

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

Case No. : DHR.91/2012

Complainant/ appellant : Md Salim Ahmed

Respondent : District elementary Education Officer, Dhubri

Date of hearing : 06.11.2015

Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
appeal heard by : State Information Commissioner, Assam

O R D E R
06.11.2015

Public Authority was represented by (1) Md. Chan Miah, Head Master, Gunaipani M.E. Madrassa, Dist. Dhubri, and (2) Md. Rupchan Ali, Science teacher of the said Madrassa.

Appellant has sent a letter of apology and was absent.

Perused the records in the Second Appeal Case.

The following is the sequence of events:.

16.6.12	RTI Application submitted to DMC, SSA Dhubri
26.6.12	Transferred by DMC, SSA, Dhubri to DEEO, Dhubri
30.6.12	Information furnished to RTI Applicant by DMC, SSA, Dhubri
30.7.12	Complaint filed before the Commission.
4.9.12	Hearing Notice by FAA
28.9.12	Order by FAA
28.9.12	Complaint before the DEEO, Dhubri
4.10.12	Information furnished to RTI Applicant
28.11.12	Second Appeal filed before the Commission.
16.10.15	Hearing Notice

Perused the written statement dtd 30.10.15 submitted by the District Elementary Education Officer, Dhubri. It has been submitted that the DEEO had disposed of the First Appeal of the Applicant with the order to the Head Master, Gunaipani M.E. Madrassa to furnish the information to the Applicant within 7 days and the Head Master had complied with this order.

Also perused the WS submitted by Head Master, Gunaipani M.E. Madrassa, Dist. Dhubri. Through the WS it has been submitted that on receipt of the RTI

Application as a transferred case, information was furnished to the Applicant through his letter dtd. 19.9.12.

The Head Master further submitted that the Gunaipani M.E. Madrassa is a purely venture school, receiving no financial assistance from the Government.

In view of the submission that the concerned institution is a venture school, receiving no financial assistance from the Government, the school authorities cannot be considered to constitute a Public Authority under the RTI Act, 2005. Therefore, if information sought for by the RTI Applicant has been supplied to him it can only be treated as a public spirited response of the authorities of the institution outside the ambit of the said Act.

With this observation, the Second Appeal petition is dismissed

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No. DHR.91 /2012/

Dtd. 06.11.2015

Copy to:

1. The District Elementary Education Officer, Dhubri Dist., Assam, PIN-783301 for information.
2. Md. Salim Ahmed, Vill-Bawluri, PO- Chirakuti Bazar, Dist. Dhubri, Assam, PIN-783330 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission