

30/100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

FORM NO. 4
(See Rule 42)

In The Central Administrative Tribunal
GUWAHATI BENCH : GUWAHATI

ORDER SHEET
APPLICATION NO. 118/2000 OF 199

Applicant(s) Sri Achyutanand Jha.

Respondent(s) Union of India and Ors.

Advocate for Applicant(s) Dr. Petron

Advocate for Respondent(s) Mr. B. S. Bodhmechay
Adv. C. C. S. C.

Notes of the Registry	Date	Order of the Tribunal
12.5.2000 Copy of the order has been sent to the D/See for issuing 12 Date to the applicant as well as to the Add. C.G.S.C.	31.3.00 trd 4.4.00 lm	None is present to move the application. For the ends of justice the case is adjourned to 4.4.2000. List on 4.4.2000 for consideration of admission. Mr. A. Jha applicant in person submits that he may be allowed to withdraw this application as he has already got the relief as sought for. Prayer is allowed. Application is dismissed on withdrawal. No costs.
		<i>6</i> Member

Notes of the Registry	Date	Order of the Tribunal

IN THE COURT OF THE CENTRAL ADMINISTRATIVE TRIBUNAL:
GUWAHATI BRANCH :::: GUWAHATI.

O.A.NO.....

118/2000

5

Filed by
Achyutanand Jha.
(In Person)

Sri Achyutanand Jha..... Applicant

Vs

Union of India and others

Respondent.

I N D E X

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Filed by :- Petitioner in Person.

Achyutanand Jha.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH : GUWAHATI

(An application U/S 19 of the Administrative Tribunal Act 1985)

O.A.NO.

Sri Achyutanand jha.
S/O Sri Devendra Narayan jha
Rajgarh link Road
Anil Nagar
Guwahati - 7

----- Applicant.

Versus

1. Union of India, Represented by the Secretary to the Government of India, Ministry of Sports and Culture, Shashtri Bhawan, New Delhi- 110001.
2. Director General
Archaeological Survey of India,
Janapath, New Delhi - 110011.
3. Superintending Archaeologist
Archaeological Survey of India,
Guwahati Circle,
Ambari,
Guwahati - 1

----- Respondant.



6

1. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE.

Office order no. 190/99- Adm I communicated by no.23-10/99 Adm I dated 09.09.1999, transferring the applicant from Guwahati Circle to Bangalore Circle and its subsequent modified version issued in the month of Oct.1999 staying the applicability of the said order till 'March 2000 or until further order whichever be earlier', both issued by the Director (Administration) of Respondent No.2.

2. JURISDICTION OF THE TRIBUNAL

The applicant declares that the subject matter of order against which he wants redressal is within the jurisdiction of the Tribunal.

3. LIMITATION :

The applicant further declares that the application is within the limitations prescribed u/s 21 of the Administrative Tribunal Act, 1985.

4. FACTS OF THE CASE :

(a) That the applicant Joined the Archaeological Survey of India in Feb'1979 as a Technical Assistant and in 1986 he was promoted to the post of Senior Technical Assistant (now known as Assistant Archaeologist). Again in 1995, he was promoted to the post of Assistant Superintending Archaeologist and was posted in the Guwahati Circle in the office of Superintending Archaeologist in the same capacity.

(b) That the applicant begs to state the Government of India had granted certain special concessions and service benefits to officers transferred to Norths Eastern Region and the tenure of posting for staff with service of 10 years or less is 3 years and for staff with more then 10 years of service is 2 years. Since the applicant has completed more then 10 years of service, his tenure is the region should have been.

Contd..3...



for 2 years. Among other concessions given to the employees posted in the N.E. Region is that the employee of the completing his tenure becomes eligible for choice posting as per as possible.

[Copy of the gist of the order issued by the Government of India is annexed as Annexure.I]

(c) That the applicant begs to state that his post is transferrable one and he has no objection whatsoever for being transferred to other place in accordance to the G.O.I. instructions.

(d) That the applicant, after completing his tenure of 2 years of postings in Guwahati circle (included in the N.E. Region) had himself made a representation to the Respondant No.2 on 13.02.1997, while he was on tour to New Delhi in which he had also given the name of 4 places as his choice.

(e) That the applicant, not getting any response to his representation dated 13.02.1997, again, after completing 3 years of his posting in Guwahati, submitted another representation to Respondent no.2, requesting for his transfer from Guwahati Circle and for the purpose he again mentioned 4 places of his choice in that representation. The aforesaid representation was duly forwarded by the Respondent no.3 to Respondent no.2 on 23.02.1998.

[Copies of the forwarding letter dated 23.02.1998 and representation dated 18.02.1998 are annexed as Annexure -II and III]

(f) That the applicant beg to state that the representation of the applicant dated 18.02.1998 was not entertained by the Respondent no.2 as is evident from the fact that in Feb'1999 one officer was posted in Delhi Office of the A.S.I. ignoring the claim of the Applicant who had mentioned Delhi as a place of his first choice.

Contd...4...

Archer

(g) That the applicant to be transferred to the place of his choice was again ignored when in May'1999, the Respondent no.2 vide transfer order no.F.3-9/98 dated. 17.05.1999 transferred 22 officers in which Applicant's name did not figure.

(h) That the Respondent no.2 by the said transfer order dated.17.05.1999 not only ignored the claim of the applicant by not transferring him from Guwahati circle to either of his choice places mentioned in the representation dated 13.02.97 but also filled theposts vacant at places of the choice of applicant. For example, Patna Circle, one of his choice places was filled by transferring one officer from Guwalior Museum (Sl.No. 15 of the said transfer order) and New Delhi, another place of his choice was filled by officer from ChanderiMuseum. (Sl.No.2 of said Transfer order). Later on, Officer, mentioned at Sl.No. 14 of thesaid order, was also got his posting in Delhi Office.

(j) That applicantbeys to state that theRespondent no.2 by the said transfer order not only filled the vacant places at the place of his choice but also some other vacant posts were transferred from the place of his choice. For example two vacant posts from Delhiwas transferred to JaipurCircle and Nalanda Museum under Patna Circle (vide Sl.No. 4 and 5 respectively of the transfer order dated 17.05.1999.

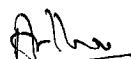
[Copy of the transfer order no. F.3-9/98-Adm I, dated. 17.05.1999 is annexed as Annexure IV.]

(k) That the applicant beys to state that by issuing said transfer order dated 17.05.1999, the Respondent no.2 denied the legitimate claim of the Applicant which has caused much mental pain to him.

(L) That the applicant was shocked and surprised when he received the transfer order no.23-16/99-Adm I, dated.09.09.1999 whereby the applicant was transferred from Guwahati Circle to Banglore Circle.

[Copy of the said transfer or-
der is annexed as annexure V.]

Contd.....5...



(m) That the applicant, on receiving the said transfer order dated 09.09.1999, submitted a representation to the Respondent no.2 through proper channel pointing out the problems of the transfer in the mid-academic session. He had also mentioned in the said representation about the fact that Bangalore Circle was not among his choice of places in his transfer request representation dated 23.02.1998.

[Copy of the representation
is annexed as annexure-VI.]

(n) As Applicant's representation was not responded to by the Respondent no.2 and fearing his immediate relieving by Respondent no.3, the Applicant approached the Hon'ble Tribunal and because of the kind intervention of the Hon'ble Tribunal the said impugned transfer order dated 09.09.1999 was stayed 'till March 2000 or until further order whichever be earlier'.
[Copy of the order is annexed
as annexure VI A.]

(p) That the applicant begs to state that he made another representation to Respondent no.2 on 03.12.1999 requesting him to change his place of posting from Bangalore Circle to either of 4 places of his choice viz Delhi, Calcutta, Patna and Chandigarh in accordance with the G.O.I's directive relating to the incentive for serving in the N.E. Region.

[Copy of the representation
is annexed as annexure-VII.]

(q) That the applicant begs to state that on not getting any response of his representation dated 03.12.1999, he sent another representation in the form of reminder of his earlier representation through proper channel which was forwarded by the Respondent no.3 to Respondent no.2 on 16.02.2000.

