

GAHC010057762024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1715/2024

GOLAP HUSSAIN
SON OF LATE A. MUTALEB,
VILL- AND P.O.- SITOLI,
P.S.- BAGHBAR, DISTRICT- BARPETA,
ASSAM, PIN- 781308.

VERSUS

THE STATE OF ASSAM AND 6 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO THE
GOVERNMENT OF ASSAM,
DEPARTMENT OF ELEMENTARY EDUCATION,
DISPUR, GUWAHATI-6.

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI-19.

3:THE ASSAM INFORMATION COMMISSION
GADAPANI PATH
JURIPAR
PANJABARI

GUWAHATI- 781037.

4:THE STATE PUBLIC INFORMATION OFFICER
ASSAM INFORMATION COMMISSION
JURIPAR
PANJABARI
GUWAHATI-37.

5:THE DISTRICT COMMISSIONER

BARPETA.

6:THE INSPECTOR OF SCHOOLS

BARPETA DISTRICT CIRCLE

SUNDARIADIA

BHERA

ASSAM

781314.

7:THE HEADMISTRESS

DAKSHIN JANIA ORIENTAL HIGH SCHOOL

VILL- SITOLI

P.O.- SITOLI

P.S.- BAGHBOR

DIST- BARPETA

ASSAM

PIN- 781308

Advocate for the Petitioner : MR M J QUADIR

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA

ORDER

Date : 01.04.2024

Heard Mr. S.S. Islam, learned counsel for the petitioner, Ms. S. Konwar, learned counsel for the respondent nos. 1 and 2, Ms. M. Barman, learned Govt. advocate, representing the respondent nos. 3, 4 and 5 as well as Mr. D. Musahary, learned standing counsel for Secondary Education Department, representing the respondent nos. 6 and 7.

2. The petitioner claims to be a businessman and he has come to know from some reliable source about misappropriation of funds regarding mid-day meal

and appointment of teachers in the Dakshin Jania Oriental High School in the district of Barpeta. Claiming to be a responsible citizen, the petitioner has made a RTI application seeking for certain particulars. The information, sought for are extracted below:

1. Order copy of school recognition of Class X of Dakshin Jania Oriental High School.
2. Statement showing the particulars of students in H.S.L.C. Examination 2010.
3. Conversion order from 3(three) classes to 6(six) classes in respect of D.J.O. High School.
4. School provincialisation order copy.
5. Photo copy of Attendance Regt. of Teaching Staff from the session 2002 to 2012. Mentioned that in ever/ session of three months (January, February and March) only.
6. Order copy of valid Managing Committee from 2002 to 2013, which was been approved by Inspector of Schools, Barpeta.
7. Proceeding copy and M.C.'s resolution no. and date which are been existing teachers and all category employees along which with their post approval order by the department authority in concern school.
8. Statements/ Utilization showing disbursement Ad-hoc grant, Financial Assistance/ etc. from the session 2002 to 2012, who are working in the sanctioning post.
9. Advertisement order copy of teachers which are been appointed from 2002 to 2012, as per instruction of Inspector of Schools, BDC, Barpeta.
10. Who was the Head Master of D.J.O. H.S. School in the year of 2009-2010-2011.

3. We do not find any of the query relevant for ascertaining any live issues regarding the siphoning of mid day meal scheme money or appointment of teachers. Therefore, the writ petition is found to be misconceived and appears

to have been filed for some collateral or oblique purpose. Accordingly, the writ petition stands dismissed in limine without issuance of notice on the respondent.

4. The learned Govt. advocate and learned standing counsel for the respondents shall transmit a downloaded copy of the order to the concerned respondents.

JUDGE

Comparing Assistant