



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

Case No. : KP(M).747/2019
Complainant/ appellant : Shri Jayanta Mahanta
Respondent : SPIO, Directorate of Elementary Education, Govt. of Assam
Date of hearing : 22.8.2019
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
22.8.2019

1. The appellant Shri Jayanta Mahanta is present. The public authority is represented by:-
(1) Shri Lachit Basumatary i/c Block Elementary Education Officer, Rani, (2) Shri Monoranjan Das, LDA cum Accountant, SSA, Rani Block and (3) Shri Dipanka Sarma, Block Accountant, SSA, Rani Block. The second appeal petition dated 27.3.2019 read with the RTI petition dated 10.10.2018 is taken up for hearing in presence of both the parties.
2. From perusal of the case records it is seen that the appellant filed an RTI petition dated 10.10.2018 before the SPIO of the Directorate of Elementary Education, Govt. of Assam, which was transferred by the SPIO of the Directorate to the Dy. Director of Elementary Education i/c of Amalgamation matter vide letter dated 26.10.2018. The Dy. Director against transferred it to the District Elementary Education Officer, Kamrup (M) vide letter dated 1.12.2018 followed by reminder dated 28.12.2018.
3. The District Elementary Education Officer, Kamrup (M) has submitted a written statement dated 17.8.2019 stating that since the subject matter of RTI application falls within the jurisdiction of the Block Elementary Education Officer, Rani, District Kamrup (M), the RTI application was transferred to him vide letter dated 17.12.2018. The District Elementary Education Officer by another letter dated 17.8.2019 advised the BEEO, Rani to appear before this Commission in today's hearing. Accordingly the BEEO, Rani was present.
4. The BEEO, Rani Education Block submitted orally that as per Government directions and in course of implementation of the scheme " Siksha Kshetra", two or more schools located in the same campus were to be amalgamated. There were two L.P. Schools in Agchia village of Rani Elementary Education Block, viz. 1143 No. Agchia Girls' L.P. School and 11 No. Boys' L.P. School. As per Government notification No. PMA. 811/2017/103 dated 19.12.2017, these two schools were to be amalgamated where the 1143 No. Agchia Girls' L.P. School was the base L.P. School. After such amalgamation with effect from 6.12.2017, the amalgamated school was renamed as Agchia L.P. School as per decision of local community of Agchia village and Govt. Notification dated 19.12.2017 mentioned above. Accordingly, in place of the two separate schools Management Committees, which were dissolved, a new Management Committee was formed for the amalgamated Agchia L.P. School with effect from 6.12.2017.
5. The appellant vide his RTI petition dated 10.10.2018 sought the following informations :-
(a) Certified copies of the applications and attached documents submitted by the SLCs of the two L.P. Schools, the BEEO, Rani EE Block and DEEO, Kamrup (M) for proper amalgamation of No.1143 Agchia Girls' L.P. School and No.11 Agchia Boys' L.P. School.

- (b) Copy of the resolution passed by the general meeting, i.e. the meeting of the village community to decide amalgamation of the above mentioned two L.P. Schools.
- (c) Certified copies of orders and approvals passed or issued by the BEEO, D.I. of Schools and DEEO in connection with the amalgamation of the above mentioned two schools.
- (d) The reasons as to why the No. 1143 Agchia Girls" L.P. School has not been treated as the base school by the concerned authorities for the purpose of amalgamation and
- (e) Certified copy of spot verification report of the concerned BEEO as regards amalgamation of the two L.P. Schools.

6. This Commission is of the view that the above five informations sought for by the petitioner are otherwise admissible under the RTI Act, 2005, provided such informations were generated and therefore, exist. The BEEO, Rani EE Block is, therefore, directed to furnish the sought for informations to the petitioner by registered post within 15 days from the date of this order, which was pronounced in presence of both the parties. In case any of the sought for informations were not generated, and therefore, does not exist, then the appellant may be advised accordingly, giving reasons for non-existence of such records/informations.

With the above order, the second appeal petition dated 27.3.2019 is disposed of.

Sd/-

(H. S. Das)

Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.



Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M).747/2019/

Dated. 22.8.2019

- Copy to:
1. The SPIO of the office of the Directorate of Elementary Education, Govt. of Assam, Kahilipara, Guwahati-19 for information.
 2. The Block Elementary Education Officer, Rani Elementary Education Block, District. Kamrup (M), Assam for information and necessary action.
 3. Shri Jayanta Mahanta, Vill & PO- Agchia, Dist. Kamrup (M), Assam, PIN- 781128 for information.
 4. Computer Section for uploading in the Website.
 5. Office File.
 6. Order Book.



Registrar i/c
Assam Information Commission