



**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : NGN.47/2011
Complainant/ appellant : Md. Nurul Islam
Respondent : Head Master, Tamulitup M.E. Madrassa
Date of hearing : 18.5.2015
Complaint/ Second : Shri H.S. Das, IAS (Retd)
appeal heard by : Chief Information Commissioner, Assam

O R D E R
18.5.2015

The petitioner Md. Nurul Islam is present. The respondent Md. Jamshed Ali, Head Master, Tamulitup ME Madrassa is present. The complaint petition dtd 6.1.14 is taken up for hearing in presence of both the parties.

The original RTI petition was dtd 6.5.11. The respondent submitted that the Tamulitup ME Madrassa was a venture school at that time. Only from June, 2011, the school started receiving financial aid from the State Government @ Rs. 4000.00 (rupees four thousand) per month, although it continues to be a venture school even today. The Commission is of the view that only those bodies which are owned, financed or controlled by the Government, and not a venture school, can be deemed to be a Public Authority u/s 2 (h) of the RTI Act, 2005. However, the petitioner stated that earlier he used to work in the venture school as a Chowkider in the Tamulitup ME Madrassa school and even before June, 2011 the school used to receive free text books and teaching materials from time to time though not regularly.

The Commission is of the view that free supply of text books and teaching materials, and that too irregularly till May, 2011 does not affect the private nature of the institution. The Commission, therefore, decided not to treat the venture school's Head Master as a Public Authority under the RTI Act, 2005 till June, 2011. Hence the complaint petition of the petitioner is dismissed.

Sd/-

(H. S. Das)

Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commn.

Memo No.NGN.47/2011

Dtd. 18.5.2015

Copy to:

1. The Head Master, Tamulitup ME Madrassa, Rupahi, Dist. Nagaon, Assam for information.
2. Md. Rurul Islam, Vill- Tamulitup, PO- Borghat, Dist. Nagaon, Pin- 782125 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission