

**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : KP(M).443/2013
Complainant/ appellant : Shri Dulal Bora
Respondent : Finance Department, Govt. of Assam, Dispur
Date of hearing : 01. 1.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
01.1.2016

The Appellant Shri Dulal Bora is present. The Public Authority is represented by Shri B.B. Hagjer, Addl. Commissioner of Taxes & SPIO in the office of the commissioner of Taxes. The Second Appeal petition dtd 20.6.13 is taken up for hearing in presence of both the parties. The Addl. Commissioner of Taxes & SPIO has made a written submission dtd 31.12.15, which is entered into the case records.

From perusal of the case records it is seen that the applicant Shri Dulal Bora filed an RTI petition dtd 30.3.13 before the Commissioner of Finance Department, Government of Assam seeking information on the number of Chit Fund registered in the State of Assam. The case records also reveals that the SPIO and the then Joint Commissioner of Taxes Shri B.B. Hagjer informed the applicant vide his letter dtd 26.4.13 that no Chit Fund has been registered by the Commissioner of Taxes in the State of Assam. In Assam the Commissioner of Taxes is Registrar of Chit Fund. Although the RTI applicant mentioned names of Tata AIG, Birla Sunlife, Sahara, Jeevan Suraksha, etc. in his RTI application and his appeal petitions are based on the ground that the Commissioner of Taxes did not give any information on those organizations, this Commission notes that the financial institutions mentioned by the Appellant in his RTI application are not Chit Fund under the meaning of the Chit Fund Act. The applicant may therefore, ascertain their legal status whether they come under the regulating jurisdictions of Registrar of Companies, IRDA, Registrar of Co-operative Societies, Registrar of Societies, the Ministry of Agriculture, Govt. of India, RBI, SEBI, etc. and file his RTI application before the appropriate authority.

With the above observations, the Second Appeal petition dtd 20.6.13 is disposed of.

Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam State Information Commission

Memo No. KP(M).443/2013/

Dtd. 01.1.2016

Copy to:

1. The Commissioner & Secretary to the Govt. of Assam, Finance Department, Dispur, Guwahati- 781 006 for information.
2. The Addl. Commissioner of Taxes & SPIO, Govt. of Assam Dispur, Guwahati-6 for information.
3. Shri Dulal Bora, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission