

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

Case No. : CCR.85/2017
Complainant : Smti. Noorjahan Begum Mazumdar
Respondent : SPIO, District Elementary Education Officer, Cachar
Date of hearing : 1.2.2018
Complaint/ Second : Smti. N.A. Hazarika, IAS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R

1.2.2018

The petitioner Smti. Noorjahan Begum Mazumdar is absent. The District Elementary Education Officer (DEEO), Cachar vide letter dated 23.1.18 informed the petitioner with copy to the Commission about the difficulties in releasing of retirement benefits due to non-availability of service records. He stated that on receipt of the Commission's orders dated 16.10.17 and 22.11.17 the Director, Elementary Education (DEE), Assam was requested to regularize the suspension period of Lt. Abdul Mannan Mazumdar, Asstt. Teacher from the date of his suspension from 22.8.94 till his retirement on 31.7.2002 from the end of Director of Elementary Education, Assam with all sorts of benefits to the nominee concerned.

The DEEO has furnished a copy of the letter addressed to the DEE, Assam regarding release of pensionary and other benefits and pending salaries, etc. of Abdul Mannan Mazumdar, Asstt. Teacher, Jirighar Abhinash Mitra M.E. School under Lakhipur Education Block (under suspension and now deceased). The DEEO, Cachar has mentioned that Abdul Mannan Mazumdar, Asstt. Teacher (under suspension and now deceased), Jirighat Abhinash Mitra M.E. School under Lakhipur Education Block, Cachar was placed under suspension vide the DEEO Cachar's order dated 22.8.94, who retired during suspension on 31.7.2002 and died on 14.11.2011 and till date the family members have not got any benefit including arrear subsistence allowance. It has also been mentioned that the teacher concerned died on 14.11.11 and no financial liabilities have been established against the teacher concerned. He submitted that to resolve the case the records had been examined in presence of the DEEO, Lakhipur but the photocopies of documents available were insufficient. In view of the circumstances stated therein, he had requested the DEE, Assam to resolve the issues. The suspension period of Shri Abdul Mannan Mazumdar, Asstt. Teacher, Jirighat Abinash Mitra M.E. School under Lakhipur Education Block (under suspension and now deceased) is to be regularized from the date of suspension dated 22.8.94 up to his retirement on 31.7.02 from the end of DEE, Assam with all sorts of benefits to the nominee concerned.

In view of the circumstances stated above, the Commission observes that the DEE is the competent authority to furnish the information sought for by the petitioner on her RTI petition dated 30.1.17. The Director, Elementary Education is considered as deemed PIO u/s 5(4) and 5(5) of the RTI Act, 2005 and is directed to furnish the information to the DEEO, Cachar within 21 days from the date of receipt of this order, who in turn will furnish the required information to the petitioner within 7 days thereafter.

Fix 16.3.2018 for hearing at 12.00 noon.

Sd/-

(N.A. Hazarika)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Joint Registrar
Assam Information Commission

Memo No. SIC/ CCR. 85/2017/

Dated 1.2.2018

Copy to:

1. SPIO, office of the Block Elementary Education Officer, Lakhipur, PO-Pailapool, Dist. Cachar, PIN-788023, Assam for information and necessary action.
2. The FAA/District Elementary Education Officer, Dist. Cahcar, Silchar, Assam, PIN- 788 003 for information and necessary action.
3. The Director, Elementary Education, Assam, Kahilipara, Guwahati-19 for information and necessary action.
4. Noorjahan Begum Mazumdar, W/o Lt. Abdul Mannan Mazumdar, Vill-Algapur Part II, PO- East Algapur, Dist- Cachar, Assam, PIN -788101 for information.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

Joint Registrar
Assam Information Commission