

Case No. : **KP(M).537/2016**
Complainant/ Appellant : **Sri Pradip Kr. Saha**
Respondent : **DEEO, Assam, Kahilipara**
Date of Hearing : **2-2-2017**
Complaint/ Second : **Shri H. S. Das, IAS (Retd)**
appeal heard by : **State Chief Information Commissioner, Assam**

O R D E R**2-2-2017**

The petitioner Sri Pradip Kr. Saha is present. The public authority is represented by :- (1) Smti Buli Gogoi Bhuyan, DEEO, Kamrup (Metro) , (2) Sri Jibeswar Medhi, APIO of the office of Director, Elementary Education, Assam , (3) Sri Girindra Haloi , Sr. Administrative Assistant of the same office, (4) Sri Ratan Kr. Das, Computer of the office of Director, Elementary Education Officer, Kamrup (Metro) and (5) Sri Khagen Deka, Sr. Assistant , of the office of DEE, Assam.

The re-submitted second appeal petition dated 29-12-2016 with reference to the petitioner's RTI petition dated 3-4-2015 and second appeal petition dated 31-8-2015 is taken up for hearing in presence of both the parties.

From perusal of the case records it is seen that vide his RTI petition dated 3-4-2015 addressed to the Deputy Director and Asstt. Public Information Officer, of the office of Directorate of Elementary Education , Govt. of Assam the petitioner wanted to know whether Junior Basic scholarships have been paid to the eight students of Railway Higher Secondary School, Maligaon in compliance with Notification dated 12-9-2010 (whose number was not eligible in the copies produced by the representative of DEEO's office and the petitioner himself). The Director, Elementary Education, Assam has sent a written submission dated 1st February, 2017 stating that the RTI petition dated 3-4-2015 was transferred to the DEEO, Kamrup (M) vide letter dated 6-5-2014. Similarly the first appeal petition dated 28-8-2014 and this Commission's Notice dated 17-1-2017 were also transferred to the DEEO, Kamrup, since the matter relates to him.

The DEEO , Kamrup (Metro) has sent a separate written statement dated 1-2-2017 stating that no payment has been made till date towards the Junior Basic Scholarships to the students whose names were listed in the District Elementary Education Officer, Kamrup (M)'s Notification dated 12-9-2010 due to non-receipt of ceiling and sanctioning letter from the higher authorities.

The APIO and I/A of the office of the Director of Elementary Education, Govt. of Assam submitted orally that there was no budget provision for the years 2009-2010, 2010-2011 and 2011-2012 for payment of Jr. Basic Scholarships, although Scholarship examinations were held as usual and list of selected candidates were notified for all the districts of Assam by the concerned DEEO's. He further submitted orally that from the financial year 2012-2013 Jr. Basic Scholarship examination was replaced by Chief Minister's Special Scholarships examination and payment of

Scholarship money on the basis of Chief Ministers Special Scholarship were being made regularly by making special budget provisions from the year 2012-2013,

It, therefore, appears that for the financial years , i.e., 2009-2010, 2010-2011 and 2011-12, the successful candidates , as notified, have still not been paid their scholarship money. This Commission views this lapse seriously and directs the Director, Elementary Education, Govt. of Assam, under Section 19(8)(a) of the RTI Act, to inform the petitioner **within thirty (30) days** from the date of this order, which was pronounced in presence of both the parties, whether any steps have been taken by him or by the State Govt. in the Elementary Education Department, to disburse the Jr. Basic Scholarships to the eligible students for the financial years 2009-2010, 2010-2011-2011-12, before the closure of the current financial year , i.e., before 31st March, 2017 , If no steps have been taken, then also the petitioner will be informed about the reasons for the inaction on the part of the concerned authorities of the State Govt. as recorded in relevant files and correspondence.

This Commission also directs, under **Section 19(8)(a) of the RTI Act**, the Commissioner & Secretary , Govt. of Assam, Elementary Education Department to personally look into the matter, which this Commission treats as serious since it involves the sentiments and legitimate expectation and rights of the tender aged Primary school students and report actions taken by him to this Commission by way of a written statement or by way of deposition in person, on the next date of hearing.

Fix **6-3-2017 at 11.30 A.M** for review of actions taken.

Issue notices to the **DEEO Kamrup (Metro), and to the Director Elementary Education, Assam for their personal appearances on the next date of hearing.**

Sd/-

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

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

Memo No SIC/ KP(M).537/2016/ -A

Dated 2-2-2017

Copy to:

- 1) SPIO of the Office of the DEEO, Assam, Chhatribari, Guwahati-8 , for information and necessary action.
- 2) SPIO of the office of the Director, Elementary Education Officer, Kahilipara, Guwahati-19 for information and necessary action
- 3) Sri Pradip Kr. Saha ,, S/O Late Rahindra Kr. Saha, DS/33/C, Type-II, Rest Camp Colony, Pandu, Guwahati-781012 for information.
- 4) Director, Information & Public Relations, Dispur Last Gate, Dispur, Guwahati-6 for information.
- 5) Computer Section for uploading in the Website.
- 6) Office file.
- 5) Order Book.

**Registrar
Assam Information Commission**