

Government of West Bengal
Education Directorate
Bikash Bhawan, Salt Lake, Kolkata - 700 091

Memo No: ED- 1964 / 2017

Dated: Kolkata, the 22nd September, 2017.

From: The Director of Public Instruction,
West Bengal.

To: The Principal/Teacher-in-Charge/Officer-In-Charge of Govt., Govt. aided and erstwhile
Sponsored Colleges of West Bengal.

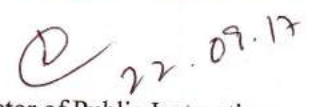
**Sub: Appointment of Public Information Officer and Appellate Authority in different
Government and Government aided colleges of West Bengal.**

Ref: G.O. No. 209 (3) -HE (Estt.) Dated 12.02.2010

With reference to the subject mentioned above , all Principals/Teachers-in-Charge/Officer-in-Charge of Govt., Govt. aided and erstwhile Sponsored colleges of West Bengal are directed to appoint 'State Public Information Officer' and 'Appellate Authority' and send the names , designations and phone number of those officers so designated to the Education Directorate , West Bengal as per the following FORMAT within 12.10.2017 positively.
Please see the attached letter for the modalities involved.

Name of the College	Address	SPIO details			Appellate Authority details		
		Name & Designation	Contact No.	e-mail id	Name & Designation	Contact No.	e-mail id

Enclosure: As stated:


Director of Public Instruction
West Bengal

Memo No: ED-1964 /1(3) / 2017

Dated: Kolkata, the 22nd September, 2017.

Copy forwarded for information to:

1. The Joint Secretary Government College and Appointment Branch, Department of Higher Education, Science & Technology and Biotechnology, Government of West Bengal, Salt Lake, Kol-91.
2. Senior P.A to the Secretary, Department of Higher Education, Science & Technology and Biotechnology, Government of West Bengal, Salt Lake, Kol-91.
24. Guard File.

Director of Public Instruction
West Bengal

GOVERNMENT OF WEST BENGAL,
HIGHER EDUCATION DEPARTMENT
ESTABLISHMENT BRANCH
BIKASH BHAVAN, SALT LAKE, KOLKATA-91

No. 209(3)-HE(Estt.)/10M-04/10

dated Kol, the 12th. Feb., 2010.

From : Shri K. K. Bhaumik
Joint Secretary to the Government of West Bengal.

- To : 1. Director of Public Instruction, West Bengal.
2. Director of Technical Education, West Bengal.
3. Joint Secretary, Social Education Branch.

Subject : Appointment of Public Information Officer and
Appellate Authority in different Colleges
affiliated under different Universities of the
State and in Non-Govt. Organisations.

Sir,

I am directed to state that as per Clause (h) of Section 2 of the Right to Information Act, 2005 a "Public Authority" is any authority or body or institution of self-government established or constituted by or under the constitution; or by any other law made by the Parliament or a State Legislature; or by notification issued or under made by the Central Government or a State Government. The bodies owned, controlled or substantially financed by the Central Government or State Government and non-government organisations substantially financed by the Central Government or a State Government also fall within the definition of Public Authority. The financing of the body or the NGO by the Government may be direct or indirect.

Subsection (1) of Section 5 of the RTI Act, 2005 provides that every public authority shall designate as many officers as the 'Central Public Information Officers' or 'State Public Information Officers', as the case may be, in all administrative units or offices under it as may be necessary.

Sub-Section (8) of Section 7 of the RTI Act, 2005 provides that where a request for information is rejected, the PIO shall, inter-alia, communicate the particulars of Appellate Authority to the person making the request. Thus, the applicant is informed about the particulars of Appellate Authority when a request for information is rejected but there may be cases where the PIO does not reject the application, but the applicant does not receive a decision within the time as specified in the Act or he is aggrieved by the decision of the PIO. In such a case the applicant may like to exercise his right to appeal. But in absence of the particulars of Appellate Authority, the applicant may face difficulty in making the appeal. All the public authorities should therefore designate the 'Appellate Authorities' and publish their particulars alongwith the particulars of the Public Information Officers.

So, it is clear from the above provisions of the Act that every Government College and Colleges substantially financed (including 'sponsored' colleges) are Public Authority and all such Colleges are, therefore, required to appoint 'State Public Information Officer' and 'Appellate Authority'. The bodies owned, controlled and substantially financed by the Government and Non-Government organisations substantially financed by the Govt. are also Public Authorities and required to appoint 'State Public Information Officer's and 'Appellate Authorities'.

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In the circumstances stated above, I am directed to request you to kindly issue necessary instructions to the relevant Colleges and Non-Government organisations under your respective jurisdiction to appoint State Public Information Officers and Appellate Authorities at the earliest and send the names, designations and phone Nos. of those officers so designated to the Establishment Branch of this Department immediately.

Yours faithfully,

Sd/- K.K. Bhaumik.
Joint Secretary.

No. _____ dated the _____ June, 2010.

Copy forwarded to the Principal/Teacher-in-Charge/Secretary/Administrator,

_____ College/Mahavidyalaya for information and necessary
action.

for Director of Public Instruction,
West Bengal.