



**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION**

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : **KP(M).703/2016**
Complainant/ Appellant : **Sri Shyama Kanta Sinha**
Respondent : **Director, Secondary Education, Assam**
Date of Hearing : **20-12-2016**
Complaint/ Second : **Shri H. S. Das, IAS (Retd)**
appeal heard by : **State Chief Information Commissioner, Assam**

O R D E R

The petitioner Sri Shyama Kanta Sinha is present . The public authority to be represented by the SPIO of the Directorate of Secondary Education, Assam is absent without any information.

The Principal of Modern High School , Mother Teresa Road, Gitanagar, Guwahati is represented by Advocate Sri Jayabrata Sinha as authorized by the Principal.

The second appeal petition dated 28-10-2016 is taken up for hearing in presence of the petitioner and respondent present , as above.

The learned Advocate appearing for the Principal of Modern High School submitted that the school was given 'No Objection' by the Directorate of Secondary Education, Assam, on recommendations of the State Level Committee vide Govt. order Memo No. GIS/NOC/12/2008/299 dated 26th June, 2008 and also produced a copy of this order before this Commission. From this it is clear that the averment made by the Joint Director and SPIO of the office of Directorate of Secondary Education, Assam at the hearing on 1-12-2016 was not correct.

The learned Advocate also submitted a written statement signed by the Principal of Modern High School, Guwahati, which is entered into the case records. With the written statement he has enclosed several enclosures, including orders of Hon'ble Gauhati High Court, Govt. order dated 26th June, 2008 granting NOC as mentioned above, Certificate of Registration of Societies in favour of Modern Educational Society, and the Society's Rules and Regulations etc.

From the above deliberations it appears that Modern High School, Mother Teresa Road, Gitanagar, Guwahati-20 falls within the ambit of Assam Non-Government Educational Institutions (Regulation and Management) Act, 2006. The Director of Secondary Education, Govt. of Assam is empowered under Section 10(xvii) and 10 (xviii) of the Act to have access to various informations relating to the School.

This Commission, therefore, directs the Director of Secondary Education to obtain the information sought for by the petitioner vide his RTI application dated 12-9-2016 to the extent that they are admissible under Assam Non-Government Educational Institutions (Regulation and Management) Act, 2006 read with the relevant

provisions of the RTI Act and furnish the same to the petitioner within 20 days from the date of receipt of this order.

The petitioner requested for a copy of the written petition submitted by the Principal of Modern High School along with the relevant enclosures. This Commission advises him to submit a separate prayer for that.

The petitioner will also be at liberty to hand over a copy of this order to the Director of Secondary Education , Assam, personally for expeditious furnishing of information.

With the above order the second appeal petition dated 28-10-2016 is disposed of.

Sd/-

(H. S. Das)

**State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

Memo No SIC/ KP(M).703/2016 / 47-A

Dated 20-12-2016 Copy to:.

- 1) SPIO of the Directorate of Secondary Education, Assam, Kahilipara, Guwahati-19 for information and necessary action, as ordered above.
- 2) Sri Sri Shyama Kanta Sinha, C/O Mr Narendra Nath Neog, Shantinagar, Kahilipara, 4th APBN Road, near Tetriskuti Mandir, P.O- Kahilipara , Guwahati- 19 for information.
- 3) Principal Modern High School, Mother Teresa Road, Geetanagar, Guwahati for information.
- 4) Computer Section for uploading in the Website.
- 5) Office file.
- 5) Order Book.

Registrar

Assam Information Commission.