

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

Case No. : DBR.15/2017
Complainant/ Appellant : Sri Anil Kr. Baruah
Respondent : Health & F.W Department
Date of Hearing : 05-1-2018
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R
05-1-2018

1. The appellant/petitioner Sri Anil Kr. Baruah is absent. However, by a letter dated 5-1-2018 he has authorized Sri Bishwa Bijoy Phukan to appear before this Commission today on his behalf. Sri Bishwa Bijoy Phukan is present. The public authority is represented by Sri A.S. Abdullah Barbhuyan, SPIO of Health & Welfare Department.
2. Compliance of this Commission's earlier order dated 24-10-2017 on second appeal petition dated 9-5-2017 is taken up for review.
3. The SPIO and Deputy Secretary of Health & F.W Department who was present today submitted a written statement dated 4th January, 2018 which is entered into the case records. It has been mentioned in the W/S that vide letter dated 23-6-2017 the Treasury Officer, Dispur informed PWD (Building and N.H) Department , Govt. of Assam that the entire balance amount against chalan No.-1 dated 30-3-2002 was deposited in the Govt. Exchequer by Executive Engineer, PWD Guwahati Building Division No-II and , therefore, there was no balance against the above-mentioned chalan. A copy of the Treasury Officer's letter has been enclosed with the W/S. The SPIO and Deputy Secretary has further mentioned that in view of the above communication from the Treasury Officer, Dispur, the Department proposes to take up the matter with Director of Health Services, Assam to ascertain availability of fund under the budget and, if not, then to submit Supplementary Demand proposal to meet the instant outstanding liability. So it appears from the written statement that concrete and affirmative action is yet to be taken and that the Health Department only proposes to request Director of Health Services to submit supplementary demand. **This Commission takes a serious note of the delay on the part of the concerned officials of Health & Family Welfare Department in taking concrete and affirmative action even 6 months after the Dispur Treasury Officer's letter dated 23-6-2017 and earlier successive orders of this Commission.**
4. The SPIO mentioned orally that he does not deal with the matter of supplementary demand and that the matter is dealt with by Sri K. Choudhury, Joint Secretary, Health & F.W Department. The SPIO and Deputy Secretary, Health & F.W Department apprised this Commission that the next session of Assam Legislative Assembly has been summoned with effect from 6th February, 2018, and that probably that will be last session of ALA during the current financial year.

5. **This Commission, therefore, directs the Joint Secretary, Health and F.W Department Sri K.Choudhury to apprise this Commission about specific affirmative action taken by him for arranging necessary budget provisions to meet the outstanding liability of the petitioner Sri A.K. Baruah.**

6. Fix **14-2-2018 at 1.30 P.M** for review of action taken. Issue notices to the petitioner as well as to the Joint Secretary, Health & F.W. Department Sri K.Choudhury and the Deputy Secretary and SPIO Sri A. S.A. Barbhuyan for their personal attendance along with a written statement of actions taken by them, on the next date of hearing. The Joint Secretary, Health & F.W Department shall be treated as the deemed PIO in addition to the present SPIO of the Department, for further hearing of this case.

Sd/-

(H. S. Das)

**State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

Memo No SIC/ DBR.15/2017/

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Dated 05-1-2018

Copy to:-.

- 1) Sri Anurag Goel, Commissioner & Secretary Health and F.W (A) Department for his personal attention.
- 2) Sri K.Choudhury Joint Secretary, Health & F.W Department, Dispur, Guwaahiti-6 for information and necessary action as ordered above.
- 3) .Sri Sri A.S. Abdullah Barbhuyan, SPIO of Health & Welfare Department., Dispur, Guwahati-6 for information and necessary action, as ordered above.
- 4) Sri Anil Kr. Baruah,C/O Sri Bishwa Bijoy Phukan,G-4, Arora complex, near Reliance Trends, Radha Nath Changkakoti Path, Thanachariali, District- Dibrugarh, Assam PIN- 786 001 for information and necessary action.
- 5) Computer Section for uploading in the Website.
- 6) Office file.
- 7) Order Book.

Registrar

Assam Information Commission.

No.

20th December, 2017

Subject: Revision of Pension of Sri H. S. Das, IAS (Retd)

Sir,

I would like to inform you that I was an IAS officer of 1982 (RR) batch of Assam-Meghalaya cadre . Consequent to my appointment as State Chief Information Commissioner of Assam I was deemed to have retired from the IAS with effect from 1st December, 2014. I am now drawing my remuneration as State Chief Information Commissioner of Assam on pay minus pension basis on the strength of Pay Slip issued by your office. I understand that the pension eligibility of All India Service Officers has since been revised.

I, therefore, request you to kindly revise my pension accordingly from the effective date. My relevant particulars are as below:-

(i)	Date of retirement –	1 st December, 2014
(ii)	Service-	IAS (RR) Assam-Meghalaya Cadre-1982 batch.
(iii)	PPO No.-	905111217568
(iv)	Savings Bank A/C No-	10821570462
(v)	Adhar No.-	683931098985
(vi)	Mobile No.-	99540 14441
(vii)	PAN No.-	ABYPD2392M
(viii)	Residential Address-	E-3 , Sr. Officers' Colony, Jawahar Nagar, Khanapara, Guwahati-781 022

Yours sincerely,

(HIMANGSHU SEKHAR DAS)

**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

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Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

No

December 20, 2017

From: Sri B.C.Hazarika, ACS
Secretary.

To: Commissioner & Secretary,
Government of Assam,
Administrative Reforms & Training Department,
Dispur, Guwahati- 781006

Subject:- Retirement benefits of ex- State Chief Information Commissioners-
regarding

Sir,

With reference to the above, I am directed to state that a representation dated 29th November, 2017 was received from Sri Ranjit Sekhar Mooshahary, IPS (Retd) who was the first State Chief Information Commissioner of Assam from 1st March, 2006 to 24th June, 2008, before he took oath as the Governor of Meghalaya.

The Memorandum , along with the enclosures are forwarded to you for necessary action from your end.

In this regard, I am directed to mention that Section 16(5) of the RTI Act, 2005 specifies that the salaries and allowances payable to and other terms and conditions of service of the State Chief Information Commissioners shall be the same as that of Election Commissioner , and that the same shall be varied to their disadvantage after their appointment.

Election Commission of India vide its office Memorandum No. 193/1