

GOVERNMENT OF ASSAM  
FINANCE (ESTABLISHMENT-B) DEPARTMENT  
DISPUR, GUWAHATI-6

No. eCF 283738/94

Dated: 22-12-2023

ORDER

Whereas, while Shri Utpal Kumar Mishra, AFS, Sr. Financial Adviser, Water Resources Department was working as Sr. Financial Adviser in Department of Housing and Urban Affairs, it was reported that file No UDD (T) 17/2016 regarding release of Compassionate Family Pension to the next of kin of late Mrs Anita Deori, ex Assistant Director, Town and Country Planning, Tezpur was sent by the department for his advice and he had advised to send the proposal to the Accountant General Assam.

Whereas, as per Clause (2) of government notification vide FEG 28/2017/46 dated 5<sup>th</sup> July, 2018 the Administrative Department/Appointing Authority is to sanction provisional Compassionate Family Pension to the family of the employee with intimation to Accountant General or Directorate of Pension as the case may be. This has led to undue delay processing the matter of Compassionate Family Pension to the next of kin of late Mrs Anita Deori, ex Assistant Director, Town and Country Planning, Tezpur

Whereas, while Shri Utpal Kumar Mishra, AFS, Sr. Financial Adviser, Water Resources Department was working as Sr. Financial Adviser in Department of Housing and Urban Affairs vide letter No.FEB108/2022/33 dated 27/06/2022 and departmental proceeding was initiated. The following charges have been drawn up against him:

Charge: "While you were performing your duties as Senior Financial Adviser, Department of Housing and Urban Affairs file No UDD (T) 17/2016 for release of Compassionate Family Pension to the next of kin of late Mrs Anita Deori, ex Assistant Director, Town and Country Planning, Tezpur was sent by the department for your advice and you had advised to send the proposal to the Accountant General Assam. Whereas, as per Clause (2) of government notification vide FEG 28/2017/46 dated 5<sup>th</sup> July, 2018 the Administrative Department/Appointing Authority is to sanction provisional Compassionate Family Pension to the family of the employee with intimation to Accountant General or Directorate of Pension as the case may be. This has led to undue delay processing the matter of Compassionate Family Pension to the next of kin of late Mrs Anita Deori, ex Assistant Director, Town and Country Planning, Tezpur. This has revealed your lack of knowledge about Rules and procedure for granting Compassionate Family Pension and related matters.

You are therefore charged with lack of knowledge about the Rules and procedures related to release of Compassionate Family Pension, non-application of mind and tendering of advice to the Department of Housing and Urban Affairs on the matter of Compassionate Family Pension which is not consistent with the

I/379735/2023

procedure laid down for grant of Compassionate Family Pension."

Whereas, to conduct an enquiry on the charges drawn against Shri Utpal Kumar Mishra AFS Sr. Financial Adviser, Smti Malavika Choudhury, IAS Secretary to the Govt. of Assam, Finance Department was appointed as the Inquiry Officer and Smti. Kanta Lahkar, Deputy Secretary to the Govt. of Assam, Finance (Establishment-B) Department was nominated as the Presenting Officer vide Notification eCF. 283738/64 dated 01/04/2023. The Inquiry officer has submitted her report vide No. AFS Enquiry 01/2023/65 dated 03/07/2023. The inquiry officer has submitted report vide letter No. 283738 dated 06/07/2023.

Whereas, Shri Utpal Kumar Mishra, AFS, Sr. Financial Adviser, Water Resources Department has submitted his written submission regarding the finding of the inquiry officer vide his letter No. Nil dated 13/07/2023.

Whereas, the submission of Shri Utpal Kumar Mishra, AFS, Sr. Financial Adviser, Water Resources Department was examined by the department and it is found that the Charged Officer has neither raised any objection about the enquiry process nor placed any material on record to prove his innocence.

Whereas, the appointing authority, that is, Finance Department, Govt of Assam, after consideration of all the facts mentioned above, decided to impose penalty of "Censure" under Rule 7 (i) of the Assam Services (Discipline & Appeal) Rules, 1964.

In view of above, the Governor of Assam is pleased to impose the penalty of "Censure" upon the Delinquent Officer Shri Utpal Kumar Mishra, AFS, Sr. Financial Adviser, Water Resources Department under Rule 7 (i) of the Assam Services (Discipline & Appeal) Rules, 1964.

The Departmental Proceeding drawn up in respect of Shri Utpal Kumar Mishra, AFS, Sr. Financial Adviser, Water Resources Department vide letter No. FEB108/2022/33 dated 27/06/2022 is hereby concluded.

This order is issued with the approval of the competent authority.

By order in the name of the Governor of Assam

Secretary to the Govt. of Assam  
Finance (Establishment – B) Department

Memo No. eCF 283738/94-A

Dated: 22-12-2023

Copy to:

1. The Accountant General (A&E) Assam, Maidamgaon, Beltola, Ghy-29 for information and necessary action.
2. P.S. to Hon'ble Finance Minister, Assam for kind appraisal of Hon'ble Finance

I/379735/2023

Minister.

3. P.S. to Principal Secretary to the Govt. of Assam, Finance Department, Dispur for kind appraisal of Principal Secretary.

4. P.S to the Commissioner & Secretary to the Govt. of Assam, DoHUA for kind appraisal of Commissioner & Secretary.

5 . Shri Utpal Kumar Mishra, AFS, Sr. Financial Adviser, Water Resources Department, Dispur for information.

6. The Content Manager, Finance (Establishment-B) Department for necessary uploading.

Secretary to the Govt. of Assam  
Finance (Establishment – B) Department