



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

Case No. : **KP(M).337/2014**  
Complainant/ appellant : **Sri Dulal Bora**  
Respondent : **Education (Elementary) Department**  
Date of hearing : **27-04-2016**  
Complaint/ Second : **Shri H.S. Das, IAS ( Retd)**  
appeal heard by : **Chief Information Commissioner, Assam**

**O R D E R**

The petitioner Sri Dulal Bora is present. The public authority is represented by (1) Smti Jinti Das, ACS, Deputy Secretary & SPIO, Elementary Education Department (2) Smti Rumi Choudhury, Deputy Director and SPIO, Directorate of Elementary Education (3) Sri Khagen Deka, Sr. Administrative Assistant, Office of the Director of Elementary Education, Kahilipara, Guwahati-19 & (4) Sri Nitul Barman, Sr. Administrative Assistant, Assam Secretariat, Dispur.

The second appeal petition dated 17-12-2013 is taken up for consideration, on merit, in presence of both the parties.

From perusal of the case records, it is seen that the petitioner Sri Dulal Bora filed an RTI petition dated 22-7-2013 addressed to the Commissioner, Elementary Education Department, Govt. of Assam . Vide his RTI petition he sought information about :-

- (a) The number and names of teachers with schools, who retired during the tenure of Sri Sajat Baruah as BEEO in Dergaon of Golaghat district.
- (b) After joining of Sri Sajat Baruah as BEEo in Dergaon till the date of the RTI petition dted 22-7-2013, how many teachers' pensions were regularized and how many teacher's pensions are yet to be regularized, together with the names of those teachers.
- (c) He also wanted to know the reasons for non regularization of pensions of the said teachers.

The SPIO of the Directorate of Elementary Education produced a copy of the Communication dated 9<sup>th</sup> September, 2013 , enclosing a list of the teachers who retired, in response to Question (a) above.

The petitioner said that he has not received the sought for information The Commission directs the SPIO of the Directorate of Elementary Education to furnish a copy of the list of the retired teachers to the petitioner and take an acknowledgement receipt from him to that effect.

With regard to the second part of the information sought for , this Commission observed that the Director of Pensions is the competent authority to sanction elementary school teachers pension. The BEEO's role is limited to forwarding of the pension papers to the competent authority for sanction of pensions.

On being asked by the Commission, the petitioner submitted that he is interested in knowing the names of the retired teachers whose pension papers were forwarded by the BEEO, Dergaon to the higher authorities and names of retired teachers who submitted their pension papers before the BEEO, Dergaon and which were yet to be forwarded to the higher authorities for sanctioning regular pension till the date of the RTI petition.

This Commission, therefore, directs the SPIO of the office of Directorate of Elementary Education to furnish the above information to the petitioner within 30 days from the date of receipt of this order.

As regards the reason , why some teachers' pensions were not regularized, the Directorate of Elementary Education or the BEEO is not the competent authority to furnish the information. For this the petitioner may file separate RTI petition before the Director of Pension, Govt. of Assam.

With the above order, the second appeal petition dated 17-12-2013 is disposed of.

**Sd/-**

**(H. S. Das)**  
**Chief Information Commissioner, Assam**  
**Panjabari, Guwahati**

**Authenticated true copy.**

**Sd/-**

**Registrar**  
**Assam Information Commission**

**Memo No.SIC/KP(M)/ 337/2014/**

**Dtd. 27-4-2016**

1. Smti Jinti Das, ACS, Deputy Secretary & SPIO, Elementary Education Department Dispur, Guwahati-6,for information.
2. Smti Rumi Choudhury, Deputy Director and SPIO, Directorate of Elementary Education, Kahilipara, Guwahati- 19 for information.
3. Computer Section for uploading in the Website.
4. Office File.

**Registrar**  
**Assam Information Commission**