



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

Case No. : **DMJ.5/2012**

Complainant/ appellant : **Smti Dipa Upadhaya (Dahal)**

Respondent : **PIO, Deputy Commissioner, Dhemaji**

Date of hearing : **12-8-2015**

Complaint/ Second : **Shri H.S. Das, IAS (Retd)**
appeal heard by **Chief Information Commissioner, Assam**

O R D E R

The complainant Smti Dipa Upadhaya is present, accompanied by her husband Sri Eknath Dahal. The public authority is represented by Sri Likhan Phukan, Statistical Assistant-cum- PIO in the office of District Elementary Education Officer, Dhemaji.

The complaint petitions dated 5-8-2013 and 29-8-2013 are taken up for hearing in presence of both the parties.

The complainant filed an RTI petition dated 6-7-2011 before the Addl. Deputy Commissioner, Dhemaji through the Head Master of Bogi Ram Panging M.E. School. Although her RTI petition is not very clear as to what specific information she wanted, it transpired in course of today's hearing that she was appointed as Asstt. Teacher by Resolution No. 5 dated 15-4-1993 of the Managing Committee of the said school. She joined in the School as Asstt. Teacher of the said school on 19-4-1993. She has been working in the school as Asstt. Teacher since the date of her joining without any remuneration. The main cause of action of her RTI petition is non-payment of remuneration.

Sri Likhan Phukan representing the public authority of District Elementary Education Officer submitted that the concerned school i.e. Bogi Ram Panging M.E School is not yet provincialized. There is no Govt. sanctioned post in that school. Its status as on date is a venture M.E school. The Managing Committee of the school is solely responsible for its management and payment of remuneration to the teachers and other employees appointed by it.

The complainant as well as the public authority submitted that the school has been given periodic financial assistance by the Govt. twice. The public authority submitted a photo copy of payments made by the Managing Committee for the session 2014-15 , which contained 6 (six) names . The Head Master was paid Rs. 54,000/- and 5 other employees were paid Rs. 48,000/- each. The name of the complainant Smti Dipa Upadhaya does not figure in the list of payments for the session 2014-15, although according to the yearly proforma submitted by the Head Master of the school, the DEEO mentioned the name of the appellant at Sl. No. 4 from the years 2005 to 2011-12. The public authority submitted that the periodic financial assistance is given to M. E. Schools on the basis of 5 teaching and 1 non-teaching staff in each M.E School. The complaint of the applicant is that although her name figures at Sl. 4 of the proforma in successive years and although she has been working continuously, she is not being given any remuneration, whereas Sri Maheswar Mili and Miss Lipika Doley who are at Sl. No. 6 & 7 of the proforma list of the teachers were paid remuneration for the years 2014-15.

The Commission observes that the Bogiram Panging M. E School being a venture school does not come within the purview of RTI Act, 2005. However, in the opinion of the Commission, the grant giving authority , i.e., the Govt. through the DEEO of the District has a responsibility to see that the financial aid given by it has been properly utilized by the Managing Committee of the school.

The Commission, therefore, directs the DEEO of Dhemaji District to enquire into the matter , whether any irregularities have crept into proper utilization of the financial aid given by it to the Bogiram Panging M.E. School on the basis of 5 teaching and 1 non-teaching staff and inform the appellant the reasons for non-payment of remuneration to her **-within a period of 30 days from the date of receipt of this order with intimation to this Commission.**

The Commission passes this order in the interest of promotion of transparency and justice in proper utilization of public money given as financial aid to venture schools from time to time.

With the above order, the complaint petition dated 29-8-2013 is disposed of.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam State Information Commission

Memo No. DMJ.5/2012 / -A

Dated 12-8-2015

Copy to:

1. Sri Likhan Phukan, Statistical Assistant-cum- PIO in the office of District Elementary Education Officer, Dhemaji.for information & necessary action.
2. Smti Dipa Upadhaya,Vill-Dirpai,P.O-Ukhamati,P.S-Gogamukh, Dist-Dhemaji, ,PIN-787056 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission