

GOVERNMENT OF ASSAM
HEALTH & FAMILY WELFARE (A) DEPARTMENT
DISPUR, GUWAHATI-6

No.HLA.770/2018/182

Dated Dispur, the 17th March, 2022

SPEAKING ORDER

- READ : 1. Whereas Dr. Abdul Latif, Joint DHS, Dhemaji (under suspension) was arrested on 27/08/2018 at 3.45 PM (approx) by the Anti Corruption Team as informed by the O/o the Joint DHS, Dhemaji vide WT Message No.JT.DHS/DMJ/Accounts/WPT/2018, dated 28/08/2018
2. Whereas Dr. Abdul Latif was caught red handed while receiving a bribe amount of Rs. 12,000/- from one Mridul Sarmah in connection with ACB PS Case No.20/2018 U/S 7(a)/13(l)(b)/13(2) PC Act, 1988 as amended (2018) and subsequently arrested and detained in judicial custody for almost 1 (one) month.
3. Whereas he was placed under suspension vide No.HLA.770/2018/10, dated 31/12/2018.
4. Whereas he was charged with gross negligence of duty and misconduct which is unbecoming on the part of medical officer of his status, and Show Cause Notice was issued to him vide No.HLA.770/2018/11, dated 09/01/2019.
- ALSO READ : 1. Whereas Departmental Proceeding was drawn against Dr. Abdul Latif vide No.HLA.770/2018/114, dated 09/01/2020.
2. Whereas Enquiry Officer Shri Naba Kumar Deka Baruah, ACS, Joint Secretary, Health & F.W. Department submitted the Enquiry Report vide No.HLA.770/2018/131, dated 28/02/2020.
3. Whereas sanction under Section 7(a)/13(l)(b)/13(2) PC Act, 1988 was accorded for prosecution of Dr. Abdul Latif for the said offences and any other offences punishable under the provisions of Law in respect of aforesaid Acts and for taking of cognizance of the said offences by a court of competent jurisdiction.
4. Whereas de-novo Departmental Proceeding was drawn against Dr. Abdul Latif vide No.HLA.770/2018/140, dated 06/10/2020 as competent authority were not satisfied with the Enquiry Report.
5. Whereas Enquiry Report of the de-novo Departmental Proceeding was submitted by the Enquiry Officer vide No.HLA.770/2018/164, dated 16/06/2021.
6. Whereas you had denied accepting bribe against payment of bill for hiring of vehicles as the bill was already passed and payment advice was issued on 20/08/2018. But the transcript of the recorded conversation between him and the complainant Mridul Sharma on 17/08/2018 which was enclosed with the charge sheets as per records, reveals a kind of connivance of the complainant and the accused in respect of monetary transaction of a Government office and the accused in respect of monetary transaction of Govt. office and manipulation thereof.




7. Whereas the Joint Director of Health Services is a responsible post in the Healthcare administration in the district. It is not expected from a person holding this post to connive with suppliers in disposal of financial matters. The instant case happened due to misuse of his position by being submissive to the instigation made by a supplier of hired vehicles, and which led to the arrest of a senior gazetted officer of the status of the district head.

FINDINGS

1. Whereas, in view of the above, competent authority have proposed to impose penalty on Dr. Abdul Latif for the above charge as per Rule 7 sub-rule (IV) of Assam (Discipline & Appeal) Rules, 1964 as follows.
"Reduction to a lower service, grade or post, or to a lower time scale or to a lower stage in a time scale".
2. Whereas before Dr. Abdul Latif was asked vide letter No.HLA.770/2018/176, dated 04/12/2021 to submit a representation reflecting his views.
3. Whereas views of APSC was sought for in this regard
4. APSC vide their U/o No. APSC.1620 dated 08/03/2022 have agreed to the Government decision of imposing the penalty i.e. reduction to a lower service, grade or post or to a lower time-scale or to a lower stage in a time scale" as per Rule T(iv) of the Assam Services (Discipline & Appeal) Rules, 1964.

ORDER :

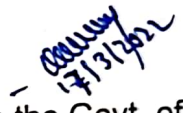
- After careful examination of all facts and circumstances of the Enquiry/Departmental Proceedings, the charges against Dr. Abdul Latif have been conclusively proved.**
1. Therefore, a penalty of "reduction to a lower service, grade or post, or to a lower time-scale or to a lower stage in a time scale" as per Rule 7(iv) of the Assam Services (Disciplinary & Appeal) Rules, 1964 is hereby imposed on the erring officer.
3. Further, on reduction to a lower post Dr. Abdul Latif is hereby reinstated in service and posted as Addl. Chief Medical & Health Officer (FW), Sivasagar vice Dr. Beena Bordoloi transferred.
4. The period of suspension is to be treated as on duty for all purpose in the lower rank to which he has been demoted. Balance fund may be released as per reduction in rank and reduction in scale.
- However, it is subject to the outcome of the Court Case which will decide any modification in future.**


(Anurag Goel IAS)
Principal Secretary to the Govt. of Assam,
Health & F.W. Department

Copy to:

1. The Accountant General (A&E), Assam, Guwahati-29.
2. The Principal Secretary, Karbi-Anglong Autonomous Council, Diphu.
3. The Secretary, APSC, Khanapara, Guwahati-22.
4. The Deputy Commissioner, Dhemaji/South Salmara Mankachar/Karbi-Anglong/ Sivasagar.
5. The Director of Health Services, Assam, Hengerabari, Guwahati-36.
6. The Director of Health Services (FW), Assam, Hengerabari, Guwahati-36
7. The Joint Director of Health Services, Dhemaji/South Salmara Mankachar/Karbi-Anglong/ Sivasagar.
8. The Addl. CM&HO(FW), Jorhat/Sivasagar.
9. The Treasury Officer Dhemaji/ South Salmara Mankachar/ Karbi-Anglong/ Sivasagar.
10. P.S. to Hon'ble Minister, Health & F.W. Assam.
11. P.S. to Principal Secretary, Health & F.W. Department.
12. Dr. Abdul Latif, Joint DHS, Karbi Anglong (now Addl. CM&HO(FW) Sivasagar for information and necessary action.

By order etc.,


Joint Secretary to the Govt. of Assam,
Health & F.W. Department