



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

Case No. : SIC/BPT.51/2015
Appellant : Shri Manoranjan Patgiri.
Respondent : The SPIO, O/o the Sub-Divisional Officer (C), Bajali, Barpeta
Date of hearing : 04.07.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
04.07.2016

The Public Authority is represented by Sri Saifudullah Khan, ACS, representative of the SPIO, office of the S.D.O. (C), Bajali along with an assistant. Sri Anil Deka, President and Sri Paresh Das, Gen. Secy. of Bajali Pragati Sangha is present.

The Appellant present along with an assistant.

Perused the case record. It is seen that the Appellant had sought information relating to the audited accounts of an NGO namely, Bajali Pragati Sangha, Pathsala pertaining to the year 2013-14. The information was sought from the SPIO, office of the S.D.O. (C), Bajali through an RTI Application dated 26.03.2015. The SPIO forwarded the same to the President/Secretary, Bajali Praghat Sangha through a letter dated 07.04.2015.

Heard the Appellant. He submitted that he has not received the information he had sought for.

Heard the representatives of the SPIO. It has been submitted that the said organization is an NGO and the S.D.O. (C), Bajali does not exercise any supervisory authority over it.

Heard the President and Secretary of the said Sangha. They have submitted that this is a purely non-governmental organization, although, they received government funds for implementing two schemes namely, Family Counseling Centre and Promotion of Hindi Language. It has been added that the fund for F.C.C. was received from Assam State Social Welfare Board and in respect of Promotion of Hindi Language from Department of Education, Ministry of Human Resource Development, Govt. of India.

Based on the case record and the submissions made as above, the Commission is of the opinion that the management of Bajali Pragati Sangha, Pathsala does not constitute a Public Authority as defined by the RTI Act, 2005 and therefore, are not mandated to provide information under the said Act. However, the said NGO is accountable for the public fund it receives as mentioned above which can be accessed by the Appellant from the respective Public Authorities mentioned above.

Hence, the Second Appeal Petition is disposed of with the advise to the Appellant to apply to those authorities, if he so desires.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission

Memo No. SIC/BPT.51/2015/ 20 -A

Dtd. 04.07.2016

Copy to:

1. The SPIO, office of the Sub-Divisional Officer (Civil), Bajali, Pathsala, Dist- Barpeta, Assam, Pin- 781301 for information.
2. The First Appellate Authority/Sub-Divisional Officer (Civil), Bajali, Pathsala, Dist- Barpeta, Assam, Pin- 781301for information.
3. The President/Secretary, Bajali Pragati Sangha, Bajali, Pathsala, Dist- Barpeta, Assam, Pin- 781301 for information.
4. Shri Monoranjana Patgiri, S/o- Late Nareswar Patgiri, Pathsala Town, Ward No.-1, Dist- Barpeta, Assam, Pin- 781301 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar
Assam Information Commission