

**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). 737/2017**
Complainant/ Appellant : **Sri Utpal Das**
Respondent : **Global Organisation for Life Development (GOLD)**
Date of Hearing : **9-11-2017**
Complaint/ Second : **Shri H. S. Das, IAS (Retd)**
appeal heard by : **State Chief Information Commissioner, Assam**

O R D E R
9-11-2017

1. The appellant/petitioner Sri Utpal Das is present. Dr. Rajib Kumar Sharma, Honorary General Secretary, Gold accompanied by Ms. Chayanika Sarma, Accountant of Project Mukti Gold are also present from the respondent's side.
2. The second appeal petition dated 17-8-2017 is taken up for further consideration in pursuance of this Commission's previous order dated 14-9-2017.
3. The petitioner submitted a list of project activities and grants received by the Global Organization for Life Development (GOLD) since 2004. As noted in this Commission's previous order dated 6-10-2017 the respondents have already submitted the receipt and expenditure statements for the last 10 (ten) years separately in respect of fund received from Govt. sources NGO's own contributions and funds received from Non-Govt. sources. The appellant submitted before this Commission today that he is interested only in getting the informations regarding receipt of funds from Assam Aids Control Society and other Govt. sources and their utilization by GOLD.
4. From the financial statements submitted by the petitioner as well as the respondent it appears that the NGO named Global Organization for Life Development have been receiving large sums of financial assistance (amounting to Rs. 3,20,08, 853.50P) from various Govt. agencies during the last 10 years. But they have received larger amounts (Rs. 5,21,81,046.30 P) from other non-Governmental agencies and from out of GOLD's own contributions. The Commission is, therefore, of the view that without the Govt. financial assistance the scope and scale of operations of GOLD would have been reduced, but it cannot be said that their functioning would have been severely affected or that they would not have been able to sustain their activities without the Govt. funding.
5. This Commission, is therefore of the view that the NGO named GOLD cannot be deemed to be a public authority within the meaning of Section 2(h) of the RTI Act, 2005.
6. The Honorary General Secretary, GOLD, however, submitted that he has no objection if the appellant wants to inspect all records and documents relating to funds received by GOLD from Govt. sources and Assam Aids Control Society and their

utilization. The petitioner also agreed with this suggestion of the respondent. In view of this amicable understanding between the petitioner and the respondent, the second appeal petition dated 31-7-2017 is disposed of with the observation that if the petitioner is not satisfied after inspection of records as above, he will be free to approach the concerned Governments and public authorities under their jurisdiction to provide financial assistance to the NGO called GOLD by way of fresh RTI applications with reference to Section 2(f) of the RTI Act, 2005.

7. With the above order the second appeal petition dated 31-7-2017 is disposed of. This order will apply *mutatis mutandis* to second appeal case No.SIC/KP(M) 773/2017 also.

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

Authenticated true copy

**Sd/-
Registrar
Assam Information Commission**

Memo No SIC/ KP(M) 737/2017/

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Dated 9-11-2017

Copy to:-

- 1) Dr. Rajib Kr. Sharma Honorary General Secretary, Gold, House No.14. 1st Bye Lane (w), Pub Sarania, Guwahati-3 for information and necessary action.
- 2) Sri Utpal Das, House No-41, Rong Pathar Byelane, Fatasil Ambari, Guwahati-25 for information
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

**Registrar
Assam Information Commission.**