
(2017) 02 KL CK 0042

In the High Court Of Kerala

Case No : W.P.(C)Nos. 21542 of 2010, 20510, 24345 and 26505 of 2012, 17553 of 2014 and 13421, 13741, 16590 and 17598 of 2015

Thrissur District Co-Op. Bank

APPELLANT

Vs

State Information Commission

RESPONDENT

Date of Decision : 28-02-2017

Acts Referred:

Right To Information Act, 2005 — Section 2(f), Section 2(h), Section 3, Section 8

Citation : (2017) AIR(Kerala) 120 : (2017) 2 ILRKerala 181 : (2017) 1 KerLJ 946

Hon'ble Judges : Mr. Dama Seshadri Naidu, J.

Bench : Single Bench

Advocate : Sri. George Poonthottam, Advocate, for the Petitioner; Sri. M. Ajay, SC, State Information Commission, for the Respondent No. 1; Sri. A.G. Unnikrishnan, Advocate, for the Respondent No. 2

Final Decision : Disposed Off

Judgement

Mr. Dama Seshadri Naidu, J.—Exhaustive as the judgment of the Apex Court in Thalappalam Service Cooperative Bank Limited v. State of Kerala, (2013)16 SCC 82 is, the jurisdictional limit of the Right to Information Act ("the Act") vis-a-vis a private entity has, yet again, fallen for consideration. Given the Apex Court's definitive pronouncement, the State Information Commission ("the Commission"), the respondent, seems to have given up its claim that a co-operative society is a public authority. Instead, it now claims that an applicant can have information from a co-operative society through a public authority who can access it under any other law as has been defined under Section 2 (f) of the Act.

2. In this rash of writ petitions, the party?respondents, in one group, as applicants, have straightaway applied to the co-operative societies concerned seeking certain information; in the other group, the applicants have applied to the departmental authorities; that is, the Co-operative Department, for information on the premise that the said authorities could summon the records

and provide information to them.

3. Leaving aside the minor factual discrepancies, I reckon the core issue in all the writ petitions is a pure question of law: do the co-operative societies fall within the jurisdictional limits of the Right to Information Act ("the Act") directly or indirectly - that is, at least, through the process of an official gathering information and then providing it to the applicants? So, I have decided to dispose of all the writ petitions through a common judgment. For convenience sake, I take the facts and documents in W.P.(C)No. 17553/2014 as the basis for discussion.

4. The second respondent, a person unconnected with the society, in May 2012, requested the petitioner society to provide to him details about an account maintained by the society's one of the members; he wanted the account details from 10.07.2008 to 22.11.2010, and the information included details of the amounts deposited and withdrawn by the account holder during that period. The society's Information Officer declined to part with any information. The refusal was on two grounds: (i) that the petitioner society is not a public authority as has been defined under the Act; and (ii) that the information sought by the second respondent pertains to an account holder with whom the society has a fiduciary relationship, an obligation not to divulge account information without his consent.

5. Aggrieved, the second respondent filed Exhibit P3 appeal before the State Information Commission, the first respondent. It seems, however, absent any appellate mechanism in the petitioner society, the second respondent filed the appeal directly before the Commission, which is otherwise the second appellate authority. After receiving Exhibit P3 appeal, the Commission, through Exhibit P4 proceedings, directed the society to provide the information sought by the second respondent. This time, it is the society's turn to be aggrieved. It has, therefore, filed this writ petition seeking a declaration that it does not come within the purview of the Act; that the Commission has no power, authority, or jurisdiction to issue exhibit P4 directive. And Exhibit P4, so be quashed.

Submissions:

Petitioners":

6. Sri P. C. Sasidharan, the learned counsel for the petitioner Society, has submitted that the Society has over seven thousand members with a paid-up share capital of about Rupees five crores. According to him, the B-Class shares owned by the Government in the Society are very negligible to bracket the society as an entity owned or financed by the Government. Laying specific emphasis on the definition of "public authority" in Section 2(h) of the Act, the learned counsel would strenuously contend that the petitioner society does not even remotely answer the description. During his submissions, the learned counsel has laid specific emphasis on Section 2(h)(d)(i) of the Act.

7. After acknowledging that the society does grant loans in tune with the Government policies, the learned counsel would further contend that the Society's activities in compliance with the Government policies per se do not make the Society a government entity. Nor does the government have an all-pervasive control over the society.

