

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

Case No. : SIC/BGS.01/2016
Appellant : Sri A. K. Rakshit
Respondent : The SPIO, O/o the District Elementary Education Officer,
Nalbari
Date of hearing : 11.08.2016
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam

O R D E R

11.08.2016

The petitioner Sri A.K Rakshit is absent without any intimation.

The Public Authority is represented by Smt. Anjali Dutta, SPIO, office of the DEEO, Nalbari accompanied by Sri Jagadish Haloi and Sri Digambar Barman, Headmaster, Asomi M.E. School, Nalbari.

In the absence of the petitioner, the Second Appeal petition dated 13.04.2015 is taken up for hearing *ex parte*.

The SPIO has submitted a written statement dated 11.08.2016 that the Asomi M.E. School, Gobaradal is recognized middle school since 01.01.2005. The matter of the RTI application was related to the period when the school was completely at a venture stage without any Government assistance. She has stated that as per records available Sri Subhas Barman was appointed in the school by the School Managing Committee (SMC) in the year 1997 but he resigned from the school on 14.01.2003 which was accepted by the president of the SMC. The teacher concerned had agreed to serve in the school again and the SMC of the school had appointed him afresh as an Additional Teacher on 07.04.2010. Proposal for provincialisation was submitted to government in the year 2011 and the name of Sri Subhash Barman was also included in the proposal in individual format. The Headmaster stated that the school is not yet provincialised.

It appears that the information sought for by the petitioner relates to the period when the school was fully a venture school without any government assistance and the then Headmaster of the school was not a Public Authority himself in the control of any other Public Authority. Hence, the information sought for is not covered by the RTI Act, 2005.

The Second Appeal Petition dated 13.04.2015 is therefore dismissed.

Sd/-

Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-

Deputy Registrar

Assam Information Commission

Memo No. SIC/BGS.01/2016/ 61-A

Dtd. 11.08.2016

Copy to:

1. The SPIO, office of the District Elementary Education Officer, Nalbari, Dist- Nalbari, Assam, Pin- 781335 for information.
2. The First Appellate Authority/District Elementary Education Officer, Nalbari, Dist- Nalbari, Assam, Pin- 781335 for information.
3. Sri A.K. Rakshit, Vill- Barama, P.O.- Barama, Dist- Baksa, Assam, Pin- 781346 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission