

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

Case No. : SIC/BPT.45 /2017
Appellant : Shri Mati Dewan
Respondent : The SPIO/Headmaster, Putlartary Khablarbhitha M.E.M.,
Khablarbhitha, Dist- Barpeta, Assam

Date of hearing : 12.04.2018
Second Appeal heard by : Shri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R
12.04.2018

Md. Abdul Hamid, Headmaster, Putlartary Khablarbhitha M.E. Madrassa and Md. Marttaz Khan, President are present.

A Written Statement dated 29.01.2018 has been received from the Block Elementary Education Officer, Bhawanipur Block, Howly.

The Appellant absent without information.

Perused the case record. The Appellant had submitted his Second Appeal dated 27.10.2017 stating that he had not received the information he had sought for through his RTI Application dated 21.06.2017. The Application had been transferred by the BEEO to the Headmaster of the said School. The Appellant had submitted that the Headmaster absented himself in the hearings taken by the BEEO in connection with his First Appeal dated 31.07.2017.

Heard the Headmaster and the President of the School. They submitted that their school was a venture one and that it had received a small amount of Government Grant towards teacher's salary during the years 2012-13 and 2013-14 only.

Considering that the school in question is a venture one, the management of the institution does not constitute a Public Authority as defined by the RTI Act, 2005 U/S 2 (h). However, U/S 2 (f) of the Act, the BEEO is duty bound to furnish such information sought for by the RTI Applicant as he can access from that school under any law, rules or regulations in force. The Commission therefore hereby orders that the said BEEO shall obtain such information from the said school and furnish the same to the Appellant within 15 days of receiving this order.

The Second Appeal is hereby disposed of.

Sd/-

Pinuel Basumatary IA & AS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Joint Registrar
Assam Information Commission

Copy to:

1. The SPIO, O/o the Headmaster, Putlartary Khablarbhitha M.E.M., Khablarbhitha, PO-Khablarbhitha, Dist- Barpeta, Assam, Pin- 781 352 for information and necessary action.
2. The First Appellate Authority/Block Elementary Education Officer, Bhawanipur Block, Howly, Dist- Barpeta, Assam, Pin- 781 316 for information.
3. The Appellant, Shri Mati Dewan, S/o- Lt. Mahammad Ali Dewan, Vill- Kuriha, PO-Kayakuchi, Dist- Barpeta, Assam, Pin- 781 352 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission

