

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

Case No. : **KP(M). 509/2014**

Complainant/ appellant : **Sri Jyotish Kr. Das,**

Respondent : **Assam Cricket Association.**

Date of hearing : **17-8-2016**

Complaint/ Second : **Shri H. S. DAS, IAS(Retd)**
appeal heard by : **State Chief Information Commissioner, Assam**

O R D E R

1. The complainant Sri Jyotish Kr. Das is present. The public authority is represented by Sri Ananda Kr. Das, ACS, SPIO and Deputy Secretary, Disaster Management Department. The other concerned respondents, namely, (i) Honorary Secretary of Assam Cricket Association, (ii) SPIOs of (1) Planning and Development Department, Govt. of Assam, (2) Finance E.C (II) and (3) Sports and Youth Welfare Departments are absent without any information.

2. The SPIO and Additional Commissioner of Taxes, Govt. of Assam has made a written submission dated 12th August, 2016 , praying for time as he will be in New Delhi on 17-8-2016 for medical treatment..

3. The SPIO and Deputy Secretary to the Govt. of Assam, Disaster Management Department has made a written submission dated 17-8-2016, He has enclosed a copy of a proposal dated 4-1-2010 from the Deputy Commissioner, Kamrup (Metro) District to the Principal Secretary to the Govt. of Assam, Revenue and Disaster Management Department along with a copy of letter dated 10th February, 2010 from the Joint Secretary to the Government of Assam, Revenue and Disaster Management Department to the Deputy Commissioner, Kamrup (Metro) District, communicating the State Government's decision to reserve a plot of land measuring 59 bighas, 3 kathas and 2 lessas at village Barsapara under Beltola Mouza in favour of Assam Cricket Association for the purpose of creation of a Cricket stadium. No consideration was mentioned in the said order. The Deputy Secretary and SPIO orally deposed that the land was reserved in favour of Assam Cricket Association , free of cost.

4. This Commission directs the SPIO and Deputy Secretary, Disaster Management Department to inform this Commission the approximate value of the land reserved for the Assam Cricket Association at the time of making such reservation as well as its present value.

5. The petitioner/complainant submitted the following documents :-

- (a) a copy of an order dated **31-10-2011 passed by Hon'ble Supreme Court of India in Special Leave Petition (Criminal) No. 10107 of 2010** along with a copy of order dated **26-10-2010 of Hon'ble High Court of Kerala in Criminal M.C No. 2726 of 2009,**
- (b) a copy of order dated 21st December, 2012 passed by Kerala Information Commission in a complaint case under the RTI Act between Sri Umapathi (appellant)-vs- Secretary and PIO, Karnataka State Cricket Association.
- (c) **Order dated 7-10-2010 passed by Goa State Information Commission in complaint case No. 518/SCIC/2010;**

- (d) Order dated 13-4-2015 (Sri Basant Seth), and Sri Sharat Sabharwal Information Commissioners and passed by the Central Information Commission in complaint case No. CIC'LS'C/2012/000714;
- (e) Order dated August 19, 2008 passed by the State Information Commission, Punjab in complaint case No.1969 of 2007;
- (f) Copy of order dated 13-4-2015 passed by the Central Information Commission (Sri M. Sridhar Acharyulu in file No. CIC/LS/C/2012/00714;
- (g) Copy of Govt. of India, Ministry of Youth Affairs and Sports (Department of Sports) letter No. 536-2/10/SP-ii dated 30th March, 2010;
- (h) Copy of Govt. of Assam , Revenue and Disaster Management Department letter No. RSS.379/96/Pt/1412 dated 10th February, 2010

6. In view of the refusal of the Honorary Secretary of Assam Cricket Association to furnish the information and his repeated absence without any information at the time of hearing by this Commission, **issue summons on the Honorary Secretary, Assam Cricket Association** for his personal appearance along with written submissions, if any, as to why Assam Cricket Association shall not be deemed to be a public authority under the RTI Act, 2005.

Also issue notices to the complainant as well as all the respondents other than the Honorary Secretary of Assam Cricket Association, for their appearance along with written statement , if any , on the next date of hearing.

Fix **20th September, 2016 at 11.30 A.M** for the next date of hearing.

Sd/-
(H.S.Das)

State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No.SIC/ KP(M) 509/2014/202-A
2016
Copy to:

Dated.17-8-

1. Honorary Secretary, Assam Cricket Association, Barsapara, Guwahati for information.
2. SPIO of Commissioner of Taxes, Govt. of Assam, Kar Bhawan, Dispur, Guwahati-6 for information and ensure presence on the next date of hearing.
3. SPIO of Revenue and Disaster Management Department, Govt. of Assam, Dispur, Guwahati-6.for information and ensure presence on the next date of hearing
4. SPIO of Planning and Development Department, Govt.of Assam , Dispur, Guwahati-6 for information and ensure presence on the next date of hearing
5. SPIO of Finance (EC-II) Department, Govt. of Assam, Dispur, Guwahati-6 for information and ensure presence on the next date of hearing .
6. SPIO of Sports and Youth Welfare Department, Govt. of Assam ,Dispur for information and and ensure presence on the next date of hearing
7. Shri Jyotish Krmar Dar. Qr. No. 216, PHE Complex, Hengrabari, Guwahati-36 for information and ensure presence on the next date of hearing
8. Computer Section for uploading in the Website.
9. Office File.

Registrar
Assam Information Commission

