

Case No. : **KP(R). 29 /2016**
Complainant/ Appellant : **Ramjan Khan**
Respondent : **Inspector of Schools, Barpeta**
Date of Hearing : **7-2-2017**
Complaint/ Second : **Shri H. S. Das, IAS (Retd)**
appeal heard by : **State Chief Information Commissioner, Assam**

O R D E R
7-2-2017

The petitioner Sri Ramjan Khan is present. The public authority to be represented by the SPIO of the Office of the Inspector of Schools, Barpeta District Circle, Barpeta has sent a written submission dated 4-2-2017 stating that she is a physically handicapped person, physically too weak to attend the hearing before this Commission today. She has prayed for exemption of her personal appearance and instructed the Headmaster of Janakalyan High School to attend the hearing before this Commission today.

Accordingly, Sri Mazibar Rahman Khan, Headmaster of Jana Kalyan High School is present.

The second appeal petition dated 22-5-2014 is taken up for hearing in presence of both the parties.

In her written submission dated 4-2-2017 the SPIO & Planning and Statistical Officer of the Inspector of Schools, Barpeta also mentioned that she had already submitted a detailed report vide her letter No. SPIO/RTI/2/Appeal/2014-15/1847 dated 4-2-2017.

From perusal of the above-mentioned report dated 4-2-2017 and the case records it is seen that by his RTI petition dated 10-2-2014 the petitioner wanted to know whether any other teacher was appointed, prior to 1-1-2016, as music teacher in the post against which one Ajmal Ali Ahmed was appointed as music teacher of Jana Kalyan High School in pursuance of the School Managing Committee's resolution No-2 dated 19-4-2017.

From the written submission of the Headmaster and its enclosures, it is seen that the Headmaster had written to the petitioner vide letter dated 29-4-2014 to come and collect the required information from his office, but the petitioner did not go.

In course of today's hearing it transpired that the Jana Kalyan High School, Satbhoinirtop, P.O- , Barpeta Road, District- Barpeta is a venture school as submitted by both the petitioner and the respondent. Moreover it is not in receipt of any financial assistance from the State Govt. as stated by the Headmaster. Hence the Headmaster of the school cannot be treated as a public authority or SPIO under the RTI Act.

The Headmaster, however, submitted orally that in 2005 one Sri Abdul Gani joined as music teacher of the school. After sometime he stopped taking classes.

Hence, in 2007 the School Managing Committee appointed one Ajmal Ali Ahmed as a music teacher of the school. Sri Ajmal Ali Ahmed also resigned in 2012. Thereafter Sri Abdul Gani again came back and the Managing Committee allowed him to continue as music teacher of the school , as if he has been continuing since 2005.

The petitioner Sri Ramjan Khan submitted that although the school is a venture school the post of music teacher in the Janakalyan High School, Barpeta is approved by the Inspector of School, Barpeta District Circle.

In any case, since the above mentioned Janakalyan High School is still a venture school, this Commission is not in a position to pass any order except recording the above observations and depositions as made by the present Headmaster of the school and the petitioner.

Sd/-

(H. S. Das)

**State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

Memo No SIC/ KP(R) 29 /2016/14-A

Dated 7-2-2017

Copy to:.

- 1) Sri Mazibar Rahman Khan, Headmaster of Jana Kalyan High School , Barpeta District Circle, Barpeta for information..
- 2) Sri Ramjan Khan,, Village & P.O-Khoponikuchi, P.S-Hajo, District- Kamrup (Rural), Assam, PIN--781102 for information.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

Registrar

Assam Information Commission