



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

Case No. : SIC/DHR.62/2013
Complainant/ Appellant : Md. Abbas Ali
Respondent : The SPIO, O/o the Deputy Inspector of Schools,
Bilasipara, Dhubri
Date of hearing : 17.03.2016
Complaint/Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
17.03.2016

Shri Naba Sankar Choudhury, DEEO & DMC, SSA, Dhubri and i/c Deputy Inspector of Schools, Bilasipara is present. Received two Written Statements dated 16.03.2016 and 17.03.2016 from the SPIO.

Perused the case record. It is seen that the Second Appeal dated 11.09.2013 was heard by the Commission and an order passed on 26.11.2013 directing the SPIO, office of the DIS, Bilasipara to furnish copies of relevant records and to submit a written statement mentioning the reasons as to why he could not furnish the required information within the stipulated period of 30 days and why penalty u/s 20 (1) of the RTI Act shall not be imposed on him for his failure to do so. The Appellant thereafter, filed a Complaint dated 07.01.2014 for non-compliance by the SPIO with the Commission's said order.

Through the Written Statements, it has now been submitted that the Applicant had been requested by the Head teacher of the concerned school through a letter dated 01.10.2013 to collect the information from the school. It is also added that the Applicant had not responded to the request until 16.03.2016 when the school authorities submitted the information/documents in the office of the DEEO, Bilasipara and Applicant collected the same. Perused the acknowledgement letter from the Applicant dated 16.03.2016 enclosed with the W/S.

From the case record, it is seen that on receipt of the RTI Application, the then DIS, Bilasipara had transferred it to the Head teacher of the concerned school with direction to provide information to the Applicant directly. The Commission observes that the correct procedure was not followed in this case as the authorities of a venture school do not constitute a Public Authority.

In view of the facts brought out above, the Complaint/Second Appeal is disposed of.

Sd/-
Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.
Sd/-
Deputy Registrar
Assam Information Commission

Copy to:

1. The SPIO, Office of the Deputy Inspector of Schools, Bilasipara, P.O.- Bilasipara, Dist- Dhubri, Pin- 783348 for information.
2. Md. Abbas Ali, Vill- Boizer Alga, P.O. Nayer Alga, Dist- Dhubri, Assam, Pin- 783348 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Deputy Registrar
Assam Information Commission