

OFFICE OF THE
ASSAM INFORMATION COMMISSION

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Case No. : SIC/KPM 456 /2022
Complainant/ Appellant : Sri Joydeb Das
Respondent : SPIO, O/o the Chief Engineer, Public Health
Engineering Dept., Hengrabari, Guwahati 36
Date of Order : 01/11/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
01/11/2022

1. The petitioner Sri Joydeb Das has filed one RTI petition before the PIO, O/o the Chief Engineer, Public Health Engineer Dept., Assam, Hengrabari, Guwahati on 31.5.2022 seeking following information:
 1. Please furnish whether Project Director, Neer Nirmal Pariyojana has received the fund Rs.36.02 Crore from Chief Engineer PHED, Assam for Mobilization Advance allowed to contractor through Abstract Contingent (A.C.) bill under State Water and Sanitation Mission Programme during the period 2015-16, if yes, please furnish following details:
 - (a) Please furnish under which procedure following prior advance payment has given to contractor along with name of the contractor to whom advance payment (amount) has given with copy of all the file noting of the concerned officer/official(s) with copy of approval.
 - (b) Please furnish copy of Detailed Countersigned Contingent bill with details expenditure statement, if submitted by the Project Director, Neer Nirmal Pariyojana to the Chief Engineer PHED, if not submitted please furnish reason thereof.
 - (c) If any letter has received by the Project Director, Neer Nirmal Pariyojana from Chief Engineer PHED to furnish the records to settlement of the stated A.C. Bill of Rs36.02 Crore if yes please furnish a copy of the same.
 - (d) Please furnish in details of the adjustment statement of such fund along with all the relevant documents.
 2. Reportedly on not getting any information, the petitioner filed 1st appeal before the Chief Engineer, Public Health Engineer Dept., Assam, Hengrabari, Guwahati on 11.7.2022 and then he filed 2nd appeal before the Commission on 19.9.2022.

Accordingly, the matter was taken up for hearing.

3. The petitioner Sri Joydeb Das is present.
4. The Public Authority is represented by Sri Tapan Sharma, SPIO, O/o the Chief Engineer (PHE), Hengrabari, Guwahati.
5. The petitioner said that the information is given except the expenditure statement. To which the SPIO stated that though he has replied vide letter dated 8.7.2022 to obtain directly the information from O/o the Executive Engineer, PHE, Guwahati Division 1 and Jorhat Division, but the petitioner already collected the information from Guwahati Division which has been handed over today itself.
6. Since the fund allotment is through Office of the Chief Engineer and in compliance to **Delhi High Court order Rakesh Kumar Gupta Vs Central Information Commission (Delhi High Court) Appeal Number : W.P. (C) 900/2021**, the Commission directs the SPIO, O/o the Chief Engineer, PHE

Dept., Hengrabari, Guwahati to obtain the information from Jorhat Division and submit it to the petitioner within fifteen days.

7. The case is disposed off.

Authenticated copies to be given to all concerned.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KPM 456/2022

Dtd. 01.11.2022

Copy to:

1. The SPIO, O/o the Chief Engineer, Public Health Engineering Dept., Hengrabari, Guwahati 36 for information and necessary action as ordered above.
2. The petitioner Sri Joydeb Das, S/o Lt. Karunamoy Das, H.No.16, Fatashil Ambari, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Guwahati for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission