, or investment, of deposits of money from the public repayable on demand or otherwise, and withdrawal by cheque, draft, order or otherwise. The co-operative society has been defined in Section 5 (ccii-a) of the Banking Regulation Act, 2005 to mean a society registered or deemed to have been registered under any Central Act for the time being in force relating to the multi-state co-operative societies, or any other Central or

State Law relating to co-operative societies for the time being in force. The "co-operative Bank" has been defined in section 5 (cci) to mean a State Co-operative Bank, a Central Co-operative Bank and a Primary Co-operative Bank. Therefore, the implied submission that the co-operative societies/banks are not established or constituted *by* any law made by the Parliament or the State Legislature is to be seen in the context that they are established or constituted under the law made by the Parliament or the State Legislature. The laboured distinction sought to be made by differentiating "*by*" and "*under*" is, to quote Bhagwati J. is only to stress "facial cosmetics", and "the form". The important issue is to determine the "functional realism". and the "substance".

7.1 The co-operative societies/banks are no doubt "body corporates", and distinct juristic entities. There is also no doubt that they enjoy a certain amount of autonomy. In spite of the autonomy they enjoy, judicial pronouncements including those mentioned at paragraphs 6.2 and 6.3 above have held them to be "authority" within the ambit of Article 12 of the Constitution while other judicial pronouncements cited by the respondent co-operative societies have held contrary views. The respondents have referred to the test which the Apex Court had formulated in the Zee Telefilms Ltd. case. The Apex Court had also laid down a set of tests in the matter Raman Dayaram Shetty v/s International Airport Authority of India (1979). There are certain common tests in the two decisions. For example, existence of deep and pervasive State control and whether or not the functions of the Corporations are of public importance.

7.2 The Deputy Secretary, Department of Co-operation and the representative of the Registrar, co-operative societies have contended that the co-operative

societies/banks are controlled by the State Government and the Registrar under various provisions of the Gujarat Co-operative Societies Act. The expression used in section 2 (h) of the said Act while defining public authority also includes body controlled.

7.3 The opinion produced and relied upon by the respondent co-operative societies/banks, interalia, states that the word 'body' appearing in section 2 (h) is required to be read in the light of the company it carries by the preceding word "authority" and the succeeding word "institution of self govt." and that on the application of principles of ejusdem generic, the word "body" as used in the first part of clause 2 (h) will mean body in the nature of authority. The opinion, however, admits is that it is true that the cooperative society is an autonomous body, but it is equally true that it is not an institution of self-government.

7.4 The Commission has considered this opinion. The Commission agrees with the submission that the co-operative society is not an institution of self-government. The Commission, however, is not in agreement that the word 'body' is required to be read in the light of the preceding word "authority" and the succeeding word "institution of self government". In the Commission's view the word "body" has a distinct connotation. This word appears not only in the first part of section 2 (h) but also at (i) in the last part where the definition of "public authority" becomes inclusive, that is, "body owned, controlled or substantially financed". Had the intention been to apply the principle of ejusdem generic, "body" would not have been separately mentioned. Therefore, the Commission is of the view that the word "body" appearing in the first part of section 2 (h) is to be read alongwith the same expression appearing in the last part of that section.

- 7.5 "Body" has not been defined in the said Act. As the Advanced Law Lexicon, 3rd edition, 2005 defines "body," inter alia, means" a number of individuals spoken of collectively, usually associated for a common purpose, joined in a certain cause ..... a body corporate". The opinion relied upon by the respondents side admits that the co-operative society is an "autonomous body", and in line of the Apex Court's decision in the case of Zorostrain Cooperative Housing Society Ltd. Vrs. District Registrar, Cooperative Societies (2005) 5 SCC 632 (para 15), the opinion says that the cooperative society is " a voluntary association where members unite for mutual benefit in the production and distribution of wealth by the principles of equity, reason and common good". Indeed, with reference to the "body corporate" status of the co-operative societies, section 37 of the Gujarat Cooperative Societies Act, 1961 unequivocally provides that "A society on its registration shall be a body corporate.....". Therefore, the Commission is of the considered view that a cooperative society is a body corporate, and a body within the meaning attributable to it in section 2 (h) of the said Act.
8. To determine "functional realism" and "substance" one needs to examine if the functions of the co-operative societies/banks are of public importance or the nature of their functions is public, if the said functions are " tied or entwined with Government" and to what extent their functions are controlled by the Government . In short whether they are bodies controlled.
- 8.1 The birth of a co-operative society/bank as a body begins with its registration. Section – 4 of the Gujarat Co-operative Societies Act provides that " a society which has as its object the promotion of the economic interests or general welfare of its members or of the public in accordance with co-operative

principles.....may be registered under this Act provided that it shall not be registered, if in the opinion of the Registrar it is economically unsound, or its registration may have an adverse effect upon any other society, or it is opposed to, or its working is likely to be in contravention of public policy". This provision, interalia, speaks of the general welfare of the public, and vests in the Registrar, a public servant and under the said Act, a public authority, to deny registration, interalia, if its registration is opposed or its working is likely to contravene any public policy. Therefore, stressing only the economic interests of the members of a society would be taking a narrow and constricted view. This is more important in the case of the co-operative banks, or co-operative societies licensed to undertake banking business. As section 5 (b) of the Banking Regulation Act has defined banking means accepting of deposits of money from the "public". The "economic interests" of the members of the co-operate society engaged in banking business cannot by any stretch of logical reasoning, be said to override the public interest. In Daman Singh versus State of Punjab, the Supreme Court observed that "the very philosophy and the concept of the co-operative movement is impregnated with the public interest." Implicit in section 4 is the control exercised by the Registrar to refuse to register a society in public interest, as both the grounds on which registration can be refused, that is if the society is economically unsound or if its registration may have an adverse effect on any other society or if it is opposed to public policy, relate to public interest. The overriding concern for "public interest" is also explicitly provided in section 36-AAA of the Banking Regulation Act, which provides at sub-section (1) thereof that "where the Reserve Bank is satisfied that in the public interest or for

preventing the affairs of a multi-state co-operative bank being conducted in a manner detrimental to the interest of the depositors or of the multi state co-operative bank or for securing the proper management of the multi-state co-operative bank, it is necessary so to do, the Reserve Bank, for reasons to be recorded in writing, by order, supersede the Board of Directors of such multi-state co-operative bank.....". The primacy of public interest over economic interests of the members of a co-operative society/bank is legally established.

8.2 In regard to amendments of bye laws of societies, although the power to make the amendments has been vested in the general body of the society, under section 13 of the Gujarat Co-operative Societies Act, a copy of the amendment passed, in the manner prescribed, at a general meeting of the society shall be forwarded to the Registrar, Sub-section (2) of section 13 provides that if the Registrar is satisfied that the amendment so forwarded is not contrary to this Act or the Rules, he may register the document. This authority vested in the Registrar is not merely regulatory but is also controlling. One of the considerations that the Registrar has to take into account while considering registration of amendment is that such amendments are not inconsistent with public policy. Such byelaws cannot also restrict the rights of citizens. As held by the Gujarat High Court in Zorostrian Cooperative Housing Society Ltd. and Another Vrs District Registrar, Co-operative Societies (Urban) and Another, the byelaws of the society, being not a law, cannot restrict the rights of citizen.

8.3 Even in respect of determining the "interest of a society", section 14 of the Gujarat Co-operative Societies Act provides that if it appears to the Registrar that an amendment of the bylaws except in respect of the name or objects of a

society is necessary or desirable in the interest of such society, he may call upon the society, in the prescribed manner, to make the amendment within such time as he may specify. Therefore, the autonomy of the society in respect of what constitutes its interest can, at times, be subject to the direction from the Registrar which connotes that a co-operative society/bank is a body controlled.

8.4 The autonomy of the co-operative society/bank is further restricted under section 17 of the Gujarat Co-operative Societies Act dealing with an amalgamation, transfer, division or conversion of societies. In such matters the section provides for obtaining of "previous sanction of the Registrar".

8.5 The expression "public interest" appears in section 17-A of the Gujarat Co-operative Societies Act which provides as follows:

"(1) Where the Registrar is satisfied that it is essential in the public interest.....  
.....that two or more societies should be amalgamated or that any society should be reorganized, then, .....the Registrar may, after consulting .....federal society.....provide for the amalgamation of these societies.....".

Sub section (2) of section 17-A has also conferred overriding powers on the Registrar to ignore the objections and decisions of the members of the Managing Committee of the concerned society or societies, which are to be amalgamated, reorganized or divided. The constitutional validity of a similar provision in the Punjab Co-operative Societies Act, 1961 which was the subject matter of Daman Singh v/s State of Punjab was upheld by the Supreme Court which held that "Art. 31 (a) (1) (e) furnished a complete answer. It provides that no law providing for the amalgamation of the two or more corporations either in

the public interest or in order to secure proper management of any of the Corporations shall be deemed to be void on the ground that it is inconsistent or takes away or abridges any of the rights conferred by Art. 14 or Art. 19".

8.6 Just as the birth of a society is subject to its registration by the Registrar, the Registrar, can also cancel the registration and dissolve a society under section 20 of the Gujarat Co-operative Societies Act subject of course to the stipulations made in that section

8.7 Section 22 of the Gujarat Co-operative Societies Act, interalia, provides that the State Government can be admitted as a member of a society. Chapter V of that Act deals with State Aid to the societies. Section 51 deals with direct partnership of State Government in societies under which the State Government may subscribe directly to the share capital of a society with limited liability. Section 63 deals with certain forms of State Aid to the societies. Under this provision the State Government may, -

- (a) give loans to a society,
- (b) guarantee the payment of the principal of debentures issued by a society, or of interest thereon, on both.
- (c) guarantee the repayment of the principal and the payment of interest on, means given by a co-operative bank to a society.
- (d) guarantee the repayment of the Principal of, and payment of interest on, loans and advances given by the RBI or the IFCI, or any other authority.....
- (e) Provide financial assistance in any other form (including subsidies)....

8.8 Section 45 of the Gujarat Co-operative Societies Act provides that "no society shall make a loan to any person other than a member, or on the security of its own share, or on the security of any person who is not a member provided that with the special sanctions of the Registrar, a society may make loans to any other society". As regards investment of funds under section 71 of the Gujarat Co-operative Societies Act, while the society has certain autonomy, investment in any co-operative bank or any banking company approved for the purpose by the Registrar and on such conditions as the Registrar may from time to time impose and investment in any other mode permitted, inter alia, by the rules, or by general or special order of the State Government has been provided.

8.9 The respondent co-operative societies/banks in their submissions on their autonomous working have eluded to section 73 of the Gujarat Co-operative Societies Act which provides that subject to the provisions of that Act and the rules the final authority of every society shall vest in the general body of members in general meeting, summoned in such a manner as may be specified in the byelaws. While on the surface, it might appear that the general body is the final authority in a co-operative society, the expression "subject to the provisions in this Act and the rules" does not bestow that finality in the general body. Under section 160 of the Gujarat Co-operative Societies Act "if the Registrar of his own motion or otherwise is satisfied that in public interest or for the purpose of securing the proper implementation of co-operative production and other development programmes approved or undertaken by the State Government..... it is necessary is issue directions to any class of societies generally or any society or societies in particular, he may issue directions to them, from time to

time, and all societies or the society concerned, as the case may be, shall be bound to comply with such directions" Sub section (3) provides that where the Registrar is satisfied that any committee or, as the case may be, a general body of any society, whose duty it was to comply with any directions issued..... has failed, without any reasonable or sufficient cause, to comply with such directions, the Registrar may exercise the powers conferred on him under sub section (1) of section 81, or, as the case may be under sub section (1) of section 107. Sub section (1) of section 81 deals with the supercession of committee. It provides that if in respect of a committee of a society having the Registrar as a member, the State Government and in respect of a Committee of a Society which does not have the Registrar as its member, the Registrar is of the opinion that the committee persistently makes default or, is negligent in the performance of the duties imposed on it by this Act or the rules or the bye-laws, or does anything which is prejudicial to the interest of the society or its members or fails to comply with any directions issued under sub-section (1) of section 160, .....then subject to the rules of the State Government or, as the case may be, the Registrar may.....remove the committee. Section 107 similarly lays down the principles under which a co-operative society may be wound up. It interalia, provides that if the Registrar, after an enquiry held under section 86, or an inspection has been made under section 87, or on the report of the auditor auditing the account of the society is of the opinion that the society ought to be wound up, he may make an interim order directing it to be wound up. These provisions establish that the final authority in a society vested in a society being subject to the provisions in the Act and the Registrar having been given statutory

powers which can override the authority of the general body, there can be no doubt that the co-operative societies/banks are bodies controlled for the purpose of the said Act.

8.10 Sub section (2) of section 80 of the Gujarat Co-operative Societies Act, provides that "where the State Government is of the opinion that having regard to the public interest involved in the operation of a society it is necessary or expedient so to do, it may nominate its representative on the committee of such society as if the State Government had subscribed to the share capital of the society". While it may be argued that this provision can be used in exceptional circumstances only, it would establish the legislative intent that the public interest involved in the operation of a society can propel the State Government to have its nominee on the Committee, without subscribing to its share capital.

8.11 Another important area where the co-operative societies/banks are controlled is in regard to audit, inquiry, inspection and supervision as provided for in Chapter VIII of the Gujarat Co-operative Societies Act. Section 84, inter alia, vests the Registrar with the statutory duty to complete the audit of every society, at least once in each year. Sub section (3) of section 84 provides that "The Registrar or the auditor shall, for the purpose of audit, at all times have access to all the books, accounts, documents, papers, securities, cash and other properties belonging to, or in the custody of, the society and may summon any person in possession or responsible for the custody of any such books, accounts, documents, papers, securities, cash or other property to produce the same at

any place at the headquarters of the society or any branch thereof." Although it may be argued that the scope of audit` is primarily related to examination of overdue debts, the verification of cash balance and securities, and valuation of the assets and liabilities of the society, the issue is that audit by itself is a control mechanism.

8.12 Section 86 of the Gujarat Co-operative Societies Act vests with the Registrar another controlling power. Sub section (1) of section 86 provides that the Registrar may of his own motion himself, or by a person duly authorised by him in working in this behalf, hold an inquiry into the constitution, working and financial conditions of the society. Section 87 deals with the Registrar's power of inspection of books of indebted society. Both these sections have been referred to in section 107 as providing the basis to the Registrar's authority to make an order for winding up of the society. Section 88 provides that the Registrar or the person authorized by him in this behalf shall have the right to inspect the books of any society and shall have free access to the books, accounts, documents, securities, cash and other properties belonging to, or in the custody of, the society.

8.13 The Registrar's controlling power is further evident in sections 96 to 98, which deal with disputes and settlement of disputes "touching the constitution, management or business of a society" under which all such disputes from amongst the specified body/person shall be referred to the Registrar and the Registrar is empowered, subject to the rules, to decide the dispute himself or refer it for disposal to a nominee or a board of nominees appointed by him.

- 8.14 In the matter of insured co-operative banks, no doubt, as section 115A of the Gujarat Co-operative Societies Act, inter alia, provides on order for winding up or an order sanctioning a scheme of compromise or amalgamation or reconstruction (including division or reorganization) of the bank may be made " only with the previous sanction of the Reserve Bank of India" and an order for the winding up of the bank shall be made by the Registrar if so required by the Reserve Bank of India, in the circumstances referred to in section 13D of the Deposit Insurance Corporation Act, 1961. There is also reference to the "previous sanction in writing or on the requisition of the Reserve Bank of India" in sub section (4) of section 115A. Thus, no doubt section 115A gives extensive powers to the R.B.I in the matters of relating to winding up or a scheme of compromise or arrangement or amalgamation or reconstruction of the co-operative bank or in the matter relating to the removal of the committee of management of the co-operative bank. However, the order of winding up of the bank shall be made by the Registrar. It is equally noteworthy that "public interest" finds mention in section 115-A (3) which provides that "if so required by the Reserve Bank of India in the public interest or for preventing the affairs of the bank conducted in a manner detrimental to the interests of the depositors or for securing the proper management of the bank, an order shall be made by the Registrar for supercession of the committee and the appointment of an administrator in place thereof....." The final controlling authority therefore, vests with the Registrar and both the Registrar and the R.B.I. have to act, inter alia, in the public interest.
- 8.15 In the matter of urban co-operative banks under section 115-F, it has been provided that the committee of the urban co-operative bank shall ensure, inter

alia, that the information is furnished every month to the Registrar, in such form as may be prescribed, regarding the loans taken from the bank of each Committee member, members of the family in relation to a committee member which means the wife or, as the case may be, the husband, father, mother, son who is dependent for his maintenance and unmarried daughter, and companies with which he is associated, in any matter. This has to be read in the context of section 20 of the Banking Regulation Act (Part V as applicable to the co-operative banks) dealing with restrictions on loans and advances by such banks to any of its Directors or firms or private companies in which any of its directors is interested, or to any company in which the Chairman of the Board of Directors of the co-operative bank is interested as its managing agent etc. The relevant issue is that the Registrar has a statutory duty to receive information in such matters. [Incidentally, in some of the requests for information in these appeals/complaints before the Commission, similar information had been sought for.]

- 8.16 At paragraph 8.11, section – 84 of the Gujarat Co-operative Societies Act dealing with the audit of the societies has been referred. In connection with the Urban Co-operative Banks, section 115-I of that Act provides that "The provisions of section 84 shall apply to a specified bank as if in sub section (1) of that section, for the words "at least once in each year" the words "at least once in quarter of a year" had been substituted. The moot issue, however, is that audit which is a controlling power shall be exercised by the Registrar/Auditor more stringently for the specified urban co-operative banks.

8.17 In the Commission's view the various provisions of the Gujarat Co-operative Societies Act and of the relevant provisions of the Banking Regulation Act referred to/analysed above clearly establish that both the co-operative societies and the co-operative banks function in the public domain; public interest in their functioning can override the sectoral economic interests of these societies/banks or their members; they are subject to controls exercised by the Registrar/State Government and that they are bodies controlled.

8.18 On the nature and extent of control of the government on the cooperative banks the opinion relied upon by the respondents makes the following submissions:

- (i) The shareholding of the State Government in the querist bank, that is the Gujarat State Cooperative Bank Ltd is nil. The shareholding of the State Government in 9 other district co-operative banks is also nil while in the remaining 9 co-operative Banks the State Government's shareholding is much less than the majority share holding and in none of the banks it exceeds 15%, and therefore, the State Government cannot be said to have controlling power on the said banks.
- (ii) The Gujarat High Court in the case of A.M. Bhutaiya Vrs. Amreli District Central Cooperative Bank Ltd. reported in 1998 (2) GLR 1740, while considering the question, whether the said bank would fall within the ambit of "other authorities" under Article 12 of the Constitution held that there was no deep and pervasive State Control over the said Bank. A similar view was taken by the High Court in the matter of V.I. Khalifa versus Satubha reported in 1988 (1) GLR that the Surendranagar District Co-operative Bank is not as an authority within the meaning of Article 12

of the Constitution of India. Even though the share capital held by the State in that Bank was about one third of the total share capital, it was held that by itself would not be sufficient ground to hold it to be a State.

(iii) Whatever regulatory function is performed by the State Government and Registrar can not be said to provide pervasive control over the co-operative societies/banks.

9. The Commission's views/findings on the issue of co-operative societies /banks being bodies controlled within the definition at section 2 (h) (i) having been dealt with extensively from paras 8 to 8.17 above, the Commission would only like to add, with reference to the respondents submissions referred to at paragraph 8.18 that the issue of "substantially financed" is to be disregarded in view of the overwhelming evidence in favour of co-operative societies/banks being bodies controlled.

9.1 No plea has been taken by the respondent co-operative societies and banks that information pertaining to them can be denied to the Parliament or a State Legislature. Indeed, to the best of the Commission's knowledge, information pertaining them, if asked for, is furnished to the Parliament or a State Legislature. Therefore, information pertaining to them cannot be denied, under the said Act, to the citizen.

9.2 The respondent co-operative societies and banks have been silent in their submissions on the issue whether information pertaining them under the Co-operative Societies Act is not accessed to by the Registrar and therefore, whether the said information falls within the definition of information given in section 2 (f) of the said Act. Obviously, as the provisions of the Gujarat Co-

operative Societies Act clearly reveal, the Registrar has access to information relating to them, However, the Commission is of the considered view that in view of the overwhelming evidence that the co-operative societies and banks are controlled bodies, they cannot be excluded from discharging their responsibilities under the said Act as public authorities. Equally, the Commission is also of the considered view, that the Registrar need not be overburdened with the requests of information pertaining to such societies and banks. However, the citizen can exercise his option in case he seeks information from the Registrar and the Registrar can exercise his option in suitable cases to transfer the request to the co-operative bodies.

10. As regards the submissions made in the matter of appeal no. 488/06-07 (this has reference to paragraph 3.1), in view of the Commission's finding that co-operative societies are "bodies controlled" within the meaning of section 2 (h) (i) of the said Act, the Commission holds that the Gujarat State Co-operative and Rural Development Bank is also a body controlled.
11. Having regard to the above, the Commission makes the following decision/order in all the 28 matters.

### **Decision/Order.**

- (i) All co-operative societies registered under the Gujarat State Co-operative Societies Act, 1961 are bodies controlled falling within the ambit of the definition of "public authority" given at section 2 (h) (i) of the Right to Information Act, 2005 and, therefore, are public authorities.
- (ii) All Co-operative banks since all such banks are registered as co-operative societies are also bodies controlled falling within the ambit of

the definition of "public authority" given at section 2 (h) (i) of the Right to Information Act, 2005 and, therefore, are public authorities.

- (iii) In view of the above decision, all co-operative societies and co-operative banks are required to abide by the relevant provisions of the Right to Information Act, 2005 particularly, Chapter II thereof, dealing with obligations of public authorities, including providing information to the citizen subject to the provisions contained in section 8 (1), 9 and 10 of the Right to Information Act, 2005.

**(R.N. Das)**  
Chief Information Commissioner  
Gujarat Information Commission  
Gandhinagar.

## Appendix

### Names of Appellants / Complainants and Respondants

1. Appeal No.358/06-07

Appellant :

Jayesh Khodidas Patel  
Ahmedabad.

Respondants : (1). Public Information Officer and Assistant District Registrar,  
Co-operative Societies(City), Krushibhavan, Paldi, Ahmedabad  
(2). Appellate Officer and District Registrar,  
Co-operative Societies, Krushibhavan, Paldi,Ahmedabad

2. Appeal No.384/06-07

Appellant :

Dakshaben Devjibhai Patel  
Vadodara

Respondants : (1). Public Information Officer and Office Superitendant,  
Co-operative Societies, Bharuch  
(2). Appellate Officer and District Registrar,  
Co-operative Societies, Bharuch.

3. Appeal No.394/06-07

Appellant :

Piyushkumar Devendraprasad Acharya  
Patan

Respondants : (1). Public Information Officer  
The Sardargunj Mercantile Co.op.Babk.Li., Patan  
(2). Appellate Officer and District Registrar,  
Co-operative Societies, Patan.

4. Appeal No.403/06-07

Appellant :

Shobhanaben Damodardas Vasoya  
Rajkot.

Respondants : (1). Public Information Officer and Manager  
Junagadh Vibhagiya Nagrik Co-operative Bank Li., Junagadh  
(2). Appellate Officer and District Registrar,  
Co-operative Societies, Junagadh.

5. **Appeal No.404/06-07**

Appellant :

Shobhanaben Damodardas Vasoya  
Rajkot.

Respondants : (1). Public Information Officer and Manager  
Junagadh Vibhagiya Nagrik Co-operative Bank Li., Junagadh  
(2). Appellate Officer and District Registrar,  
Co-operative Societies, Junagadh.

6. **Appeal No.480/06-07**

Appellant :

J.N.Hada  
Ahmedabad

Respondants : (1). Public Information Officer  
District Registrar Office, Co-operative Societies, Surendranagar.  
(2). Appellate Officer and District Registrar,  
District Registrar Office, Co-operative Societies, Surendranagar.

7. **Appeal No.488/06-07**

Appellant :

Chandravadan Dhruv,  
Sukan Samachar, Ahmedabad

Respondants : (1). Public Information Officer  
Gujarat State Co-operative and Agriculture and  
Gramin Vikas Bank Li., Ashram road, Ahmedabad.  
(2). Appellate Officer  
Gujarat State Co-operative and Agriculture and  
Gramin Vikas Bank Li., Ashram road, Ahmedabad.

8. **Appeal No.502/06-07**

Appellant :

Dhirajlal Tarachand Patel,  
Kadana, Dist.- Panchmahal.

Respondants : (1). Public Information Officer  
District Registrar Office, M.S.Building,  
Godhra, Dist.- Panchmahal  
(2). Appellate Officer  
District Registrar Office, M.S.Building,  
Godhra, Dist.- Panchmahal

9. **Complaint No.85/06-07**  
Complainant :  
Shashikant Dave,  
Junagadh
- Respondants : Public Information Officer and Manager  
District Co-operative Bank Li., Sahkar Bhavan,  
Opp. Busstand, Junagadh
10. **Complaint No.376/06-07**  
Complainant :  
Piyush D.Aacharya,  
Patan
- Respondants : Public Information Officer  
The Sardargunj Mercantile Co.op.Bank Li., Patan
11. **Complaint No.445/06-07**  
Complainant :  
Pruthvisinh Dolatsinh Raol,  
Ahmedabad
- Respondants : (1). Public Information Officer  
Ahmedabad District Co.operative ank, Nr. IncomeTax,  
Ashram road, Ahmedabad  
(2). Appellate Office,  
Ahmedabad District Co.operative ank, Nr. IncomeTax,  
Ashram road, Ahmedabad.
12. **Complaint No.525/06-07**  
Complainant :  
Pankajbhai Bachubhai Velani  
Patan.
- Respondants : Public Information Officer  
The Sardargunj Mercantile Co.op.Bank Li., Patan.
13. **Complaint No.526/06-07**  
Complainant :  
Pankajbhai Bachubhai Velani  
Patan.
- Respondants : Public Information Officer  
The Sardargunj Mercantile Co.op.Bank Li., Patan.

14. **Complaint No.562/06-07**

Complainant :

Nikhil Nareshchandra Shah  
Ahmedabad.

Respondants : (1). Public Information Officer

Kalupur Co-operative Bank, Kalupur Bank Bhavan,  
Ashram road, Ahmedabad

(2). Appellate Officer and District Registrar,  
District Registrar Office, Krushibhavan,  
Paldi, Ahmedabad

15. **Complaint No.620/06-07**

Complainant :

Girishkumar Narpatsinh Rana  
Saykha, Dist.- Bharuch.

Respondants : Public Information Officer and Manager

The Bharuch District Co-operative Bank Li.,  
Station road, Bharuch.

16. **Complaint No.637/06-07**

Complainant :

Daulatrav Madhavrav Shinde  
Vadodara

Respondants : (1). District Registrar,

District Registrar Office, Co-operative Societies,  
Vadodara

(2). Registrar,  
Gujarat State Co-operative Societies,  
Dr. Jivraj Mehta Bhavan, Gandhinagar.

17. **Complaint No.651/06-07**

Complainant :

Mahendrasinh Dilawarsinh Raj,  
Saykha, Dist.- Bharuch.

Respondants : Public Information Officer and Manager

The Bharuch District Co-operative Bank Li.,  
Station road, Bharuch.

18. **Complaint No.653/06-07**

Complainant :

Jayesh Khodidas Patel  
Ahmedabad.

Respondants : Public Information Officer,  
District Registrar Office,Co-operative Societies(City),  
Krushibhavan, Paldi, Ahmedabad

19. **Complaint No.654/06-07**

Complainant :

Jayesh Khodidas Patel  
Ahmedabad.

Respondants : Public Information Officer,  
District Registrar Office,Co-operative Societies(City),  
Krushibhavan, Paldi, Ahmedabad

20. **Complaint No.655/06-07**

Complainant :

Hiten Shashikant Dave  
Junagadh

Respondants : Public Information Officer,  
The Lakshmi App.Co.op.Societies Li.,  
Gandhigram, Junagadh.

21. **Complaint No.689/06-07**

Complainant :

P.D.Raol,  
Ahmedabad.

Respondants : (1). Public Information Officer,  
Ahmedabad District Co-operative Bank,  
Ashram road, Ahmedabad.  
(2). Registrar,  
Co-operative Societies,  
Dr.Jivraj Mehta Bhavan, Gandhinagar  
(3). Principal Secretary,  
Co.operation Department, Gandhinagar

22. **Complaint No.754/06-07**  
Complainant :  
Jayantbhai J.Maheta  
Bhavnagar.
- Respondants : Public Information Officer and General Manager,  
The Bhavnagar Nagrik Co.operative Bank Li.,  
Bhavnagar.
23. **Complaint No.785/06-07**  
Complainant :  
Mansukhbhai Savsibhai Aniyariya  
Nanakandhasar, Dist.- Surendranagar
- Respondants : Registrar,  
District Registrar Office, Co.operative Societies,  
Surendranagar.
24. **Complaint No.901/06-07**  
Complainant :  
Ismail A.Revdiwala  
Bhavnagar
- Respondants : Public Information Officer,  
Bhavnagar Welfare Co.operative Bank,  
Ambachawk, Bhavnagar.
25. **Complaint No.931/06-07**  
Complainant :  
Motibhai Shivabhai Parmar  
Gandhinagar
- Respondants : Public Information Officer,  
Kheda District Co.operative Bank,  
Nadiad, Dist.- Kheda.
26. **Complaint No.978/06-07**  
Complainant :  
R.M.Bhatt,  
Junagadh
- Respondants : Public Information Officer,  
District Registrar Office, Co.operative Societies,  
Junagadh.

27. **Complaint No.1049/06-07**

Complainant :

Narendra Kantilal.Bhatt,  
Ahmedabad

Respondants : Public Information Officer,  
District Registrar Office, Co.operative Societies(City),  
Ahmedabad.

28. **Complaint No.1645/06-07**

Complainant :

Nikhil Nareshchandra Shah  
Ahmedabad.

Respondants : (1). Public Information Officer  
Kalupur Co.operative Bank, Kalupur Bank Bhavan,  
Ashram road, Ahmedabad  
(2). Appellate Officer and District Registrar,  
District Registrar Office, Co.operative Societies(City)  
Krushibhavan, Paldi, Ahmedabad