



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

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Case No. : SIC/NGN.161 /2018  
Appellant : Sri Narendra Prakash Chauhan  
Respondent : The SPIO, O/o the Assistant Registrar of Co-operative Societies, Nagaon, Assam  
Date of hearing : 12.12.2018  
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
12.12.2018

The SPIO absent without information.

A Written Statement dated 28.11.2018 has been received from the Assistant Registrar of Co-operative Societies, Nagaon and the First Appellate Authority.

The Appellant is absent without information.

Perused the Written Statement. It has been submitted that the RTI Application dated 10.10.2017 was received by the SPIO, office of the ARCS, Nagaon on 12.10.2017 and transferred to the “State Public Information Officer/Secretary” Rupahi Union Cooperative Fishery and Farming Society Ltd. through a letter dated 16.10.2017. A copy of the said letter indicates that the same was dated 13.10.2017. It has been added that the FAA is not aware as to whether the information has been furnished. As regards, no First Appeal has been received by the FAA.

Perusal of the Second Appeal dated 07.12.2018 indicates that the Appellant has claimed to have submitted a First Appeal dated 27.04.2017 to the ARCS, Nagaon. Further, perusal of the RTI Application indicates that the Appellant had sought information relating to various matters relating to administration and regulation of the aforementioned co-operative society including a copy of the registration certificate and renewal thereof.

Considering that a co-operative society does not constitute a public authority as defined by Section 2 (h) of the RTI Act, 2005, a fact confirmed by law courts, the ARCS ought not have transferred the RTI Application to that body and instead he ought to have provided the information to the Appellant as mandated by Section 2 (f) of the said Act which states, interalia, information relating to any private body which can be accessed by a public authority under any other law for the time being enforce to constitutes ‘information’. In the instant case, the information sought for ought to be accessed by the office of the ARCS, Nagaon from the Cooperative Society and provide to the Appellant.

In view of the facts brought out above, **the Commission hereby orders that the SPIO, office of the ARCS, Nagaon shall provide the information to the Appellant, free of cost, within 15 days of receiving this order by accessing the same from Rupahi Union Cooperative Fishery and Farming Society Ltd.**

**The Second Appeal is hereby disposed of.**

Sd/-

Pinuel Basumatary IA & AS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-  
Joint Registrar  
Assam Information Commission

**Memo No. SIC/NGN.161 /2018**

**Dtd.12.12.2018**

Copy to:

1. The SPIO, O/o the Assistant Registrar of Co-operative Societies, Nagaon, Assam for information and necessary action.
2. The SPIO/Secretary, Rupahi Union Cooperative Fishery and Farming Society Ltd., Nagaon, Assam for information and necessary action.
3. The First Appellate Authority/ Assistant Registrar of Co-operative Societies, Nagaon, Assam for information.
4. The Appellant, Sri Narendra Prakash Chauhan, Vill & PO- Majarati, Dist.- Nagaon, Pin- 782 002, Assam for information.
5. Computer Section for uploading in the Website.
6. Office File.

Joint Registrar  
Assam Information Commission