



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

Case No. KP(M)996/ 2018
Complainant/ Appellant Sri Dulal Bora
Respondent : SPIO of Home & Political Deptt., Assam.
Date of hearing 01.03.2019
Complaint/ Second : Shri H. S. Das, IAS (Retd)
Appeal heard by Chief Information Commissioner, Assam

O R D E R

01.03.2019

1. The appellant Sri Dulal Bora is present. The public authority is represented by (i) Ranjit Kr. Mahanta, ACS Retd., OSD of Home and Political Department, (ii) Smti Maniratna Mahanta, Additional Secretary of Home and Political Department and (iii) Sri Biman Dutta, Joint Secretary and SPIO of Political Department.
2. The second appeal petition dated 24.7.2017 is taken up for further consideration in pursuance of this Commission's earlier orders dated 17.12.2018, 11.1.2019 and 4.2.2019. The appellant Sri Dulal Bora placed before this Commission a copy of letter No.DGVA/RI/RTI/2018/5251 dated 7.12.2018 addressed to him by the SP cum PIO of the Directorate of Vigilance & Anti-Corruption, Government of Assam with a list of Vigilance cases purportedly pending with the Directorate at different stages where Sri Anurag Agarwalla's name appears several times. The OSD of Home and Political Department Sri Ranjit Kr. Mahanta submitted orally that there are several allegations against Sri Anurag Agarwalla, IPS which were at different stages of processing in Political (V) Department. Meanwhile, Sri Anurag Agarwalla moved Hon'ble Gauhati High Court who passed an order quashing the Vigilance's inquiries pending with the State Government. The OSD could not quote the operating portion of Hon'ble High Court's order. However, as per his submission, the State Government in Political (V) Department is examining the order of the Hon'ble High Court with a view to arriving at a decision whether to file appeal against the said order.
3. From the above submission it appears that there were several allegations, including the allegation filed by Sri Dulal Bora vide his compliant petition dated 24.5.2016 pertaining to Sri Anurag Agarwalla, IPS alleging his involvement in rhino poaching. It also transpired from the submissions made by the petitioner and the respondent that there was a request from the Directorate of Vigilance & Anti- Corruption for regular inquiry against Sri Anurag Agarwalla on the allegations of his involvement in rhino poaching. However, before the State Government could take a decision on the request for regular inquiries against Sri Anurag Agarwalla, IPS, on the basis of the finding of the preliminary inquiries, if received the above mentioned order from Hon'ble Gauhati High Court. As already mentioned, the State Government is now reportedly examining whether to file appeal against the order of the Hon'ble High Court.

4. From the above deliberations, it appears that as of today no regular inquiry is pending against Sri Anurag Agarwalla on the basis of the allegation made by the petitioner vide his complaint petition dated 24.5.2016. However, as a measure of informing the petitioner about the present status of his compliant petition as well as the RTI petition, the SPIO of Political Department is directed to furnish a copy of the Hon'ble High Court's order quashing pending Vigilance inquiries at different stages against Sri Anurag Agarwalla, IPS to the petitioner within 15 days from the date of this order which was pronounced in presence of both the parties.

5. With the above order, the second appeal petition dated 24.7.2017 is disposed of.

Sd/-
(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.
Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M)996/2018

Dated 01.03.2019

Copy to:

1. The SPIO of Political Department, Govt. of Assam, Dispur, Guwahati 6 for information. and necessary action.
2. The SPIO of Home Department, Govt. of Assam, Dispur, Guwahati 6 for information and necessary action.
3. The Addl. Secretary, Govt. of Assam, Political (V) Deptt., Dispur.
4. Sri R. K. Mahanta, ACS (Retd), OSD, Home & Political Deptt., Govt. of Assam, Dispur, Guwahati for information and necessary action.
5. Sri Dulal Bora, Koinadhara Tiniali, House No.118, Khanapara, Ghy. 22.
6. Computer Section for uploading in the Website.
7. Office File.
8. Order Book.

Registrar i/c
Assam Information Commission