



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

Case No. : SIC/BPT.3/2015
Appellant : Md. Shafiur Rahman.
Respondent : The SPIO, O/o the District Elementary Education Officer
(DEEO), Barpeta
Date of hearing : 18.04.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
18.04.2016

The Public Authority is represented by Sri Bhagaban Pathak, UDA, office of the DEEO, Barpeta, Md. Mokaddas Ali Ahmed, Headmaster, Milan Jyoti M.E. Madrassa assisted by Md. Mafidul Islam, Assistant Teacher, Milan Jyoti M.E. Madrassa.

A Written Statement dated 16.04.2016 has been received from the DEEO, Barpeta which is taken on record.

Heard the Appellant. He submitted that he was yet to receive the information he had sought for.

Perused the aforementioned W/S and also its enclosure which is a letter from the Headmaster of the concerned school addressed to the SPIO, office of the DEEO, Barpeta dated 06.04.2016. It has been submitted that the information sought for has been prepared for furnishing to the Appellant/Applicant but that the Applicant could not be located and in support of this a certificate from the Chairman, Howly Town Committee has also been enclosed.

Perused the case records. It is seen that the Commission's hearing notice dated 17th March, 2016 had been sent to the address which is given in the correspondence made by the Appellant. Deposing before the Commission, the Appellant has submitted that he had received the Commission's notice at the selfsame address.

Heard the Headmaster. He submitted that some information such as those relating to DISE Code are yet wanting.

The representative of the DEEO and the Headmaster further submitted that the school in question is a venture one receiving no financial assistance from the government.

In view of the facts brought out above, the Commission is of the opinion that the said school is technically outside the purview of RTI Act, 2005. However, in view of the public interest involved in the service extended by the school and readiness of the school authorities to provide the information sought for, the Commission hereby orders that the Headmaster, Milan Jyoti M.E. Madrassa shall provide the information sought for by the Appellant and as available, within a period of 7 days of receipt of this order.

With this, the Second Appeal Petition 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 District Elementary Education Officer, Barpeta, P.O.- Barpeta, Dist- Barpeta, Assam for information and necessary action.
2. The Headmaster, Milan Jyoti M.E. Madrassa, Bhulukabari, Dist- Barpeta, Assam for information and necessary action.
3. The First Appellate Authority/Deputy Commissioner, Barpeta, PO/Dist- Barpeta, Assam, Pin- 781301 for information and necessary action.
4. Md. Shafiur Rahman, Ward no.4, Howly Town, PO- Howly, Dist- Barpeta, Assam, Pin- 781316 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar
Assam Information Commission