

**OFFICE OF THE
ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : KP(M).703/2017
Complainant/ Appellant : Sri Utpal Das
Respondent : Assam Sahitya Sabha
Date of Hearing : 28-8-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R
28-8-2017

1. The appellant/petitioner Sri Utpal Das is absent. However, he has sent a written submission dated 28-8-2017 stating that he has received a set of informations from Asom Sahitya Sabha vide letter dated 11-8-2017 in response to his RTI petition dated 2-5-2017. His written statement is entered into the case records. The Asom Sahitya Sabha is represented by its General Secretary, Dr.Paramananda. Rajbangshi.
2. The second appeal petition dated 31-7-2017 is taken up for consideration ex-parte in the absence of the petitioner.
3. At the outset it was ascertained from the General Secretary of Asom Sahitya Sabha that from time to time the Sahitya Sabha has been in receipt of substantial support from the State Government in terms of land and financial assistance. Therefore, this Commission concludes that Asom Sahitya Sabha falls within the definition of public authority under Section 2(h) (d) of the RTI Act. 2005.
4. From perusal of the RTI petition dated 2-5-2017 and the written submission dated 28-8-2017 furnished by the petitioner it is seen that point No. 1 & 4 have been fully responded to. The petitioner has also mentioned in his W/S that he is satisfied with the informations furnished.
5. As regards point No. 2 of the RTI application the petitioner mentioned in his W/S that he was not furnished with a copy of the Memorandum of the Asom Sahitya Sabha. The General Secretary, Asom Sahitya Sabha mentioned that Sahitya Sabha is a Society registered under The Indian Societies' Act, 1860. The Society was registered in 1924, the latest renewal being of 2015. He submitted that the Sahitya Sabha has printed copies of their "Niyamabali" which contains the Memorandum of Association of the Society as well as the aims, objectives, rules and regulations of the Society.

He is therefore, directed to furnish a copy of the "Niyamabali" to the petitioner within a period of seven (7) days from the date of receipt of this order.
6. As regards point No.5 of the RTI petition, the petitioner mentioned that he received the sought for information except the mode of payment of salary to the

employees. The General Secretary submitted that the salary of the employees are paid by Bank transfer through cheque.

7. As regards point No.-3 the petitioner mentioned in his W/S that he was not furnished the particulars of land with Dag and patta nos. where the Sahitya Sabha offices are situated.

8. As regards, point No. 6 the petitioner mentioned in his W/S that the Bank statement and audit reports for the period 2015-2016 were not furnished to him. The General Secretary mentioned that audit for the financial year 2015-2016 is not yet complete. He expects the audit to be completed within 15 days and the audit report should be available for furnishing to the petitioner thereafter.

As regards the Bank statements of last 10 years, the General Secretary submitted that their Chartered Accountants do the annual audit of their accounts on the basis of Bank statements and audit reports up to the year 2014-2015 have already been furnished to the petitioner.

9. In view of the above, this Commission directs the General Secretary of Assam Sahitya Sabha to allow the petitioner Sri Utpal Das to inspect the relevant records and documents in respect of point No. 3,5 and 6 of his RTI petition during office hours on any working day within 30 (thirty) days from the date of receipt of this order, subject to receipt of 2 days' advance notice from the petitioner. The General Secretary of Asom Sahitya Sabha is also directed to allow the petitioner to take notes and photocopies of admissible sought for documents free of cost upto 50 pages and thereafter on payment of Rs. 2/- for every additional page of photocopy.

10. With the above order the second appeal petition dated 31-7-2017 is disposed of.

Sd/-

(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

Sd/-
Registrar
Assam Information Commission

Memo No SIC/ KP(M) 703 /2017

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Dated 28-8-2017

Copy to:-

- 1) Sri Paramananda Rajbangshi, General Secretary, Assam Sahitya Sabha, Bhagawatiprasad Barua Bhawan, Guwahati-1 for information and necessary action, as ordered above.
- 2) Sri Utpal Das, House No. -41, Rong Pathar Bye Lane, Fatasil Ambari, Guwahati-25 for information & necessary action as ordered above.
- 4) Computer Section for uploading in the Website.
- 5) Office file.
- 6) Order Book.

**Registrar
Assam Information Commission.**