

**Case No. :** KP(M).703/2016  
**Complainant/ Appellant :** Sri Shyama Kanta Sinha  
**Respondent :** Director, Secondary Education, Assam  
**Date of Hearing :** 1-12-2016  
**Complaint/ Second appeal heard by :** Shri H. S. Das, IAS (Retd)  
State Chief Information Commissioner, Assam

**O R D E R**

The petitioner Sri Shyama Kanta Sinha is present. The public authority is represented by:- (1) Smti Darpana Bora Neog, Deputy Director, Secondary Education, Govt. of Assam.

When asked by this Commission the complainant Sri S. K. Sinha stated that he is still interested in getting the information that he had sought for vide his RTI petition dated 12-9-2016. He has made a written statement dated 1-12-2016 to that effect and requested for conversion of his complaint petition dated 28-10-2016 into an appeal petition under Section 19 of the RTI Act, 2005.

This Commission grants his prayer and the complaint petition dated 28-10-2016 is taken up for hearing as a second appeal petition.

The appellant produced before this Commission a copy of print out from the Website of Modern High School (Senior Secondary School), Mother Teresa Road, Gita Nagar, Guwahati- 781 020. Point No. 3 (three) of the print out mentions that the NOC for the School was obtained from the State Govt. vide No.GIS/NOC/12/2008/29 dated 26<sup>th</sup> June, 2008.

On the other hand the SPIO and Joint Director, Secondary Education, Assam has sent a written submission dated 22-11-2016, with reference to the appellant's RTI petition dated 12-9-2016 stating that as per his office records, the above mentioned school has not yet applied for prior permission to the Director, Secondary Education, Assam, and hence the information sought for by the petitioner could not be furnished.

In view of the apparent contradiction between the position stated in the Website of the School and the written statement submitted by the Joint Director, Secondary Education, it is felt necessary to verify the office records.

This Commission, therefore, directs (i) The SPIO and Joint Director, Secondary Education, Assam to appear before this Commission with the relevant records, in original on the next date of hearing, and (ii) The Principal of Modern High School (Sr. Secondary School), Mother Teresa Road, Gita Nagar, Guwahati 781 020 also to appear in

person or through her authorized representative with original copy of the NOC granted by the State Government vide NOC No. GIS/NOC/12/2008/29 dated 26<sup>th</sup> June, 2008, since the School is subject to the relevant provisions of The Assam Non Government Educational Institutions (Regulation and Management) Act, 2006 in view of the NOC of the State Government mentioned in the School Website.. The Principal is also directed to bring with her or send through her representative the informations, in response to the appellant's RTI petition dated 12-9-2016.

Enclose a copy of the RTI petition to the Principal along with this order.

**Fix 20<sup>th</sup> December, 2016 at 1.00 P.M** for the next hearing.

**Sd/-**

**(H. S. Das)**

**State Chief Information Commissioner,  
Assam**

**Authenticated true copy**

**Sd/-**

**Registrar**

**Assam Information Commission**

**Memo No SIC/ KP(M)703/2016/ 22-A**

**Dated 1-12-2016**

**Copy to:**

- 1) Smti Darpana Bora Neog, Deputy Director, Secondary Education, Govt. of Assam. For information and necessary action.
- 2) SPIO and Joint Director, Secondary Education, Assam, Kahilipara, Guwahati-19 for information and necessary action, as ordered above.
- 3) The Principal of Modern High School (Sr. Secondary School), Mother Teresa Road, Gita Nagar, Guwahati 781 020 for information and necessary action as ordered above.
- 4) Sri Shyama Kanta Sinha Assam, C/O Sri Narendra Nath Neog, Shantinagar, Kahilipara, 4<sup>th</sup> APBN Road, near Tetrishkuti Mandir, P.O- Kahilipara, Guwahati-19 for information
- 5) Computer Section for uploading in the Website.
- 6) Office file.
- 5) Order Book.

**Registrar**

**Assam Information Commission.**

