

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

Case No. : SIC/CCR.151/2017  
Appellant : Shri Pushpendu Chakraborty  
Respondent : The SPIO, O/o The District Elementary Education, Cachar,  
Silchar – 1.  
Date of hearing : 21-9-2017  
Second Appeal heard by : Nilufer Alam Hazarika, IAS(Retd.)  
State Information Commissioner, Assam

**O R D E R**  
21.09.2017

The petitioner Shri Puspendu Chakraborty vide letter dated 15<sup>th</sup> September, 2017 has requested the Commission to exempt him from appearing today due to his old age. He has enclosed a copy of the letter sent by i/c Block Elementary Education Officer addressed to the District Elementary Education Officer with copy to him, wherein it was mentioned that proposal for arrear requirement of fund for payment of arrear dues was submitted to D.E.E.O, Cachar on 22-12-2017.

The Public Authority to be represented by the SPIO, District Elementary Education Officer, Cachar is absent. The First Appellate Authority/Commissioner & Secretary to the Government of Assam, Education Elementary Department has also not informed the Commission about the steps taken to dispose the First Appeal petition.

On perusal of the RTI petition filed by the petitioner on 25-5-2017 before the SPIO, District Elementary Education Officer, Cachar, it appears that he had requested him to enquire into the matter of nonpayment of his arrear pay and allowances by the B.E.E.O., Narsingpur, even though he had requested the B.E.E.O. vide letter dt. 12-4-2017 and 15-2-2017. He stated that authority was issued by the P.A.G.(A & E, Assam) vide letter dated 26-7-2016 for payment of arrear dues for the period 18-5-2011 and 31-8-2013 and pay slip was issued by A.G. vide letter dt. 31-1-2013 for the period 18-5-2010 to 17-5-2011.

He filed his 2<sup>nd</sup> Appeal before the Commission on 17-8-2017 on the ground that no action was taken to enquire into the matter of nonpayment his arrear pay and allowances for the period 18-5-2010 to 31-8-2013 by the D.E.E.O., Cachar inspite of repeated requests and reason for submission of proposal by the D.E.E.O., Cachar for allotment of fund for payment of arrear pay and allowances to the Director of Elementary Education, Assam almost on the last day of the financial year 2016-2017 i.e. 30-3-2017.

The Commission observes that the 1<sup>st</sup> Appellate Authority, Commissioner & Secretary to the Govt. of Assam, Elementary Education Department, Dispur has not heard and disposed the Appeal filed by the petitioner on 1-7-2017. The Commission therefore remands the matter to the 1<sup>st</sup> Appellate Authority to hear and dispose the matter of nonpayment of arrear dues of the petitioner within 21 days from the date of receipt of this order.

Sd/-

( NiluferAlamHazarika,IAS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati.

Authenticated true copy

Sd/-

Joint Registrar  
Assam State Information Commission

Memo No. SIC/CCR.151/2017-A

Dtd. 21.09.2017

Copy to:

1. The SPIO, O/o O/o The District Elementary Education, Cachar, Silchar – 1, Assam for information and necessary action.
2. The First Appellate Authority, The Commissioner and Secretary to the Govt. of Assam, Education Elementary Department, Dispur, Guwahati – 6, Assam for information.
3. Shri Pushpendu Chakraborty, Retd. Block Elementary Education Officer, Narsingpur, Residential Address – 1<sup>st</sup> Link Road, Lane No-10, House No – 5, Silchar-788006, Dist – Cachar, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam State Information Commission