8. In the alternative, the learned counsel has also submitted that the information sought by the second respondent concerns the banking transactions involving a third-party's sensitive financial dealings. According to him, the Society has a fiduciary obligation to protect the account holder's interest, including the secrecy of his financial transactions.

9. In further elaboration of his submissions, the learned counsel has submitted that a society is an association of persons and is thus accessible only to those members, but not to the public at large. Drawing my attention to Article 243-ZO of the Constitution of India (inserted through 97th amendment), Sri P.C. Sasidharan has asserted that the State Government can make a law to ensure transparent administration, but it has so far not come out with any legislation in that regard.

10. With specific reference to Exhibit P4 communication by the first respondent, Sri Sasidharan has contended that it is entirely fallacious of the first respondent to assume that he could summon all and sundry information from the Society under the pretext that an official could access any information of the Society.

11. Sri Sasidharan's primary contention is that the society is an autonomous entity administered by its managing committee and answerable to its general-body. He has further submitted that the information that could be sought by the Co-operative Department, an organ of the Government, is very limited. In this regard, the learned counsel has referred to Sections 6, 63, 65, 66 and 66A of the Act.

12. Heavily relying on *Thalappalam* (supra), the learned counsel has submitted that the Apex Court's judgment is exhaustive and nothing further remains to be agitated or adjudicated upon. In essence, Sri Sasidharan has submitted that what cannot be accessed directly cannot be accessed indirectly, either.

13. Eventually, addressing the dichotomy of privacy and transparency, Sri Sasidharan has drawn my attention to Rules 24 and 25 of the Kerala Co-operative Societies Rules: he contends that the information about an account maintained by a third party cannot be divulged. It is also, according to him, evident from Section 8(j) of the Act, even if it were to be assumed that the Act had any remote application to the Society. The learned counsel for the petitioners in the other writ petitions have advanced arguments, more or less, on the same lines.

Information Commission:

14. Sri M. Ajay, the learned Standing Counsel for the Commission, on the other

hand, to begin with, referred to Section 2 (h) of the Act to underline the expansive meaning of the expression "information". According to him, because a citizen can access information either directly or indirectly, i.e. through a Government official statutorily empowered to access the society's information, the dichotomy of private and public entities is redundant.

15. Laying a frontal stress on the fact that the right to information is a facet of fundamental rights enumerated under Article 19 read with Article 21 of the Constitution of India, Sri Ajay has submitted that transparency is the order of the day and the Constitutional Courts have time and time again emphasised the citizen's right to access information. To support his submissions, he has placed reliance on *Daman Singh v. State of Punjab*, AIR 1985 SC 973 and *Workmen of FCI v. FCI*, AIR 1985 SC 670.

16. Trying to demonstrate the principle of privacy, Sri Ajay has submitted that the Preamble to the Act is eloquent about the scope and ambit of the enactment. In this regard, he has submitted that Section 4(b) of the Act specifies that even the salary of an employee cannot be regarded as any sensitive financial information vis-à-vis a third-party. According to him, had Section 4(b) been brought to the notice of the Apex Court, the judgment in *Thalappalam* (supra) would have been different.

17. Sri Ajay has further drawn my attention to Section 2(f) of the Act to contend that information means any material in any form. In this regard, he has placed reliance on *Thalappalam Service Cooperative Bank Ltd. v. Union of India*, 2009 (2) KLT 507 (para 10) = 2009(3) KHC 01 (DB) and *Mulloor Rural Co-operative Society Ltd., Trivandrum v. State of Kerala and others*, AIR 2012 Ker.124.

18. The learned Standing Counsel has repeatedly stressed that this Court may not arrogate to itself the powers of the first respondent, who has eventually to decide the jurisdictional issues involving the petitioner society. According to him, in almost all the judgments referred to above, this Court has readily acknowledged the power of the Registrar of Co-operative Societies. Any decision by this Court on jurisdiction would curtail the powers of not only the first respondent but also the Registrar of Co-operative Societies, who ought to be allowed to exercise his powers as the situation demands.

19. As to the Government's putative pervasive control, Sri Ajay would contend that the Central Government Agencies like NABARD, Insurance Agents, and Income Tax authority have been statutorily empowered to seek information from any Society. It is besides the powers exercised by the Registrar of Co-operative Societies.

20. Eventually drawing my attention to the objects and reasons of the Act, Sri Ajay has stressed that the legislative purpose is noble and laudable. The very enactment is path-breaking, having the sole objective of bringing about transparency in the administration. According to him, any restrictive interpretation of the Act would stultify the statute and frustrate the legislative

purpose.

21. When queried about the binding nature of Thalappalam, Sri Ajay has submitted that the judgment has not particularly addressed the alternative aspect: the scope of departmental authority or Governmental agency accessing information through a provision of any other enactment and thereafter providing that information to the applicant. Finally, Sri Ajay urges this Court to dismiss the writ petitions, leaving it open for the first respondent to decide whether the Society falls within the purview of the Act and whether it must part with the information asked for.

22. Heard the learned counsel for the petitioners and the learned Standing Counsel, apart from perusing the record.

Issue:

23. The Co-operative societies, not supported by the Government, assert that they are not "public authorities" and, so, they are beyond the jurisdictional limits of the Right to Information Act; certain third parties, unconnected to the societies, seek information insisting that the societies are bound by the Act; the Information Commission endorses the third-party view. The issue, broadly having already been decided by the Supreme Court in Thalappalam, the question is whether the cooperative societies are liable to provide information under either the Right to Information Act or the Kerala Cooperative Societies Act.

Discussion:

24. Given the fervent, insistent argument advanced by the learned Standing Counsel for the respondent Commission, I may address the propriety - or even the necessity - of interpreting a statutory provision keeping in mind the statutory objective: its aims and objectives, so to say.

25. Indeed, the expressions in a statute need to be interpreted and understood ordinarily in a sense "in which they best harmonize with the object of the statute," and which effectuate the objective of the Legislature. This approach is more pronounced when the legislative expressions yield more than one meaning or suggest ambiguity, for as per the rule in Heydon's case, (1584)3 Co.Rep.7a, the court will prefer an interpretation that "suppresses the mischief and advances the remedy." But in CIT v. Budh Raja and Company, AIR 1993 SC 2529, the Apex Court has cautioned that the object-oriented approach cannot be carried to the extent of its doing violence to the plain language used. It is nothing but rewriting the section or substituting words used by the Legislature. In other words, the assumed spirit of the legislation or the statute's laudable objective cannot alter the letter of law; it only extricates statutory expressions stuck in the semantic crevices, not the ones clearly on display.

26. Purposive construction follows literal construction, but not the other way round. Only when the literal construction leads to absurdity or renders the statute unworkable, do we resort to purposive interpretation. Cardozo, J, in

United States v. Great Northern Rly, 287 U.S.144, 154 (1932) pithily points out, "We have not traveled, in our search for the meaning of the lawmakers, beyond the borders of the statute." According to Scalia and Garner, words are given meaning by their context, and context includes the purpose of the text. They advocate that "the resolution of an ambiguity or vagueness that achieves a statute's purpose should be favoured over the resolution that frustrates its purpose." But, textualists as they are, the learned authors insist on four limitations:

- (1) The purpose must be derived from the text, not from extrinsic sources such as the legislative history or an assumption about the legal drafter's desires;
- (2) The purpose must be defined precisely, and not in a fashion that smuggles in the answer to the question before the decision-maker.
- (3) The purpose is to be described as concretely as possible, not abstractly.
- (4) Except in the rare case of an obvious scrivener's error, purpose - even purpose as most narrowly defined - cannot be used to contradict text or to supplement it. For purpose sheds light only on deciding which of various textually permissible meanings should be adopted.

27. In *Hiralal Rattanlal v. State of UP*, (1973) 1 SCC 216, para 22, the Apex Court has held that in construing a statutory provision, the first and the foremost rule of construction is the literal construction. All that we have to see at the very outset is, what does that provision say? If the provision is unambiguous and if from that provision, the legislative intent is clear, we need not call into aid the other rules of construction of statutes. The other rules of construction of statutes are called into aid only when the legislative intention is not clear. This proposition, oft? repeated, has been quoted with approval, for instance, in *B. Premanand v. Mohan Koikal*, (2011) 4 SCC 266.

28. *Thalappalam*, too, cautions that the Court cannot, when language is clear and unambiguous, adopt such a construction as would, according to the Court, advance the objective of the Act. The often-asserted proposition is that the interpretation does not concern what may be supposed or intended, but what has been said - explicitly, at that.

The Definitional Dynamics:

29. Section 2, the lexical provision, of the Act defines various expressions employed in the enactment: Section 2 (a) defines "appropriate Government" to mean, in relation to the Central Government, the very Central Government and also a public authority established, constituted, owned, controlled, or substantially financed by funds provided directly or indirectly by it. In relation to the State Government, it is in para materia. Section 2 (e) defines the "Competent Authority." In an exhaustive manner, Section 2 (f) defines "information" as any material in any form, including records, documents, memos, e-mails, opinions, advices, press releases, circulars, orders, logbooks, contracts,

reports, papers, samples, models, data material held in any electronic form, and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.

30. Section 2 (h) deals with "public authority." A public authority can be any authority or body or institution of self-government established or constituted by or under the Constitution or by any other law made by Parliament or State Legislature. Indeed, the expression encompasses (i) body owned, controlled, or substantially financed; (ii) non-Government organization substantially financed, directly or indirectly, by funds provided by the appropriate Government. Clause (i) inclusively defines "record": any document, manuscript and file; any microfilm, microchip, and facsimile copy of a document; any reproduction of image or images embodied in such microfilm (whether enlarged or not); and any other material produced by a computer, or any other device.

31. Besides defining "information", Section 2, in clause (j) further clarifies "right to information" to mean the information accessible under this Act by a public authority. It includes the right to inspection of work, documents, records; taking notes, extracts, or certified copies of documents, or records; taking certified samples of material; obtaining information in tapes, video cassettes, or in any other electronic mode, or through printouts if such information is stored in a computer or in any other device.

32. Further, "third party", according to Section 2 (n), means "a person other than the citizen making a request for information and includes a public authority." Section 3 of the Act mandates that subject to the provisions of the Act, all citizens shall have the right to information.

33. Any thread-bare analysis of the Act's lexical provisions is obviated thanks to the exhaustive pronouncement in Thalappalam, which, therefore, is discussed at considerable length.

34. Before we examine Thalappalam's ratio, we may, in brief, refer to the citations relied on by the learned Standing Counsel for the Information Commission. To begin with, Daman Singh concerns compulsory amalgamation of Co-operative Societies. It emphasizes the corporate character of a cooperative society. It holds, among other things, that "from the inception are governed by statute. They are created by statute, so there can be no objection to statutory interference with their composition on the ground of contravention of the individual right of freedom of association." In Food Corporation of India, the Supreme Court holds that workmen's conditions of service cannot be changed without notice to the workmen likely to be affected.

35. In Mulloor a Full Bench of this Court has held that even if a Co-operative Societies by itself does not answer the description of "public authority", the statutory authorities under the Kerala Co-operative Societies Act, being public authorities within meaning of Clause (c) of Section 2(h), are bound to furnish information. Since the Apex Court overturned Mulloor in Thalappalam, the

Commission's reliance on it counts for nothing.

Thalappalam - The Ratio:

36. In Thalappalam the Apex Court posed unto itself this question: does the Co-operative Society registered under the Kerala Co-operative Societies Act, 1969, fall within the definition of "public authority" under section (h) of the Right to Information Act? Contingent on the answer to the above question is this supplemental question: is the co-operative society bound to provide information sought by a citizen under the Right to Information Act?

37. On the issue whether a co-operative society is a "public authority", earlier co-ordinate Benches of this Court took conflicting views. This decisional cleavage compelled the court to have the matter referred to a Full Bench, which in Mulloor Rural Co-operative Society Ltd. answered the question in the affirmative. The eponymous bank took the matter to the Apex Court. Thalappalam of the Apex Court acknowledges that the societies are subject to the control of the statutory authorities like Registrar, Joint Registrar, the Government, and so forth. But it cannot be said that the State exercises any direct or indirect control over the affairs of the society in a deep and pervasive manner. Supervisory or general regulation of the co-operative societies - the body corporates - under the statute does not render the society's activities so regulated as to subject themselves to the State's control (see S.S. Rana v. Registrar, Co-operative Societies [(2006) 11 SCC 634]. It is nobody's case, I may state, that the society has been constituted under a Special Act.

