



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No. : SIC/BPT.31 /2019
Appellant : Sri Anil Ch. Roy
Respondent : The SPIO, O/o the Directorate of Elementary Education,
Kahilipara, Guwahati- 19
Date of hearing : 14.09.2020
Second Appeal heard by : Sri Kanak Ch. Sarma, ACS (Retd.)
State Information Commissioner, Assam

O R D E R
14.09.2020

Dr. Rajiv Kumar Jha, Deputy Director and SPIO, Directorate of Elementary Education, Assam is present and has submitted one letter bearing no. DEE/RTI/117/2019/70 dated 10.09.2020.

The petitioner, Sri Anil Ch. Roy is present.

Seen the case record. The appellant Sri, Anil Ch. Roy submitted one RTI petition dated 18.07.2018 before the SPIO of SDO (Civil), Bajali.

Seen the order of this Commission dated 19.06.2019 in case no. SIC/BPT.4/2019 on a similar application of Sri Anil Ch. Roy. It was ordered that the appellant shall be at liberty to submit a fresh appeal before the appropriate First Appellate Authority of the Directorate of Elementary Education, Assam, if he does not receive the informations within the stipulated time.

Seen the application of the appellant dated 18.07.2018. The application consisted of three questions instead of seeking informations viz.

- (a) Graduate teachers appointed prior to 03.09.2001 need not undergo training. Then why their grade pay is not equal to that of trained graduate teachers ?
- (b) Why the grade pay of trained science teacher is equal to that of untrained science graduate teacher in Higher Primary school ?
- (c) Whether 6 (six) months training under IGNOU through Distance Education is considered to be trained ? Can the grade pay of senior teacher be less than junior teacher ?

However, the SPIO submits through its letter no. DEE/RTI/117/2019/70 dated 10.09.2020 that the informations as sought for had already been furnished to the appellant vide its letter no. DEE/RTI/117/2019/52 dated 11.03.2020. The appellant submits today in writing that he has received the informations from the office of the Directorate of Elementary Education, Assam, but he is not satisfied with the replies so received.

The RTI application of Sri Anil Ch. Roy dated 18.07.2018 as stated above consisted of three queries rather than seeking informations. The RTI Act, 2005 does not cast on the public authority any obligation to answer queries. However, the SPIO submits that the informations regarding questions of the appellant had already been furnished to him. It is not obligatory on the SPIO to satisfy the appellant by providing replies of questions but his duty is to furnish informations as available on record. Since the available informations had been furnished to the appellant, **hence the Second Appeal is disposed of.**

Sd/-
Kanak Ch. Sarma, ACS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/BPT.31 /2019

Dtd.14.09.2020

Copy to:

1. The First Appellate Authority/office of the Directorate of Elementary Education, Kahilipara, Guwahati- 19 for information.
2. The SPIO, O/o the Directorate of Elementary Education, Kahilipara, Guwahati- 19 for information and necessary action.
3. The Appellant, Sri Anil Ch. Roy, PO- Pathsala (Jyotinagar), Ward No. 1, Dist.- Barpeta, Assam, Pin- 781 325 for information.
4. Computer Section for uploading the order in the Website.
5. Office File.

Registrar i/c
Assam Information Commission