

**OFFICE OF THE  
ASSAM INFORMATION COMMISSION****JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

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**Case No.** : **DBR.15/2017**  
**Complainant/ Appellant** : **Sri Anil Kr. Baruah**  
**Respondent** : **Health & F.W Department, Govt. of Assam.**  
**Date of Hearing** : **24-10-2017**  
**Complaint/ Second** : **Shri H. S. Das, IAS (Retd)**  
**appeal heard by** : **State Chief Information Commissioner, Assam**

**O R D E R**  
**24-10-2017**

1. The appellant/petitioner Sri Anil Kr. Baruah is absent without any information. The public authority is represented by Sri Amitabh Rajkhowa, Joint Secretary, and First Appellate Authority , Health & F.W Department. He submitted before this Commission an affidavit sworn and signed by Sri Samir K. Sinha, IAS, Principal Secretary, Govt. of Assam, Health & F.W Department. With the affidavit, the Principal Secretary has enclosed a copy of an inquiry report dated 28-7-2017 submitted by the Joint Secretary, Health & F.W Department in compliance with Government order No. HLA.880/2016/20 dated 4<sup>th</sup> July, 2017.
2. From the inquiry report and the affidavit submitted by the Principal Secretary of Health & F.W Department, it appears that the Department has admitted the liabilities claimed by Sri Anil Kr. Baruah and they have taken steps to ascertain the availability of fund to clear the outstanding liabilities of Sri A. K. Baruah out of the likely balance of Rs.1,08,67,908 in the Civil Deposit. The Joint Secretary Sri Rajkhowa submitted before this Commission today that if fund is not available in the Civil Deposit, then necessary steps will be taken to create additional budget provision by way of Supplementary demands or C.F advance, as the case may be, to clear the outstanding liability of the petitioner Sri A.K.Baruah during the current financial year after issuing necessary administrative approval and sanction.
3. Furnish copies of the affidavit submitted by the Principal Secretary, Health & F.W Department together with the Annexures –‘A’, ‘B’ , i.e. Joint Secretary’s inquiry report dated 4<sup>th</sup> July, 2017 and Health & F.W Department’s letter dated 17<sup>th</sup> October, 2017 addressed to PWD , seeking information about availability of fund in Civil Deposit to the petitioner so as to meet the present requirement of paragraph 9 & 10 of this Commission’s previous order dated 12-6-2017.
4. Fix **5-01-2018 12.30 P.M** for review of further action taken by the Health & F.W Department.
5. Issue notices to both the parties accordingly.

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

**Authenticated true copy**  
**Sd/-**  
**Registrar**  
**Assam Information Commission**

**Memo No SIC/ DBR.15/2017/**

**A**

**Dated 24-10-2017**

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Copy to:-

- 1) Sri Amitabh Rajkhowa, Joint Secretary, and First Appellate Authority , Govt. of Assam, Health & F.W Department , Dispur, Guwahati-6 for kind information and necessary action.
- 2) Sri Anil Kr. Baruah, C/O Sri Bishwa Bijoy Phukan, G-4, Arora Complex, Near Reliance Trends, Radha Nath Changkakoti Path, Thanachariali,, Dist- Dibrugarh, PIN-786001 for information.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

**Registrar**  
**Assam Information Commission.**