38. As to the expression "public authority", defined under section 2(h) of the Right to Information Act, we may revisit it for it is the pivot of a provision. It reads:

"public authority" means 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 Organisation substantially financed, directly or indirectly by funds provided by the appropriate Government.

39. As seen from the definition, an authority, or body, or institution of self-government established or constituted by any law made by the State legislature can as well be treated as a "public authority". But the co-operative societies now before this Court do not fit into any of the above definitional parameters. In a

conspectus, I may observe that the Right to Information Act encompasses the legal entities owned, controlled, or substantially financed directly or indirectly, by the Government. It also applies to a non-Governmental organization supported by the Government. The Societies here are neither.

40. In paragraph-34 of the judgment, Thalappalam observes that mere "supervision" or "regulation" as such by a statute or otherwise of an entity would not make that entity a "public authority" within the meaning of 2(h)(d)(i) of the RTI Act. Thalappalam in paragraph-38 of the judgment has also addressed the issue whether Government subsidies, grants, exemptions, privileges, and so forth have any impact in determining whether a society is a "public authority". Their Lordships have held that any of those financial measures cannot amount to funding by the Government to a substantial extent unless the record shows that the funding was so substantial that the entity "practically" runs on such funding. In other words, but for such funding, it would struggle or even cease to exist.

41. The State may also float, according to Thalappalam, many schemes for the betterment and welfare of the co-operative sector, but those facilities or assistance cannot be termed as "substantially financed" by the State Government, to bring the entity into the fold of "public authority" under Section 2(h)(d)(i) of the Act. Accessing Information Through Officials:

42. In para 47 of the judgment, Thalappalam tellingly observes that citizens' right to get information is statutorily recognised by the RTI Act. But, at the same time, limitations are also spelled out in the Act itself, as are discernible from the Preamble and other provisions of the Act. Citizens do have a right to get information, but they can have access only to the information "held" by or is under the "control" of public authorities. If the information is not statutorily accessible by a public authority, as defined in Section 2(h) of the Act, evidently, that information is not under the "control of the public authority". Resultantly, it is impossible for the citizens to access the information, not under the public authority's control. Citizens, in that event, can always claim a right to privacy; a citizen's right to access information should be respected, so also a citizen's right to privacy. Thalappalam has also underlined the exceptions carved out under Section 8 of the RTI Act to hammer home the principle that privacy has not been done away with by the Act.

43. Granted that a cooperative society is not a public authority, the next issue clamouring for an answer is whether a public authority has the right of access to information about a particular third-party society in terms of any other law.

Co-operative Society ? Governmental Interaction:

44. Foremost, a society is a corporate persona, having an independent existence - it is autonomous. True, the statute compels a co-operative society from its registration to its possible dissolution to interact with Government and be bound by its directives. A cooperative society needs to apply to the Registrar under section 6 of the Kerala Co-operative Society Act ("the Societies Act") to have its

registration. Section 63 of the Societies Act empowers the Government to audit the co-operative societies; Section 65 delineates the powers of the Registrar to enquire into the affairs of a society; Section 66 deals with supervision and inspection; and Section 66A, a residuary provision, deals with powers of the Registrar to give direction. But under none of the above provisions can we conclude that the Government has any control on the society's internal administration.

Citizen's Access to Information through, say, the Registrar of Co-operative Societies:

45. On the legal concept of "right to information" vis-à-vis a "third party" in the context of Cooperative Societies Act, the erstwhile Andhra Pradesh High Court has dealt with elaborately in *Sri Bhavana Rishi Co-op. v. A.P. Information Commission*, Hyderabad, AIR 2010 A.P. 127. The Court has held that, in terms of Section 2 (j) of the Act, the information held by or under the "control" of any public authority is the one that can be accessed by any citizen under the RTI Act. As for the expression "control," Black's Law Dictionary defines it: "to exercise restraining or directing influence over; to regulate; restrain; dominate; curb; to hold from action; overpower; counteract; govern; power or authority to manage, direct, superintend, restrict, regulate, govern. Administer or oversee. The ability to exercise a restraining or directing influence over something." The word "control," as defined in Stroud's Judicial Dictionary of Words and Phrases, means: "to give or refuse assent to a certain proposed course." Concise Oxford English Dictionary defines it to mean "the power to influence people's behaviour or the course of events; the restriction of an activity, tendency, or phenomenon."

46. The upshot of the above lexical exposition is that information must be the information which a public authority by exercising his "restraining power or influence over the affairs of any other body" can access. Therefore, even from the perspective of the expression "right to information," as defined by the RTI Act, the Registrar of Cooperative Societies who answers the definition of "public authority" (in terms of Section 2(h)(c) of the RTI Act), all such information held by him under his control, can be accessed by any citizen in terms of Section 3 of the RTI Act. When we look at Section 2(f) and 2(j) together with Section 3, it becomes imminently clear, *Sri Bhavana Rishi* holds, that the information that can be accessed by the citizens is the one liable to be accessed by any public authority.

47. In para 51, *Thalappalam* focuses on the Commission's alternative contention: Can a citizen access information of a society through the Registrar of Cooperative Societies, who is a public authority within the meaning of Section 2(h) of the Act.

48. Given the statutory control the Registrar of Co-operative Societies exercises on the societies, *Thalappalam* holds that he is bound to comply with the

obligations under the RTI Act and furnish information to a citizen. The information he is expected to provide is the information enumerated in Section 2(f) of the RTI Act; it is, however, subject to the limitations imposed by Section 8 of the Act. The Registrar can also, to the extent law permits, gather information from a Society, on which he has supervisory or administrative control under the Cooperative Societies Act.

49. Thalappalam eventually holds that the Registrar need not disclose any information if that information falls within the sweep of Section 8(1)(j) of the Act. Only the information a Registrar of Cooperative Societies can legitimately have access to from a society under the Cooperative Societies Act could be said to be the information "held" by or is under the "control" of public authorities. Apart from the Registrar of Co-operative Societies, there may be other public authorities who can access information from a Cooperative Bank under law. In a given situation, the society will have to part with that information. But the demand should have statutory backing, holds Thalappalam.

50. Section 8 enumerates the instances of an authority justifiably refusing to disclose information. Of importance for our discussion is clause (j) of Section 8, which reads:

(j) information which relates to personal information the disclosure of which has no relationship to any public activity or interest, or which would cause unwarranted invasion of the privacy of the individual unless the Central Public Information Officer or the State Public Information Officer or the appellate authority, as the case may be, is satisfied that the larger public interest justifies the disclosure of such information: Provided that the information which cannot be denied to the Parliament or a State Legislature shall not be denied to any person.

51. Indeed, Section 8 begins with a non-obstante clause; the section, therefore, overrides other provisions of the Act if there is any conflict. Thalappalam quotes with approval *Girish Ramchandra Deshpande v. Central Information Commissioner*, (2013) 1 SCC 212 : 2012 ICO 1217 if there is no bona fide public interest in a person's seeking information, disclosing that information will unwarrantedly invade the privacy of the person whose information is sought. In that eventuality, the public authority - here the Registrar - can refuse the person's request, even withhold the information. Further, if the authority finds that information sought can be provided in the larger public interest, then the officer should record his reasons in writing before providing the information, because the person from whom information is sought also has a right to privacy guaranteed under Article 21 of the Constitution.

52. The conclusion in Thalappalam is unmistakable and unambiguous - the Cooperative Societies registered under the Kerala Co-operative Societies Act will not fall within the definition of "public authority" as defined Under Section 2(h) of the RTI Act.

53. Bound and guided by Thalappalam, this Court holds - in fact, recapitulating Thalappalam - as follows:

1. That a cooperative society is not a public authority under Section 2 (h) of the Act;
2. The Registrar or any other public authority is statutorily enjoined to comply with "the obligations under the RTI Act and furnish information to a citizen under the RTI Act."
3. The information the public authority can provide to an applicant under RTI Act is the information enumerated in Section 2(f) of the RTI Act;
4. The public authority can gather the required information from a society on which he has "supervisory or administrative control under the Cooperative Societies Act."
5. The information to be provided by the public authority must be subject to the limitations provided under Section 8 of the Act.
6. The account particulars, or the financial information of an account holder, or any other information divulging of which results in an unwarranted invasion of a member/account holder's privacy cannot be treated as information available for dissemination under the RTI Act.

54. In the manner indicated above, the Court disposes of the writ petitions. No order on costs.