



OFFICE OF THE

ASSAM STATE INFORMATION COMMISSION

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : MRN.5/2007
Complainant/ Appellant : Sri Anmol Sing Chauhan
Respondent : Inspector of Schools, MDC, Morigaon
Date of Hearing : 7-7-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R **7-7-2017**

1. The petitioner/ appellant Sri Anmol Sing Chauhan is present accompanied by one Sri Sangram Sing Chauhan to assist him. The public authority is represented by :- (1) Sri Dhiraj Baishya, SPIO, Planning & Statistical Officer, Office of the Inspector of Schools, MDC, Morigaon, (2) Sri Abbas Ali, Jr. Assistant and (3) Smti Bhabani Kalita, Asstt. Director and ASPIO, of the Directorate of Secondary Education, Assam , Kahilipara.

2. The second appeal petition dated 13-2-2017 , as re-submitted on 20-5-2017 after rectifying the infirmities in the earlier second appeal petition is taken up for hearing in presence of both the parties.

3. The SPIO of the office of the Inspector of Schools, MDC, Morigaon submitted a written statement dated 6th July, 2017 which is entered into the case records.

4. The SPIO and Joint Director of the office of Directorate of Secondary Education, Assam also submitted a written statement dated 5th July, 2017 which is also entered into the case records.

5. The petitioner filed an RTI petition dated 5-12-2016 before the Directorate of Secondary Education, Assam, which was subsequently transferred by the Directorate of Secondary Education to the Inspector of Schools, MDC, Morigaon vide letter dated 25-1-2017. The petitioner by his RTI petition sought list of teaching and non-teaching staff of Gerua Kabiram Boro Jr. College since 2005 together with copies of appointment letters and qualifications of Principal and the teaching staff. As already noted in this Commission's earlier order dated 15-11-2016 in second appeal case No. MRN. 3/2015 involving the same petitioner Sri Anmol Sing Chauhan,. Gerua Kabiram Boro Jr. College is a venture educational Institution and hence it cannot be treated to be a public authority. It was also mentioned in the same order that the Directorate of Secondary Education, Assam, in exercise of powers under **"The Assam Non-Government Educational Institution (Regulation and Management) Act, 2005 "** can access admissible informations and furnish the same to the petitioner.

6. The Director of Secondary Education, Govt. of Assam is , Therefore, directed to refer to the relevant provisions of the above-mentioned State Act, 2006 and furnish the sought for informations to the petitioner within forty five days from the date of receipt of this order. While doing so the Director will take care to deal with informations that may be exempted under Section 8 of the RTI Act, 2005 or any third party informations like copies of individual mark sheets and certificates etc. falling within the ambit of Section 8(j) and/or Section 11 of the RTI Act, 2005. with reference also to such provisions of the RTI Act, 2005.

With the above order the second re-submitted second appeal petition dated 20-5-2017 is disposed of.

Sd/-
(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

**Sd/-
Registrar
Assam Information Commission**

Memo No SIC/ MRN.5/2007/ 46 -A

Dated 7-7-2017

Copy to:-

- 1) Smti Bhabani Kalita, Asstt. Director and ASPIO, of the Directorate of Secondary Education, Assam , Kahilipara, for information and necessary action, as ordered above..
- 2) Sri Anmol Sing Chauhan, C/O Late Singhasan Chauhan, Vill & P.O-Bhurgaon, Dist-Morigaon , PIN-782121 for information.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

**Registrar
Assam Information Commission.**