

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

Case No. : SBR.1/2014

Complainant/ appellant : Shri Ruhini Borah

Respondent : Deputy Commissioner, Sivasagar District

Date of hearing : 17. 2.2016

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

O R D E R
17.2.2016

The petitioner Shri Ruhini Boruah is absent without any information. The Public Authority is represented by (1) Shri Ranjit Kr. Borah, Planning & Statistical Officer of the office of the Inspector of Schools, SDC, Sivasagar for Inspector of Schools, (2) Shri Putul Chandra Dutta, Asstt. Teacher of Namti Boys' H.S. School, and (3) Shri Losa Mao, Headmistress, St. Joseph's High School, Moranhat. The complaint petition dtd 22.1.14 of Shri Ruhini Boruah is taken up for consideration ex-parte in his absence.

From perusal of the case records it is seen that the petitioner filed an RTI petition before the Public Information Officer of the office of the Deputy Commissioner, Sivasagar on 20.11.13 seeking information about admissions in nursery class of St. Joseph's High School at Moranhat for which selection test was held on 19.10.13. The SPIO & Addl. DC, Sivasagar transferred the RTI application u/s 6(3) of the RTI Act, 2005 to the (a) Inspector of Schools, Sivasagar, and (b) Principal, St. Joseph's High School, Moranhat, Sivasagar vide two separate letters- both dtd 26.11.13. The Inspector of Schools also wrote to the Principal of St. Joseph's High Schools on 13.11.13 advising her to furnish the information directly to the petitioner. The Headmistress of St. Joseph's High School vide her letter dtd 23.2.13 informed the petitioner Shri Ruhini Boruah that theirs is a minority private school and do not come under the provisions of the RTI Act.

The first issue before this Commission is therefore, - whether the St. Joseph's High School, Moranhat can be deemed to be a Public Authority under the RTI Act, 2005.

Shri Ranjit Kr. Borah, Planning & Statistical Officer in the office of the Inspector of Schools, SDC, Sivasagar submitted that the St. Joseph's High School, Moranhat is a private school and does not come within the administrative jurisdiction of Inspector of Schools, Sivasagar. The Inspector of Schools, Sivasagar has also sent a written submission dtd 11.2.16, which is entered into the case records. The Inspector of Schools also has stated that this school does not fall under his jurisdiction as it is purely a private institution. While asked by this Commission, the representative of the inspector of Schools, Sivasagar as well as the Headmistress of St. Joseph's High

School submitted that the school is not in receipt of any financial assistance. Or any other support in terms of allotment of land, building, grant, etc. from the Government.

This Commission is of the opinion that in view of the fact as noted above, St. Joseph's High School, Moranhat does not fall within the ambit of the RTI Act, 2005. This Commission would, however, like to suggest that for the sake of transparency, the school authority may disclose, in their notice board, information regarding total number of seats available in each admission class, number of applicants, number of seats reserved for different categories and number of students selected for admission class-wise for every academic year.

With the above order the complaint petition dtd 22.1.14 is disposed of.

Issue copy of this order to all the parties concerned.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SBR.1/2014/

Dtd. 17.2.2016

Copy to:

1. The Addl. Deputy Commissioner & SPIO in the office of the Deputy Commissioner, Sivasagar, Assam, PIN-785604 for information and necessary action.
2. The Inspector of Schools, Sivasagar District, Sivasagar, Assam, PIN-785681 for information and necessary action.
3. The Headmistress, St. Joseph's High School, Moranhat, Dist. Sivasagar, Assam, PIN-785670 for information and necessary action.
4. Shri Ruhini Boruah, C/o- Balen Boruah, Moranhat, Vill Seujpur, Sivasagar, PIN- 785670 for information and necessary action.
5. Computer Section for uploading in the Website.
6. Office File.

Secretary & Registrar
Assam Information Commission