



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

Case No. : SIC/NGN.52/2014
Appellant : Md. Fakrul Islam.
Respondent : The SPIO, O/o the Assistant Registrar, Co-operative Societies,
Nagaon
Date of hearing : 02.07.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
02.07.2016

The SPIO present.

The Appellant.

Heard the SPIO. She has submitted that the RTI Application had been transferred to the concerned Co-operative Society, Mahguri GPSS Ltd. through a letter dated 11.07.2014. She further submitted that the then SPIO had subsequently procured the information from the said GPSS and provide it to the Appellant through a letter dated 10.09.2014.

Heard the Appellant. He submitted that although he had received the said letter with the information, he was not satisfied owing to various shortcomings/deficiencies in the information provided to him. He added that he had communicated to the SPIO the said shortcoming/deficiencies, but that he had received no response to his representation.

In view of the facts brought out above, the Commission hereby orders that within 10 days of receipt of this order the Appellant shall communicate to the SPIO the details of the information he has not received in accordance with the Application dated 30.06.2014, and within 10 days of receipt of such communication, the SPIO shall respond and provide the information to the Appellant, free of cost.

The Commission observes that the action of the SPIO in transferring the RTI Application to the Co-operative Societies is not in accordance with the RTI Act, 2005 as the management of Co-operative Societies do not constitute Public Authorities as defined by the Act, and that the proper course of action for the SPIO in such a case would be to procure the information from the Co-operative Society concerned in exercise of his/her regulatory authority and furnish the same to the Applicant for information under the Act.

With this, Second Appeal is disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission

Memo No. SIC/NGN.52/2014/ -A

Dtd. 02.07.2016

Copy to:

1. The SPIO, office of the Assistant Registrar of Co-operative Societies, Nagaon, Dist- Nagaon, Assam for information and necessary action.
2. The First Appellate Authority/Assistant Registrar of Co-operative Societies, Nagaon, Dist- Nagaon, Assam for information and necessary action.
3. Md. Fakrul Islam, Vill- Udaimari, P.O.- Singari Madrassa, Dist- Nagaon, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission