



STATE INFORMATION COMMISSION, HARYANA,
SCO NO. 70-71/114-115(1st floor), SECTOR 8-C, CHANDIGARH.
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- To
- No. **/SIC/2022/10-IA**
93687
1. SPIO O/o राज्य जन सूचना अधिकारी-कम-हरियाणा राज्य सहकारी आवास प्रसंग लिमिटेड, बेज नं० 49-52, सैक्टर 2, पंचकूला । email ID:- housefedhry@gmail.com
 2. प्रथम अपिलिय अधिकारी-कम-हरियाणा राज्य सहकारी आवास प्रसंग लिमिटेड, बेज नं० 49-52, सैक्टर 2, पंचकूला ।email ID:- housefedhry@gmail.com
 3. Sh. Ishwar Dass s/o Sh. Chiranji Lal, Opp. PWD (B&R) o/o Kath Mandi Fatehabad-125050 (Hr.). M:- 94168-46839 Email ID:- ishwardass11101957@gmail.com

Dated Chandigarh the **7/11** 2022

Subject:- Case No, 4025-2022 – Sh. Ishwar DAss vs. Housefed, Panchkul:

In continuation of Commission's letter No. 11815/SIC/2022/10-IA dated 13.07.2022, on the subject cited above.

I am directed to forward herewith a copy of the order dated **13.10.2022** passed by this Commission in the above noted case for information.


Assistant Registrar
for State Information Commission,
Haryana



RIGHT TO
INFORMATION

STATE INFORMATION COMMISSION, HARYANA
SCO NO.114-115, SECTOR 8-C, CHANDIGARH
APPEAL CASE NO. 4025 OF 2022
RIGHT TO INFORMATION ACT-UNDER SECTION 19

Relevant facts emerging from the Appeal:

Name of the Appellant	Shri Ishwar Dass.
Name of the Respondents	1. SPIO-cum-The Manager Housefed Haryana, Panchkula.
RTI application filed on	11.01.2022
SPIO replied on	----
First Appeal filed with FAA	14.02.2022
First appeal decided on	----
2 nd appeal filed with the Commission on	01.04.2022
Date of Hearing	13.10.2022 at 11.00 AM
State Information Commissioner	Shri Pankaj Mehta
Presence	1. None on behalf of the appellant. 2. Shri Naman Jain, Advocate on behalf of the respondent SPIO.

This appeal has come up for hearing before the Commission on the ground that no information has been furnished by the respondent SPIO to the appellant as sought by him vide his RTI application dated 11.01.2022, despite filing of the first appeal with the FAA. The appellant prayed that respondent SPIO be directed to provide requisite information to him at the earliest. He also prayed for initiation of penal action against the respondent SPIO. The

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Commission issued notice under Section 19(3) of the RTI Act, 2005 to the parties dated 05.07.2022, directing the respondent SPIO to file comments and to be personal present during hearing on 13.10.2022.

2. Notices of the appeal were issued to both the parties for hearing.
3. Upon notices, the written reply has been filed by the respondent SPIO-cum-Mnager, Housefed, Haryana, Panchkula vide letter dated 26.08.2022.
4. The Commission has perused the entire documents available on the case file carefully. The counsel of the respondent SPIO has come present and submits that appellant had filed an RTI application on 11.01.2022. He further submits that information sought by the appellant was related to Housefed and Housefed is not covered under the RTI Act, 2005 as it is not a public authority. Housefed does not fall under definition of "Public Authority" as given in Section 2(h) of RTI Act. He also relied on the Supreme Court judgment in Civil appeal case **No. 9017 of 2013 (Arising out of SLP © No.24290 of 2012) titled as Thalappalam Ser. Coop. Bank Ltd. and others versus State of Kerala and others** decided on 07.10.2013 in support of his contention. He further submits that a copy of reply in this regard has been furnished to the appellant. He prays that case be filed.
5. The case has been considered carefully and record of the case file perused. The Commission observes that information sought by the appellant in his RTI application dated 11.01.2022 was related to Housefed, Haryana,





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Panchkula which is not a public authority as per the Hon'ble Supreme Court orders mentioned in previous paragraph. The Commission further observes that respondent SPIO has prayed the Commission that case be filed.

6. In the light of the above discussion, the Commission accepts the plea of the respondent that Housefed, Haryana, Panchkula are not a public authority as defined under Section 2(h) of the RTI Act in the light of the Hon'ble Supreme Court's judgement in the Thalappalam Bank case.

7. The appeal is disposed of accordingly.

Place: Chandigarh
Dated 13.10.2022


(Pankaj Mehta)
State Information Commissioner,
Haryana