

Case No. : SIC/GLP.8/2017
Appellant : Sri Sarowar Alom Ahmed
Respondent : The SPIO, Office of the President/Secretary, Whole Sale Co-operative Society, Goalpara, Dist. Goalpara, Assam
Date of hearing : 15-11-2018
Second Appeal heard by : Nilufer Alam Hazarika, IAS(Retd.)
State Information Commissioner, Assam

O R D E R
15-11-2018

The Case Record is put up today as a follow up action of the order passed by the Commission dt. 3-8-2018 directing the Asstt. Registrar, Co-operating Society to justify his submission that the petitioner is not eligible for any information under the RTI Act.

Seen the written statement made by the Asstt. Registrar, Co-operative Societies in pursuance of the order of the Commission dt. 3-8-2018 justifying his submission that the Society is not substantially financed by the Government and that the petitioner is not a share holder of the Society and as such not eligible for information under the RTI Act. He submitted that the Society receives a meager financial investment from the Govt. of Assam i.e. Rs. 2,66,700/- only whereas the Co-operative needs Rs. 1,60,80,000/- only approximately annually for its business which is less than two percent of its working capital. So it can be held that the Co-operative cannot be treated as a Public Authority.

After careful examination of the records it is seen that the Society being not controlled or financed substantially by the Government, cannot be treated as a Public Authority as defined under the provision of the RTI Act, 2005 even though it has got some Govt. Grant. The petitioner may however approach the Authority regarding information about proper utilization of fund given by the Government.

With the above direction the 2nd Appeal petition dt. 3-5-2017 is disposed.

Sd/-

(Nilufer Alam Hazarika, IAS(Retd.))
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Registrar i/c
Assam State Information Commission

Memo No. SIC/GLP.8 /2017

Dtd. 15-11-2018

Copy to:

1. The SPIO, Office of the President/Secretary, Whole Sale Co-operative Society, Goalpara, Dist. Goalpara, Assam for information and necessary action.
2. The First Appellate Authority, Asstt. Registrar Co-operative Society, Goalpara, Dist. Goalpara, Assam for information and necessary action.
3. The petitioner, Sri Sarowar Alom Ahmed, S/O Lt. Haji Abdus Aobhan, Vill. Beltola, W/No.18, P.O. Baladmari, P.S. & Dist. Goalpara, Assam, Pin -783121 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Registrar i/c
Assam State Information Commission