



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

Case No. : **KP(M) 34/2014**

Complainant/ appellant : **Sri Partha Sarathi Das**

Respondent : **Inspector of Schools, Kamrup**

Date of hearing : **02-07-2016**

Complaint/ Second  
appeal heard by : **Shri H.S. Das, IAS ( Retd)  
Chief Information Commissioner, Assam**

**O R D E R**

The petitioner Sri Partha Sarathi Das, is present. The public authority is represented by:-(1) Sri Bakul Ch. Bania, SPIO and Planning Officer, Office of the Inspector of Schools, Kamrup (Metro) District, Guwahati , and (2) Sri Pramod Kr. Sarma, Sr. Assistant , of the same office.

The complaint petition dated 7-12-2013 and subsequent complaint petition dated 18-3-2014 for non compliance of this Commission's ex-parte order dated 18-1-2014 are taken up for hearing in presence of both the parties.

The petitioner submitted in writing that he is still interested in getting the sought for information. Therefore, his complaint petitions are taken up for hearing as second appeal petitions.

From perusal of the case records, it is seen that the petitioner filed an RTI petition dated 27-4-2013 before the Director of Secondary Education, Assam, seeking informations about payment of arrear salary to his wife Mrs. Navanita Choudhury, subject teacher of Bani Kanta Memorial Girls' School, Guwahati-8. It is seen that Mrs. Navanita Choudhury, subject teacher filed two applications dated 10<sup>th</sup> May, 2011 and 18<sup>th</sup> January, 2012 addressed to the Director of Secondary Education through the Inspector of Schools, Kamrup (Metro) District.

The Directorate of Secondary Education vide letter dated 31-5-2013 transferred the RTI petition to the Inspector of Schools, Kamrup (Metro) district requesting him to provide the information to the applicant.

Meanwhile, the State Information Commissioner, Sri M. C. Malakar passed an ex-parte order dated 18<sup>th</sup> January, 2014 seeking clarifications from the SPIO in the office of

Inspector of Schools, Kamrup (Metro) District for non-submission of the sought for information in time.

The Inspector of Schools, Kamrup (Metro) District has sent a written submission dated 30-6-2013, which is entered into the case records. The Inspector of Schools has stated that the petitions of Smti Nabanita Choudhury was on two counts:-

- (a) Arrear salary for the month of January, 2011 and**
- (b) Arrear salaries for the period -1-1-1996 to 31-7-1998 and again from 1-8-1998 to 29-2-2008**

The Inspector of Schools has submitted that arrear salary for the month of January, 2011 has meanwhile been sanctioned and paid to Smti Nabanita Choudhury. The petitioner also acknowledged this fact. He now wants to know the position with regard to arrear salary position mentioned at (b) above. The Inspector of Schools has mentioned in his written statement that the proposal for arrear salary for the said period have been forwarded to the Director of Secondary Education, Assam , but the sanction from the Director has not yet been received. The Inspector of Schools has further mentioned that sanction in respect of arrear pay , including Nil bills, for other employees also have not yet been received from the Director, Secondary Education.

From the above, it appears that the Inspector of Schools, Kamrup (Metro) District sent necessary proposals to the Director, Secondary Education, Assam vide letter dated 6-8-2013 and the matter of necessary sanction and release of required funds is pending with the Director, Secondary Education without issuing necessary sanction and release of necessary funds.

The representatives of the Inspector of Schools , Kamrup (Metro) District could not say anything further.

The original RTI petition dated 27-4-2013 was addressed to the Director, Secondary Education, Assam and the information on action taken on the RTI petition and the prayers dated 10<sup>th</sup> May, 2011 and 18-1-2012 of Smti Nabanita Choudhury **should be available with the Director.**

This Commission observes that it was , therefore, not correct on the part of Director, Secondary Education to transfer the RTI petition to Inspector of Schools.

This Commission, therefore, directs the Director, Secondary Education, Assam to inform the petitioner about the present position in respect of the above mentioned two prayers of Subject teacher Smti Nabanita Choudhury and what action was taken on her prayers and on the proposal dated 6-8-2013 from the Inspector of Schools, Karmup (Metro) District for sanction and release of arrear salary of the concerned employees – within 15 days from the date of receipt of this order.

Issue a copy of this order to the Director of Secondary Education and also to the Secretary, Govt. of Assam, Department of Secondary Education, for their information and necessary action.

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

**Authenticated true copy.**

**Sd/-**

**Registrar**

**Assam Information Commission**

**Memo No.SIC/KP(R).34 /2014/31-A**

**Dtd.02-7-2016**

**Copy to:**

1. The Secretary, Govt. of Assam, Department of Secondary Education, Dispur, Guwahati-6 for information and necessary action.
2. Director of Secondary Education, Assam , Dispur, Guwahati-6 for information and necessary action.
3. Sri Bakul Ch. Bania, SPIO and Planning Officer, Office of the Inspector of Schools, Kamrup (Metro) District, , Panbazar, Guwahati-1 ,for information
4. Sri Partha Sarathi Das, House No.-3, Shanti Path, Near Neha Apartment, Rukminigaon, Guwahati-22 District- Kamrup, Assam for information.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

**Registrar**

**Assam Information Commission**