

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

Case No. : **KP(M)80/2015**

Complainant/ appellant : **Sri Manik Ch. Das**

Respondent : **Director of Elementary Education, Assam**

Date of hearing : **23-8-2016**

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

**O R D E R**

The petitioner Sri Manik Ch. Das is present. The public authority is represented by :- (1) Smti Rumi Choudhury, SPIO and Deputy Secretary, Elementary Education Department , Kahilipara, Guwahati-19, (2) Sri Bharirath Singha, Dealing Assistant, office of the Director, Elementary Education, Assam, and (3) Sri Girindra Nath Haloi, Jr. Assistant of the same office.

From the records it is seen that the petitioner Sri Manik Ch. Das filed an RTI petition dated 9-6-2014 before the Directorate of Elementary Education, Govt. of Assam. The gist of the information sought for by him is that the petitioner was an employee (Field Assistant) in the Directorate of Economics and Statistics from 26-3-1990. He took quasi lien and joined in the Elementary Education Department as a Graduate Science teacher with effect from 12-8-1993. He filed his prayer dated 1-10-2013 for granting continuity of service through the District Elementary Education Officer, Kamrup. His prayer was received in the office of the Director, Elementary Education on 4-10-2013. On 20-3-2014 the Director, Elementary Education Officer wrote to the District Elementary Education Officer , Kamrup (Metro), seeking details of the case. The District Elementary Education Officer replied to the Directorate of Elementary Education on 9-4-2014. However, the petitioner has not yet received any information from the Director of Elementary Education about his prayer dated 1-10-2013.

Thereafter, he filed RTI petition dated 9-6-2014 followed by First Appeal petition dated 15-1-2014. Today the petitioner filed a written submission stating that he is still awaiting a reply for the sought for information and, therefore , prayed to allow him to convert his complaint petition dated 2-7-2015 into a second appeal petition. His prayer is granted.

The SPIO of the Office of Director, Elementary Education has submitted a written statement dated 20<sup>th</sup> August, 2016 stating that the matter involved in the RTI petition is dealt by the Appointment 'A' branch of the Directorate of Elementary Education and that they had already informed the petitioner regarding the present position with regard to his RTI petition. The present position in brief is that detailed and complete information has been sought from the District Elementary Education Officer, Kamrup (Metro) and it is still awaited.

This Commission is of the view that the decision on the petitioners original prayer dated 1-10-2013 will have to be taken by the Directorate of Elementary Education with reference to the relevant rules regarding the continuation of serves of an employee who came from another department on quasi lien, if necessary with the approval of the State Govt. in the Elementary Education Department.

This Commission, therefore, directs the SPIO of the Elementary Education Department and the concerned officer of the Appointment "A" branch of the Director of Elementary Education Department , who is impleaded as the deemed PIO under Section 5(5) of the RTI Act to verify the petitioner's service records from the Directorate of Economics and Statistics and from the District Elementary Education Officer Kamrup (Metro) that the applicant has been working continuously in both the Departments and inform the petitioner about the

Government decision in the matter within a period of 90 days from the date of receipt of this order.

With the above order the second appeal petition dated 2-7-2015 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) KP(M)80/2015/45-A  
Copy to:**

**Dated.23-8-2016**

1. Smti Rumi Choudhury, SPIO and Deputy Secretary, Elementary Education Department, Kahilipara, Guwahati-19 for information and necessary action, as ordered above.
2. Sri Manik Ch. Das, Science Graduate Teacher Swahid Kushal Konwar M.W School, Panikhaiti, Pragjyotishpur, Guwahati-26 for information.
3. Computer Section for uploading in the Website.
4. Office File.

**Registrar  
Assam Information Commission**