
(2010) 08 GAU CK 0099

In the Gauhati High Court

Case No : Writ Petition (C) No. 332 (SH) of 2008

Raid Laban College Society and Another

APPELLANT

Vs

State of Meghalaya and Another

RESPONDENT

Date of Decision : 13-08-2010

Acts Referred:

Right to Information Act, 2005 — Section 18, 19, 19(1), 2, 3
University Grants Commission Act, 1956 — Section 12B, 2

Citation : AIR 2010 Guw 173

Hon'ble Judges : T. Vaiphei, J

Bench : Single Bench

Advocate : G.N. Sahewala, D. Senapati and S. Jindal, for the Appellant; N.D. Chullai, Sr. G. A., for the Respondent

Final Decision : Allowed

Judgement

T. Vaiphei, J.—This writ petition is directed against the Notification bearing No. EDN. 113/2007/39, dated 17-5-2007 issued by the Commissioner and Secretary to the Govt. of Meghalaya, Education Department (Respondent No. 2) declaring that Raid Laban College, Laban, Shillong is one of the public authorities under the Right to Information Act, 2005 ("the RTI Act").

2. The facts giving rise to this writ petition are that Raid Laban College, Laban, Shillong ("the College" for short) was established in the year 1984 and that the Petitioner No. 1 is a Society registered under the Societies Registration Act, 1860 bearing registration No. SR/RLCLS-187/84 of 1984 while the Petitioner No. 2 is the governing body of the College represented by its Secretary. It is the case of the Petitioners that the College is a private college, governed by the constitution and Byelaw of the societies and was established with funds procured from various private sources and at the time of establishment of the college, no Government contribution in any form whatsoever was made available to the College. With the initiatives and contributions of the members of the College and with the endless efforts and hard work of the governing body of the College

which is entrusted with the overall management of the same, the College within a short span of time became one of the elite educational institutions in the State of Meghalaya. The College is permanently affiliated to NEHU vide Notification dated 16-7-2003 issued by the Vice Chancellor, NEHU. The University Grants Commission, New Delhi vide their letter dated 7-10-2004 has also included the College in the list of colleges prepared u/s 2(0) of the University Grants Commission Act, 1936 under the head "Non-Government Colleges" teaching upto Bachelor Degree making it eligible to receive Central assistance in terms of the Rules framed u/s 12(B) of the University Grants Commission Act, 1956. The University Grants Commission "UGC" has also recognized the College as Non-Government College. The governing body of the College is solely entrusted with the management of the college and appoints its teaching staffs and other administrative staffs, for which it never obtained any approval from the Govt. of Meghalaya. In other words, according to the Petitioners, the Raid Laban College is not under the administrative control of the Education Department of the State of Meghalaya.

3. It is also the case of the Petitioners that the Directorate of Public Instruction, Meghalaya vide order dated 31-3-1987 sanctioned an Ad hoc Grant-in-Aid for the pay and D. A. for certain numbers of full time staff: no other grant or aid was received by the College from the Govt. of Meghalaya. The College has been bearing all the other expenses of the institution starting from infrastructure costs, administrative expenses including staff salaries. It is admitted by the Petitioners that the Govt. of Meghalaya also sanctioned some non-recurring ad hoc grants to the College from time to time, the last of which was received by it on 15-12-2006. According to the Petitioners, the total strength of the staff of the College including teaching and non-teaching staff is 84 and the Govt. of Meghalaya by sanctioning the Ad hoc Grant-in-Aid till 2006 was meeting the expenditure relating to the pay and D. A. of only 33 staff members, which was also being stopped on 1-1-2007 and the remaining payment used to be made by the College from its own sources. It is claimed by the Petitioners that the College has been duly maintaining its account till now. It is contended by the Petitioners that mere granting of Grant-in-Aid by the Govt. of Meghalaya towards pay and D. A. for certain number of full time staff by no means take away the status of the College as a purely private institution nor does it empowers the Govt. of Meghalaya to exercise control over the administration and management of the College. It is also the contention of the Petitioners that the mere fact that ad hoc Grant-in-Aid used to be sanctioned by the Govt. of Meghalaya to the College cannot have the effect of it being "substantially financed" by the Govt. of Meghalaya and as such the Govt. of Meghalaya cannot be said to have any control, not to speak of pervasive control, over the administration of the College or in the matter of appointment of teaching and non teaching staff against sanctioned posts. It is contended by the Petitioners that this Court by its judgment and Order dated 23-4-2008 passed in W. P. (C) No. 8 (SH) 2008 has observed that the college is not a deficit college governed by the provisions of

the Management Rules and is, on the contrary, a non-Government college or a private institution receiving an ad hoc Grant-in-Aid from time to time from the Govt. which can also withdraw the same for which no legitimate grievance can be made by the college. In the appeal filed by the State Respondents being W. A. No. 8 (SH) of 2008, the Division Bench of this Court, while dismissing the appeal, has observed that the undisputed fact is that the Raid Laban College is a Private College and non-Government College. The Petitioners received one application dated 23-5-2008 from one Mr. K.F. Rngad addressed to the Public information Officer, Raid Laban College seeking therein information/documents as mentioned in the application under the provision of the RTI Act. The Petitioners contested the application by contending that the Act is not applicable to the College inasmuch as it is not a public authority as defined under the provision of the RTI Act, and has no obligation to furnish the information sought for in the said application. This apparently led the said applicant to lodge a complaint with the Chief Information Commissioner, Meghalaya, who on receipt of the complaint registered the same as MIC/Appeal/57/2008/ 36 and issued Notice to the Petitioners. The Petitioners reiterated before the Chief Information Commissioner that as the College is not a public authority under the RTI Act, it was not obliged to furnish the information. However, the State Chief Information Commissioner vide the order dated 6-11-2008 noted to the effect that "vide letter No. EDN. 113/2007/38 dated 10th May, 2007. Education Department, Govt. of Meghalaya while furnishing the list of public authorities, DA As, PI Os, API Os in the State had included the name of the Raid Laban College as one of the public authorities under the Department. This has also been repeated in the Notification No. EDN. 113/2007/39 dated 17th May, 2007". In the same order, the Commission further directed the Respondent No. 2 to furnish necessary evidence through an affidavit that the College is a public authority under the Education Department.

4. According to the Petitioners, they were not aware of the issuance of the letter dated 10-5-2007 and Notification dated 17-5-2007 declaring their college to be one of the public authorities under the Education Department, Meghalaya inasmuch as no such information was ever served upon them by the Department of Education, Govt. of Meghalaya and that they came to learn for the first time of the aforesaid letter as well as the Notification only when the order dated 16-11-2008 was passed by the State Chief Information Commissioner, Meghalaya. It is contended by the Petitioners that the State Chief Information Commissioner, Meghalaya has no authority or jurisdiction under the RTI Act to adjudicate as to whether the College is to be or not to be included among the public authorities under the Education Department, and that the various provisions of the RTI Act, more particularly Sections 18 and 19 thereof, makes it amply clear that the State Chief Information Commissioner has no such jurisdiction or authority to adjudicate thereon. It was on the aforesaid circumstances that this writ petition is filed by the Petitioners.

The writ petition is contested by the State Respondents, who, in their affidavit-in-opposition challenge the locus standi of the Petitioners to file the writ petition

inasmuch as the Petitioners have not been authorized by the society to do so. It is asserted by the answering Respondents that the College has been running with due permission from the State Government for establishing and running its institution and as such the College is very much under the administrative control of the Education Department, Govt. of Meghalaya. The answering Respondents claim that the College was enjoying the Grant-in-Aid and non-recurring grant as specified by the governing body since its inception. The fact that the College is a private institution does not mean that such institution is exempted from the control and supervision of the State Govt. which can certainly exercise its control and supervision in the interest of education and students. It is also stated by the State Respondents that the College is a public authority and performs public functions as it has been dealing with the academic welfare of the students and received Grant-in-Aid from the Government in previous years and as such it falls within the purview of the Act: the Act has been applied to other colleges falling within the same category as this college and a different yardstick cannot be applied in respect of this college. It is also the case of the State Respondents that all colleges in the State of Meghalaya are governed by the Rules and Regulations framed by the Govt. of Meghalaya and as such the College cannot be exempted from the purview of public authority under the Act and that the Grant-in-Aid was stopped w.e.f. 1-1-2007 to the College due to the mal-administration and also due to the existence of dispute involving two rival parties regarding the constitution of its governing body, but this cannot be the reason for exempting the College from the application of the RTI Act. As the College received Grant-in-Aid in the past, principle of transparency required the college to supply any information under the RTI Act with respect to the utilization of the Government fund. These are sum and substance of the case of the State Respondents.

5. In the reply affidavit, it is asserted by them that as the Director of Higher and Technical Education, Govt. of Meghalaya is not arrayed as a party Respondent in this writ petition, he has no authority to affirm the affidavit-in-opposition filed by him: the affidavit-in-opposition does not deserve any consideration by this Court. It is pointed out by the Petitioners that the Director of Higher and Technical Education, Govt. of Meghalaya is not authorized by the Respondent Nos. 1 and 2 to swear the affidavit on behalf of the Govt. of Meghalaya. It is also pointed out by the Petitioners that as the appeal filed by Dr. Subhasish Das Gupta against the Public Information Officer, Raid Laban College, Shillong is pending adjudication before the Director of Higher and Technical Education, the latter ought to have recused himself from swearing the affidavit-in-opposition on behalf of the State Respondents. The Petitioners also submits that when the State-Respondents have admitted the averments made by them in paragraphs 13, 14, 15, 16 and 17 of the writ petition, the averment of the Director of Higher and Technical Education to the effect that the impugned Notification is applicable to all the colleges of the same category is self-contradictory. It is also contended by the Petitioners that merely because the Colleges especially in the State of Meghalaya are following the standard of education prescribed by the State of Meghalaya,

that cannot, ipso facto, justify the inclusion of the College within the purview of the RTI Act especially when the College is a private institution and cannot have the effect of converting a private institution into a public authority within the meaning of Section 2(h) of the Act. The Petitioners denied the allegation of the Director of Higher and Technical Education that there is mal-administration in the management of the College and that the grant was stopped on this ground as well as the existence of dispute involving two rival parties. It is pointed out by the Petitioners that on the date of the impugned Notification, the State Respondents were not granting Grant-in-Aid to the College as the grant was stopped w.e.f. 1-1-2007 and as such the question of the College being substantially financed by the State Respondents does not arise on the date of the issuance of the impugned Notification.

6. Both Mr. G.N. Sahelwala, the learned senior counsel for the Petitioners and Mr. N.D. Chullai, the learned senior Government Advocate, appearing on behalf of the State-Respondents, have been heard at length. The only question for determination in this writ petition is whether the College is a public authority under the RTI Act. According to the Respondent authorities, it is a public authority as notified in the impugned notification, which is in the following terms:

GOVERNMENT OF MEGHALAYA EDUCATION DEPARTMENT

ORDERS BY THE GOVERNOR NOTIFICATION

Dated: Shillong, the 17th May, 2007 No. EDN. 113/2007/39. The Governor of Meghalaya is pleased to designate the following Department/Directorates/ Institutions as Public Authorities and Corresponding Officers as designated Appellate Authorities, Public Information Officers and Asstt. Public Information Officers respectively for providing information pertaining to their respective department/Directorate/Institutions as per Sections 2(h), 5(1), 5(2) and 19(1) of the Right to Information Act, 2005.

This supersedes this Department Notification No. EDN. 144/2005/49, dated 31st August, 2005, No. EDN. 144/2005/50, dated 31st August, 2005, No. EDN. 144/2005/51, dated 31st August, 2005, No. EDN. 144/2005/ 52, dated 31st August, 2005, No. EDN.144/ 2005/269, dated 25th January, 2007, No. EDN. 144/2005/270, dated 25th January, 2007, No. EDN. 144/2005/271, dated 25th January, 2007, No. EDN. 144/2005/272, dated 29th January, 2007 and No. EDN.144/ 2005/275, dated 9th February, 2007. Sd/-

Name of Department

Name of public Authority

Designation and Addresses of DA As under the P. A. with telephone Nos.

Designation and Addresses of PI Os under the DA As with telephone Nos.

Designation and Addresses of API Os under the PIO with telephone Nos.

1

2

3

4

5

Education

Education

Commissioner & Secretary to the Govt. of Meghalaya, Education Department
Myntdu Building, Meghalaya (C) Sectt. Off:0364- 2210132 Res: 0364-2226445

Deputy Secretary to the Govt. of Meghalaya, Education Department, Off:
2224201, Extn: 2433

Under Secretary to the Govt. of Meghalaya, Education Department. Off:
2224201, Extn: 2265

Special Officer to the Govt. of Meghalaya, Education Department, Off: 2224201,
Extn: 2294

Directorate of Higher & Technical Education

Director of Higher & Technical Education, Off: 2226015, Res: 2544666

Joint Director of Higher & Technical Education, Off: 2227667

Inspector of School, Shillong Phone No. 2243392, Mobile No. 9863110376

Inspector of School, Non-gstoin, Phone No. 280324

Inspector of School, JowaiPhn. No. 953652-223712 Mobile No. 9436201812

Inspector of School Nongpoh, Phone No. 232194

Inspector of School, Tura, Phone No. 953651-242409 Mobile No. 9436306036

Inspector of School, Williamnagar, Phone No. 953658-220304 Mobile No.
9436113904

Inspector of School Baghmara, Phone No. 953639-222431 Mobile No.
9436306036

Asstt. Inspector of Schools concerned.

Shillong Polytechnic, Shillong

Director of Higher & Technical Education, Phone No. 2226015

Principal, Shillong Polytechnic, Shillong Phone No. 2550549(F) 2550413

Senior most Head of Department.

Tura, Polytechnic, Tura

Director of Higher & Technical Education

Principal Tura Polytechnic Phone No. 953651-223205 (Telefax) Mobile No. 9436100780

Senior most Head of Department.

Jowai, Polytechnic, Jowai

Director of Higher & Technical Education

. Principal, Jowai Polytechnic Phone No. 953652-223522 (Telefax)

Senior most Head of Department

Meghalaya State Council of Technical Education

Director of Higher & Technical Education

Secretary, Meghalaya State Council of Technical Education

Tura Govt. College, Tura

Principal of the College

Vice-Principal of the College

Head of Department/Senior most Lecturer of the Department concerned.

Kiang Nongbah Govt. College

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B. Ed. College of Teacher Education, Rongkhon

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St. Anthony's College, Shillong

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St. Edmund's College, Shillong

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St. Mary's College, Shillong

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Lady Keane College Shillong

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Sangkardev College Shillong

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Shillong College, Shillong

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Synod College, Shillong

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College Teacher Education (PGT) Shillong

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Shillong Commerce College, Shillong

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Seng Khasi College, Shillong

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Union Christian College, Umiam

Principal of the College

Vice -Principal of the College

Head of Department/Senior most Lecturer of the Department concerned

Ri Bhoi College, Nongpoh

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Nongstoin College, Nongstoin

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Don Bosco College, Tura

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Mendipathar College, Mendipathar

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Sngap Syiem Memorial College, Mawkyrwat

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Tirot Singh Memorial College, Mairang

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Acheng Rangmanpa College, Shillong

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Name Type College, Shillong

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Type w:st="on">CollegeTikrikilla

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Women's College, Shillong

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w:st="on">Name w:st="on">Sohra Type w:st="on">College, Sohra

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w:st="on">Name w:st="on">Nongtalang Type w:st="on">College, Nongtalang

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Capt. Williamson Sangma Memorial College, Baghmara

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w:st="on">Name w:st="on">Durama Type w:st="on">College, Tura

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National Cadet Corps. (NEC) Shillong

Group Commander NCC, Shillong

Commandant of the NCC Unit concerned

Meghalaya Bharat Scouts & Guides, Shillong

Director of Higher & Technical Education

Secretary, w:st="on">Name w:st="on">Meghalaya Name w:st="on">Bharat
Type w:st="on">State Scouts & Guides, Shillong

w:st="on">Name w:st="on">Special Officer Name w:st="on">Meghalaya Name
w:st="on">Bharat Type w:st="on">State Scouts & Guides, Shillong

All Govt./Non-Govt. Secondary/ Higher Secondary Schools

Inspectors of Schools under their jurisdiction concerned

Principals/Headmasters/ Headmistresses concerned

Vice-Principal/ Asstt. Headmasters/ Asstt. Headmistresses concerned

Directorate of Educational Research & Training

Director of Educational Research & Training Off: 2233248

Deputy Director of Educational Research and Training Off: 2233248

Principal DIET, Sohra, Phone No. 953637-235918

Principal DIET Nongstoin Phone No. 953654-280834

Principal DIET Nongpoh Mobile No. 94361-19934

Principal DIET, Thadlaskein Mobile No. 98630-65393

Principal DIET, Tura Phone No. 953659-219178

Principal DIET Baghmara Phone No. 953639-222490 Senior Selection Grade
Lecturer, DERT

Meghalaya Board of School Education

Executive Chairman Meghalaya Board of School Education Off: 953651-232874

Director of Administration Meghalaya Board of School Education Off:
953651-232344 Mobile No. 94361-128557

Director/CAO of MBOSE Wing

w:st="on">Name w:st="on">Normal Type w:st="on">Training Schools, Sohra &Tura

Director of Educational Research & Training

Deputy Director of Educational Research and Training Off: 2233248

w:st="on">Name w:st="on">Principal Name w:st="on">Normal Type
w:st="on">Training Schools, Sohra & Tura respectively

w:st="on">Name w:st="on">Basic Type w:st="on">Training Schools, Shillong/
Thadlaskein/Tura

Director of Educational Research & Training Off: 2233248

Deputy Director of Educational Research and Training Off: 2233248

Principal, Basic Type w:st="on">Schools, Shillong/ Thadlaskein/ Resubelpara/
Tura respectively

Directorate of Elementary & Mass Education

Director of Elementary & Mass Education

Joint Director of Elementary & Mass Education Off: 2226062

Headmaster/ Headmistresses of all Government/ Government Aided Upper
Primary Schools and Head-teacher of all Government/Government Lower Primary
Schools concerned.

Off: 2225356

Dy. Inspector of Schools, Shillong Ph. No. 232488 Mobile No. 94361021488

Dy. Inspector of Schools Nongstoin Ph. No. 280259

Dy. Inspector of Schools, Jowai Ph No. 223717Mob. No. 9436106904

Dy. Inspector of Schools, Williamnagar Ph. No. 220337Mob. No. 9436331993

Dy. Inspector of Schools, Tura Ph. No. 221654(F) 222202 Mob. No. 9436112805

Dy. Inspector of Schools, Baghmara Ph. No. 222248 Tele Fax

Dy. Inspector of Schools, Mairang Ph. No. 222330Mob. No. 9436162562

Dy. Inspector of Schools, Mawkyrwat Ph. No. 222333Mob. No. 9436302073

Dy. Inspector of Schools, Ampati Ph. No. 261209(F)

Dy. Inspector of Schools, Resubelpara Ph. No. 222403Mob. No. 9436305176

Dy. Inspector of Schools, Sohra Ph. No. 235558 (F) Mob No. 9436171759

Dy. Inspector of Schools, Amlarem Ph. No. 261273Mob. No. 9436107229

Dy. Inspector of Schools, Khliehriat Ph. No. 220069Mob. No. 9436107168

Dy. Inspector of Schools, Dadengiri Ph. No. 262221

R.V. Suchiang, IAS,

Commissioner & Secretary to the Govt. of Meghalaya Education Department

7. The expression "public authority" is defined by Section 3(h) of the Act as under:

(h) "public authority" means any authority or body or institution of self-government established or constituted--

(a) by or under the Constitution;

(b) by any other law made by Parliament;

(c) by any other law made by the State Legislature;

(d) by notification issued or order made by the appropriate Government, and includes any--

(i) body owned, controlled or substantially financed;

(ii) non-Government organization substantially financed; directly or indirectly by funds provided by the appropriate Government;

Thus, in order to bring a body or institution within the fold of "public authority", the public authority must be established or constituted by or under the Constitution or by any other law made by Parliament or by any other law made by State Legislature or by a notification issued or order made by the appropriate Government and will include any body owned, controlled or substantially financed and non-Government organization substantially financed directly or indirectly by funds provided by the appropriate Government. In this case, it is nobody's case that the College is established or constituted by or under the Constitution or by any other law made Parliament or State Legislature. However, in terms of the impugned notification purportedly issued u/s 3(h)(d) of the Act, the College has been notified as public authority. This Court by the judgment and order dated 23-4-2008 in WP(c) No. 26 (SH) of 2008, reported in *Raid Laban College Society and Anr. v. State of Meghalaya* AIR 2009 (NOC) 1242 Gau has held that this College is not a deficit college governed by the provisions of the Management Rules and is a Non-Government college or a private institution receiving an ad hoc grant-in-aid from time to time from the Government which can withdraw at its sweet will. The decision was earned to appeal by the State-Respondents before the Division Bench of this Court in *State of Meghalaya and Anr. v. Raid Laban College Society and Ors.* WA No. 8(SH) of 2008. The Division Bench, however, by the judgment and order dated 15-5-2008 dismissed the appeal. As no further appeal was preferred from this judgment and order, the finding of this Court that Raid Laban College is a privately run institution, has attained finality. It is stated by the learned senior counsel for the Petitioners,

which is not disputed by the State-Respondents, that the College has stopped receiving grant-in-aid from the Government since 1-1-2007. It is the contention of the learned senior counsel that as the College is neither controlled nor substantially financed by the State-Respondents, the impugned notification declaring it to be public authority is unwarranted and is, therefore, illegal. It may be noted that it is nobody's case that the College is owned by the Government.

8. u/s 3(h)(d) of the RTI Act, a body controlled or substantially financed or a non-Government organization can be construed to be a public authority if a notification is issued or an order made to that effect by the appropriate Government. As there is no dispute between the parties that the College has not been receiving any grant-in-aid from the State-Respondents with effect from 1-1-2007, the question of the College being substantially financed by the State-Respondents does not arise. If that is so, the next question which falls for consideration is whether the College is controlled by the State-Respondents. It is submitted by Mr. N.D. Chullai, the learned Senior Government Advocate that as the College has been running with the permission of the Government, it is very much under its administrative control, and the fact it is a private institution does not mean that it is exempted from the control and supervision of the State Government. It is also the contention of the learned State Counsel that since the College is performing public functions by dealing with the academic welfare of the students, it is a public authority like other colleges falling within the same category. What kind of control is exercised by the State-Respondents over the College is not specifically pleaded by them. In my judgment, the fact that the College was established with the permission of the State-Respondents, without anything more, cannot lead to the conclusion that the College is controlled by them. The term "controlled", occurring after the term "owned" or before "substantially financed" in Section 3(h)(d)(i) of the RTI Act, is indicative of the fact that the control contemplated therein must take its color from the preceding and subsequent words. Though the term "controlled" is capable of bearing a wider meaning, namely, it may even mean a limited control, keeping in mind the fact it is associated with the terms "owned" and "substantially financed", its meaning must be restricted to connote deep and pervasive control or, at any rate, substantial control over the College by the State-Respondents. When two or more words which are capable having analogous meaning are coupled together, they are understood to be used in their cognate sense. They take it as it were their color from each other, that is, the more general is restricted to a sense analogous to a less general. This construction has to be adopted as the intention of the Legislature in associating wider words with words of narrower significance is doubtful, or otherwise not clear. This is the rule of construction *noscitur a sociis* as explained by the Apex Court in *M/s. Rohit Pulp and Paper Mills Ltd. Vs. Collector of Central Excise, Baroda*, in the following manner:

12. The principle of statutory interpretation by which a generic word receives a limited interpretation by reason its context is well-established. In the context with which we are concerned, we can legitimately draw upon the "*noscitur a sociis*"

principle. This expression simply means that "the meaning of a word is to be judged by the company it keeps". Gajendragadkar, J. explained the scope of the rule in *State of Bombay v. Hospital Mazdoor Sabha* in the following words:

This rule, according to Maxwell, means that, when two or more words which are susceptible of analogous meaning are coupled together they are understood to be used in their cognate sense. They take as it were their color from each other, that is, the general is restricted to a sense analogous to a less general. The same rule is interpreted in "Words and Phrases" (Vol. XIV, P. 207): "Associated words take their meaning from one another under the doctrine of *noscitur a sociis*, the philosophy of which is that the meaning of a doubtful word may be ascertained by reference to meaning of words associated with it; such doctrine is broader than the maxim *ejus-dem generic*". In fact, the latter maxim "is only an illustration or specific application of the broader maxim *noscitur a sociis*". The argument is that certain essential features of attributes are invariably associated with the words "business and trade" as understood in the popular and conventional sense, and it is the color of these attributes which is taken by the other words used in the definition though their normal import may be much wider. We are not impressed by this argument. It must be borne in mind that *noscitur a sociis* is merely a rule of construction and it cannot prevail in cases where it is clear that the wider words have been deliberately used in order to make the scope of the defined word correspondingly wider. It is only where the intention of the legislature in associating wider words with words of narrower significance is doubtful, or otherwise not clear that the present rule of construction can be usefully applied. It can also be applied where the meaning of the words of wider import is doubtful; but where the object of the legislature in using wider words is clear and free of ambiguity, the rule of construction in question cannot be pressed into service.

Under the circumstances, I have no alternative but to hold that the College is neither controlled nor substantially financed by the State-Respondents so as bring it within the ambit of the term public authority" u/s 3(h)(i) of the Act. Resultantly, the impugned notification declaring the College as public authority cannot be sustainable in law.

9. For what has been stated in the foregoing, this writ petition succeeds. The impugned notification dated 17-5-2007 to the extent that it includes the Raid Laban College as one of the public authorities, is hereby quashed. The parties are, however, directed to bear their respective costs.