

ASSAM LEGISLATIVE ASSEMBLY

Unstarred Question no.433

Date of reply: 22/07/26

Sub: Misappropriation of Rs. 1,19,40,228/- in Mandia Block.

Shri SHERMAN ALI AHMED:

Question

Will the Minister of Panchayat and Rural Development Department be pleased to state:

- (a) In view of reply to starred Q N-178 dated 11-03-2025, the misappropriated fund of Rs. 1,19,40,228/- were fraudulently withdrawn wef 17-04-2023 to 29-09-2023 and an FIR was lodged on 14th Dec, 2023. Will the Govt. state as to why departmental proceeding was not initiated till 07-03-2025?
- (b) Who are responsible for such inaction for about 15 months even after the FIR was lodged on 14-12-2023 against the delinquent official for misappropriation of huge Government money?
- (c) Whether the DP vide no. CPRD/14/2025/66-68 dated 07-03-2025 is concluded?
- (d) If yes, what are the outcomes of the DP?
- (e) What is the present status of Baghbar PS case no. 81/2023 U/S 120(B)/420/406/409 IPC in connection with above misappropriation? (Please furnish a copy of the chargesheet.)
- (f) Will the Govt. state as to why in view of such proven misappropriation, how the accused could get bail from the court? Please furnish all affidavits furnished by the department.
- (g) Who were the Government counsels? What were their roles in the case?

Answer

Hon'ble Minister, Panchayat and Rural Development, Assam Shri Atul Bora will reply:

(a) As per Report received from the Chief Executive Officer, Zilla Parishad, Barpeta vide letter No. BZP (15th F.C.) 82/2021-22/2459 dated 03-02-2024 on misappropriated fund in Mandia Development Block, an FIR was lodged against Shri Shafikul Islam, the then i/c BDO, Mandia Development Block, Kulsuma Talukdar, the then AP President, Mandia Anchalik Panchayat and Md. Safiur Rahman, Owner Proprietor of M/S Aryan Enterprise, Barpeta by the BDO, Mandia Development Block, dated 14-12-2023 at Baghbar Police Station.

Accordingly, Shri Shafikul Islam, the then i/c BDO, Mandia Development Block, Barpeta was placed under suspension on 07-03-2025 and Departmental Proceeding was also initiated against him. The departmental enquiry has already been completed and the matter is under process for further course of action as per Assam Civil Services (Discipline & Appeal) Rules, 1964.

Later on, the Chief Executive Officer, Zilla Parishad, Barpeta vide letter No. BZP (A.Q.) 2023-24/859 Dated 07-03-2025 reported that, Charge Sheet has been submitted in the Court against Shri Shafikul Islam, the then i/c BDO, Mandia Development Block, Barpeta, Kulsuma Talukdar, the then Chairman, Mandia A.P. and Sofiur Rahman- Owner/Proprietor of Aryan Enterprise after completion of investigation by SI (UB Gopal Bora, O/C Baghbar Police Station).

(b) As per Report received from the Chief Executive Officer, Zilla Parishad, Barpeta vide letter No. BZP (15th F.C.) 82/2021-22/2459 dated 03-02-2024, an FIR was lodged against Shafikul Islam, the then i/c BDO, Mandia Development Block, Kulsuma Talukdar, the then AP President, Mandia Anchalik Panchayat and Md. Safiur Rahman, Owner Proprietor of M/S Areyan Enterprise, Barpeta by the BDO, Mandia Development Block, Dated 14-12-2023 at Baghbar Police Station.

In response, the Chief Executive Officer, Zilla Parishad, Barpeta vide letter No. BZP (A.Q.) 2023-24/859 Dated 07-03-2025 reported that Charge Sheet has been submitted in the Court against Shri Shafikul Islam, the then i/c BDO, Mandia Development Block, Barpeta, Kulsuma Talukdar, the then Chairman, Mandia A.P. and Sofiur Rahman- Owner/Proprietor of Aryan Enterprise after completion of investigation by SI (UB Gopal Bora, O/C Baghbar Police Station). Accordingly, Shri Shafikul Islam, the then i/c BDO, Mandia Development Block, Barpeta was placed under suspension and Departmental Proceeding was also initiated against him.

(c) Yes, the departmental enquiry has already been completed and the matter is under process for further course of action as per Assam Civil Services (Discipline & Appeal Rules), 1964.

(d) The Commissioner, P&RD, Assam submitted the Enquiry Report relating to the DP against Shri Shafikul Islam, then i/c BDO, Mandia Development Block, Barpeta vide letter No. 630762/DFA/1510521 dated 06-12-2025 for instructions in connection with imposition of probable penalty as the charges were proved as per Enquiry Report. However, as per detailed calculation of recovery of misappropriated amount from the D.O, it is observed that salary and admissible retirement benefits alone is not feasible to recover entire misappropriated amount from the D.O. As a result, P&RD Department is exploring ways to recover the misappropriated amount along with imposition of major penalty.

(e) As reported by the Chief Executive Officer, Zilla Parishad Barpeta, vide letter No. BZPA/AQ/710/2026/2355 Dated 13-07-2026, the Dy. Superintendent of Police (Hqr), Barpeta Cum Nodal Officer, Assembly Cell vide Memo No. BPTA/V-90/26/4682 dtd. 11-07-2026, has informed that the case record of Baghbar police Station Case No. 81/2023 U/S 120 (B)/420/409 IPC along with charge sheet have already been forwarded to the Hon'ble Court for prosecution

(f) The Hon'ble Gauhati High Court, Assam granted bail in respect of Shri Shafikul Islam, the then i/c BDO, Mandia Development Block vide order dated 07-03-2024 vide Case No. AB/86/2024 wherein the Panchayat & Rural Development Department, Assam is not the respondent authority in the case No. AB/86/2024 hence, the question of furnishing the affidavits by the department does not arise.

(g) It appears from the order dated 07-03-2024 passed in Case No. AB/86/2024 by the Hon'ble Gauhati High Court that Mr. P. Borthakur, was the Government counsel in this case.

As per order dated 11-01-2024 passed in Case No. AB/86/2024 by the Hon'ble Gauhati High Court, the learned Additional Public Prosecutor had opposed the grant of interim bail to the present petitioner and has submitted that perusal of the case diary of Baghbar P.S. Case No. 81/2023 would be required. The Hon'ble Gauhati High Court allowed interim bail in respect of Shafikul Islam.

Further, as per order dated 07-03-2024 passed in Case No. AB/86/2024 by the Hon'ble Gauhati High Court, Mr. P. Borthakur, learned Additional Public Prosecutor submitted that the case diary revealed that the IO has collected materials which clearly implicate the petitioner. He further submits that the allegations leveled against the petitioner are grave. The Hon'ble Gauhati High Court passed order dated 07-03-2024 in Case No. AB/86/2024 that the interim pre-arrest bail granted by the order dated 11-01-2024 is hereby made absolute.

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