



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

Case No. : SIC/NGN.19/2015  
Appellant : Sri Mahendra Nahak & Sri Mothura Goyari.  
Respondent : The Headmaster, Catholic Mission High School,  
Salana, Nagaon  
.Date of hearing : 03.05.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
03.05.2016

Sri Jiban Krishna Nath, Headmaster, Catholic Mission H.S., Nagaon is present along with an assistant. A Written Statement dated 03.05.2016 has been submitted by him which is taken on record.

The Appellants absent without information.

The First Appellate Authority/Inspector of Schools, Nagaon has not apprised the Commission about the action taken by him, if any, for disposal of the First Appeal dated 12.03.2015. However, a letter dated 27.04.2016 written by him to the Headmaster directing him to attend today's hearing has been endorsed to this Commission.

Perused the aforementioned W/S from the Headmaster. It has been submitted that owing to paucity of time he could not make a detailed Written Submission and has requested for one month's time for the purpose.

Heard the Headmaster. It has been submitted that the school in question was a private minority educational institution and therefore, the management does not constitute a Public Authority as defined by the RTI Act, 2005, and that this information has been provided to the Appellant/Applicant through a letter dated 22.06.2015. The Headmaster further submitted that although some lump sum financial assistance has been received from Government from time to time, this assistance does not amount to substantial part of the total budget of the institution, and therefore the school authorities are outside the purview of the said Act and not liable to provide information thereunder.

Perused the Application and Appeals filed by the Appellant. It is seen that he has not provided any information about funding of the institution that would make the school authorities a Public Authority under the Act. In his absence in today's hearing and any Written Statement from him which was asked for by this Commission through its hearing notice dated 08.04.2016, more information on the matter, if any, could not be ascertained from him.

In view of the facts brought out above, the Commission hereby concludes that the management of the Catholic Mission School does not constitute a Public Authority under the RTI Act, 2005 and are therefore, not legally bound to provide information under the said Act.

However, the Inspector of Schools, Nagaon is directed to ascertain the factual position of financial assistance that has been granted to the school with relation to its total budget to

determine whether it is substantially financed as defined in Section 2h (d) (ii) of the said Act and issue an appropriate direction to the school authorities as regards furnishing of information under the said Act. Further, the Inspector of Schools, Nagaon is directed to provide to the Appellants such information as has been sought and has access to by virtue of its regulatory position.

With this, the Second Appeal is disposed of.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar  
Assam Information Commission

Memo No. SIC/NGN.19/2015/ -A

Dtd. 03.05.2016

Copy to:

1. The Headmaster, Catholic Mission High School, P.O.- Salana, Dist- Nagaon, Assam, Pin- 782139 for information.
2. The First Appellate Authority/Inspector of Schools, Nagaon District Circle (NDC), Nagaon, P.O.- Nagaon, Dist- Nagaon, Assam, Pin- 782001 for information
3. Sri Mahendra Nahak, Vill No.1 Simona Bosti, P.O.- Salana, Nagaon, Dist- Nagaon, Assam, Pin- 782139 for information.
4. Sri Mothura Goyari, Vill No.1 Simona Bosti, P.O.- Salana, Nagaon, Dist- Nagaon, Assam, Pin- 782139 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar  
Assam Information Commission