[Copies of the forwarding letter along with the representation are annexed here as Annexure No. VIII.]

(r) That the applicant begs to state that though almost 6 months has passed since he had made first representation and even by making two other subsequent representation to the

Contd....6...

Alm

Respondent no.2 no reply from him has been received by the applicant. As March 2000 is going to end is a couple of days, the applicant apprehends that he might be relieved by the Respondent no.3 and as such he is approaching this Hon'ble Tribunal for staying the operation of the said impugned order.

5. GROUND FOR RELIEF WITHLEGAL PROVISION :

(i) For that the impugned order by which the applicant has been transferred from Guwahati circle to Bangalore Circle in violation of the Government of India directive no. M.F.,OM., No.20014/3/83-E.IV dated the 14th December 1983 and 15th July 1988.

(ii) For that the applicant had been representing for his transfer after the completion of his tenure to which the authority did not respond to. The authority did transfer him only after either filling the vacant posts at his choice station or other removing the vacant posts from there, and such theimpugned transfer order, voilative of theG.O.I. directive, is malicious and had in principle and hence is liable to be set aside.

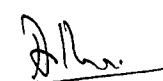
6. DETAILS OF REMEDY EXHAUSTED :

(i) The applicant on 14.09.99 submitted a representation to the Respondent no.2 which was not headed to.

(ii) The applicant on 03.12.99 submitted another representation to the Respondent no.2 whichwas not responded to.

(iii) The alpplicant on 14.02.2000 submitted a reminder of the representation dated 03.12.1999 through proper channel which was forwarded to by Reslpondent no.3 toResplondent no.2 on 16.02.2000. But the Respondent no.2 again did not respond to and as such the applicant isapproaching the Hon'ble Tribunal.

Contd...7....



7. MATTERS NOT PRIVIOUSLY FILED OR PENDING WITH ANY OTHER COURT :

The applicant further declared that he had filed O.A.NO.307/99 in the Guwahati Bench of Central Administrative Tribunal, and the Hon'ble Tribunal was pleased to disposed of the application by instructing the Reslpondant no.2 to issue the speaking order to aplplicant on his representation. But as Respondant no.2 did not take any cognizance of the 'incentive in the form of choice of posting after scrving in the N.E.Region' the Applicant is alapproaching the Hon'ble Tribunal. And therefore, on this issue, noalpplication has beenmade before any court or other authority or any other Branch of the Tribunal nor any such application, writ pletition or suitis pending before any of them.

8. RELIEF SOUGHT

In view of thefacts and circumstances of thecase, as referred to in the above paragraphs, the applicant prays for the following relief.

It is therefore prayed thatyour lordships be pleased to admit this application, call for the records of the entire case, ask the opposite party to show cause why the impugned order of transfer dated. 09.09.1999 and its modified version on subsequent date. should not be set aside and quashed and after perusing the cause shown, if any, and hearing theparties set aside the impugned order and/or pass any other order/orders as your honour may deem fit and proper.

And for this act of kindness, the applicant, as in duty bound, shall ever pray.

Contd....8....



9. INTERIM ORDER, IF ANY, PRAYED FOR :

It is further prayed that pending disposal of the application, your lordship be pleased to stay the operation of the above noted impugned order.

10. Not Applicable.

11. Particulars of Bank Draft/Postal Order,
in respect of the application fee : OG 494114
29.3.2000

12. List of Enclosure :

As stated in the index.

21/3

B

VERIFICATION

I, Shri Achyutanand Jha, son of Shri Devendra Narayan Jha, aged about 48 years, a resident of Rajgarh Link Road, Anil Nagar, Guwahati 7, Presently serving as Assistant Superintending Archaeologist, under the Archaeological Survey of India, Guwahati Circle, Guwahati, do, hereby, verify that the contents of paragraphs 1 to 11

are true to my personal knowledge and those made in paragraphs 4(a) to 4(e) and 5

are believed to be true in legal advice and that I have not suppressed any material fact.

Date : 29.3.2006

Place : Guwahati

Signature of the applicant

✓ Achyutanand Jha

APPENDIX - 9

INCENTIVES FOR SERVING IN REMOTE AREAS

[G.I., M.F., O.M. No. 20014/3/83-E. IV, dated the 14th December, 1983, read with O.M. No. 20014/3/83-E. IV, dated the 30th March, 1984, 27th July, 1984, G.I., M.F., U.O. No. 3943-E. IV/84, dated the 17th October, 1984, O.M. No. F. 20014/3/83-E. IV, dated the 31st January, 1985, 25th September, 1985, U.O. No. 824-E. IV/86, dated the 1st April, 1986, O.M. No. 20014/3/83-E. IV, dated the 29th October, 1986, O.M. No. 20014/3/83-E. IV/E. II (B), dated the 11th May, 1987, 28th July, 1987, 15th July, 1988 and O.M. No. F. 20014/16/86-E. IV/E. II (B), dated the 1st December, 1988 and O.M. No. 11 (2)/97-E. II (B), dated the 22nd July, 1998.]

I

Allowances and facilities admissible to various categories of civilian Central Government employees serving in the North-Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland and Tripura and the Union Territories of Arunachal Pradesh and Mizoram, Andaman and Nicobar Islands and Lakshadweep Islands. These orders also apply *mutatis mutandis* to officers posted to N-E Council, when they are stationed in the N-E Region and to the civilian Central Government employees including officers of All India Services posted to Sikkim.

(i) Tenure of posting/deputation:

There will be a fixed tenure of posting 3 years at a time for officers with service of 10 years or less and of 2 years at a time for officers with more than 10 years of service. Periods of leave, training, etc., in excess of 15 days per year will be excluded in counting the tenure period $\frac{2}{3}$ rd years. Officers, on completion of the fixed tenure of service mentioned above may be considered for posting to a station of their choice as far as possible.

The period of deputation of the Central Government employees to the States/Union Territories of the North-Eastern Region, will generally be for 3 years which can be extended in exceptional cases in exigencies of public service as well as when the employee concerned is prepared to stay longer. The admissible deputation allowance will also continue to be paid during the period of deputation so extended.

(ii) Weightage for Central deputation/training abroad and special mention in Confidential Reports:

Satisfactory performance of duties for the prescribed tenure in the North-East shall be given due recognition in the case of eligible officers in the matter of—

- (a) promotion in cadre posts;
- (b) deputation to Central tenure posts; and
- (c) courses of training abroad.

attached
10/12/2010
Archaeological Survey of India
Archaeological Survey of India

APPENDIX 9

SPECIAL ALLOWANCES AND FACILITIES FOR CENTRAL GOVERNMENT EMPLOYEES SERVING IN NORTH-EASTERN REGION, A. & N. ISLANDS AND LAKSHADWEEP

[G.I., M.F., O.M. No. 20014/3/83-E. IV, dated the 14th December, 1983.]

I

The need for attracting and retaining the services of competent officers for service in the North-Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland and Tripura and the Union Territories of Arunachal Pradesh and Mizoram has been engaging the attention of the Government for some time. The Government had appointed a Committee under the Chairmanship of Secretary, Department of Personnel and Administrative Reforms, to review the existing allowances and facilities admissible to the various categories of civilian Central Government employees serving in this region and to suggest suitable improvements. The recommendations of the Committee have been carefully considered by the Government and the President is now pleased to decide as follows:—

(i) Tenure of posting/deputation:

There will be a fixed tenure of posting of 3 years at a time for officers with service of 10 years or less and of 2 years at a time for officers with more than 10 years of service. Periods of leave, training, etc., in excess of 15 days per year will be excluded in counting the tenure period of 2/3 years. Officers, on completion of the fixed tenure of service mentioned above, may be considered for posting to a station of their choice as far as possible.

The period of deputation of the Central Government employees to the States/Union Territories of the North-Eastern Region, will generally be for 3 years which can be extended in exceptional cases in exigencies of public service as well as when the employee concerned is prepared to stay longer. The admissible deputation allowance will also continue to be paid during the period of deputation so extended.

(ii) Weightage for Central deputation/training abroad and special mention in Confidential Records:

Satisfactory performance of duties for the prescribed tenure in the North-East shall be given due recognition in the case of eligible officers in the matter of—

- (a) promotion in cadre posts;
- (b) deputation to Central tenure posts; and
- (c) courses of training abroad.

Archaeological Survey of India
Archaeological Survey of India

The general requirement of at least three years service in a cadre post between two Central tenure deputations may also be relaxed to two years in deserving cases of meritorious service in the North-East.

A specific entry shall be made in the C.R. of all employees who rendered a full tenure of service in the North-Eastern Region to that effect.

(iii) Special (Duty) Allowance:

Central Government civilian employees who have All India transfer liability will be granted a Special (Duty) Allowance at the rate of 25 per cent of basic pay subject to a ceiling of Rs. 400 per month on posting to any station in the North-Eastern Region. Special (Duty) Allowance will be in addition to any Special Pay and/or Deputation (Duty) Allowance already being drawn subject to the condition that the total of such Special (Duty) Allowance plus Special Pay/Deputation (Duty) Allowance will not exceed Rs. 400 p.m. Special Allowances like Special Compensatory (Remote Locality) Allowance, Construction Allowance and Project Allowance will be drawn separately.

[G.I., M.F., O.M. No. 20014/3/83-E. IV, dated the 29th October, 1986.]

NOTE.—Special duty allowance will not be admissible during periods of leave/training beyond 15 days at a time and beyond 30 days in a year. The allowance is also not admissible during suspension and joining time.

[G.I., M.F., O.M. No. 20014/3/83-E. IV, dated the 27th July, 1984.]

(iv) Special Compensatory Allowance:

For orders regarding current rates of Special Compensatory Allowance for the various States and Union Territories and Disturbance Allowance admissible to specified areas of Mizoram, see Part V of this Compilation — H.R.A. and C.C.A.

(v) Travelling Allowance on first appointment:

In relaxation of the present rules (S.R. 105) that travelling allowance is not admissible for journeys undertaken in connection with initial appointment, in case of journeys for taking up initial appointment to a post in the North-Eastern region, travelling allowance limited to ordinary bus fare/second class rail fare for road/rail journey in excess of first 400 kms. for the Government servant himself and his family will be admissible.

(vi) Travelling Allowance for journey on transfer:

In relaxation of orders below S.R. 116, if on transfer to a station in the North-Eastern region, the family of the Government servant does not accompany him, the Government servant will be paid travelling allowance on tour for self only for transit period to join the post and will be permitted to carry personal effects up to 1/3rd of his entitlement at Government cost or have a cash equivalent of carrying 1/3rd of his entitlement or the difference in weight of the personal effects he is actually carrying and 1/3rd of his entitlement, as the case may be, in lieu of the cost of

NO. 1/2-ADM/97- 4663

Government of India

Archaeological Survey of India

O/O the Superintending Archaeologist

Guwahati Circle Dispur Guwahati-781005.

Dated, the...

23 FEB 1998

TO

The Director General
 Archaeological Survey of India
 Janpath
 New Delhi-110011.

Sub: Forwarding of transfer application of Shri A. Jha, Asstt.
 Suptdg. Archaeologist-reg.

Sir,

I have the honour to forward herewith the transfer application of Shri A. Jha, Asstt. Suptdg. Archaeologist of this office which is self explanatory for your kind information and necessary action with the request to provide substitute in case his application is duly considered.

Yours faithfully

Enclo As above.

g/c *D. Bhattacharya* 23/2/98
 Superintending Archaeologist

Attached
 Shri A. Jha
 29/3/2000
 Archaeologist
 of India
 Assistant
 Archaeologist

To

The Director General,
Archaeological Survey of India,
Janapath, N. Delhi -110001.

Sub- Request for transfer from Guwahati Circle - Reg.

Through Proper Channel

Sir,

I have the honour to bring to your kind knowledge that I have almost completed three years tenure in the Guwahati Circle of the Survey which, as per the Govt. rules, entitles me to request for the choice posting,

Therefore, I request you to kindly transfer me from this Circle to either (i) the Institute of Archaeology, or (ii) Excavation Branch II, N. Delhi, or (iii) the Publication Section of the Survey, for which I shall ever be grateful.

Yours Faithfully

Alb. 18.2.98

(A. Jha)

Asistant Superintending Archaeologist

Guwahati Circle, Guwahati.

G

attached
Alb. 18.2.98
Asistant Superintending Archaeologist
Archaeological Survey of India.

No.F. 3-9/98-ADM.I
Govt. of India
ARCHAEOLOGICAL SURVEY OF INDIA

Janpath,
New Delhi-11, the 17 MAY 1999.

OFFICE ORDER NO. 100/99-ADM.I

The following postings/transfers of Assistant Superintending Archaeologists are hereby ordered, in the public interest, with immediate effect and until further orders:-

Sr. No.	Name of Officer S/Shri	Present place of posting	New place of posting	Remarks
(M) ✓ 1.	V.K. Tiwari 2. B.P. Singh	O/o S.A., A.S.I., Lucknow Circle	Nalanda Museum, Against under O/o S.A., post to ASI, Patna Circle transfer	
(M) ✓ 2.	Dr. A.R. Siddiqi.	Chanderi Museum, under O/o S.A., ASI, Bhopal Cir.	Red Fort Museum, Vice S.A. under O/o S.A., B.S. Negi ASI, Delhi Circle A.S.A.	
(C) ✓ 3.	B.S. Negi	Red Fort Museum, under O/o S.A., ASI, Delhi Cir.	O/o S.A., A.S.I., Vice S.A. Delhi Circle VC Sharma A.S.A.	
(C) ✓ 4.	V.C. Sharma	O/o S.A., A.S.I., Delhi Circle	O/o S.A., A.S.I., Against Jaipur Circle post to transfer	
(M) ✓ 5.	Hanumantha Telegu	Hampi Museum under O/o S.A., A.S.I., Bangalore Circle	Matencherry Mu., Against under O/o S.A., vacant post ASI, Thrissur Cir.	
(M) ✓ 6.	C.P. Singh	Taj Museum, Agra, under O/o S.A., ASI, Agra Circle	Vaishali Museum, Vice S.A. under O/o S.A., K.P. Chauhan, ASI, Patna Cir. A.S.A.	
(C) ✓ 7.	K.P. Chaudhary	Vaishali Museum, under O/o S.A., ASI, Patna Cir.	O/o S.A., A.S.I., Vice S.A. Agra Circle Srivastava A.S.A.	
(M) ✓ 8.	G.N. Srivastava	O/o S.A., A.S.I., Agra Circle	Chanderi Museum, Vice Dr. under O/o S.A., A.R. Siddiqi ASI, Bhopal Cir. A.S.A.	
(M) ✓ 9.	R.S. Kulkarni	Bijapur Museum, under O/o SA, ASI, Farrar Circle	Nagarjunakonda Museum, under O/o S.A., RVS Sharma O/o S.A., A.S.I., A.S.A. Hyderabad Cir.	Vice S.H.S.
(M) ✓ 10.	Dr. R.V.S. Sharma	Nagarjunakonda Museum, under O/o ASI, Hyderabad Circle	Bijapur Museum, Vice S.A. under O/o S.A., R.S. Kulkarni ASI, Bharwar Cir. A.S.A.	

Contd...

Sr. No.	Name of Officer	Present place of posting	New place of posting	Remarks
11.	Dr. S.S. Gupta	Amaravati Museum, Gwalior Museum, Vice S.A., under O/o SA, ASI, under O/o S.I., Hyderabad Circle ASI, Bhopal Cir. A.S.I.	Hyderabad Circle ASI, Bhopal Cir. A.S.I.	Vice Dr. S.A., A.S.I., Amaravati Museum Vice Dr. S.A., A.S.I., under O/o S.A., ASI, Hyderabad Circle
12.	T.M. Keshava	Bangalore Circle	under O/o S.A., ASI, Hyderabad Circle	Vupta, A.S.I.
13.	S.K. Chaudhary	Hazarduari Palace Museum, under O/o Bangalore Circle S.A., A.S.I., Calcutta Circle	O/o S.A., A.S.I., Vice T.M. K. A.S.I.	
14.	Dr. Vijay Shankar	Srinagar Circle, Jammu	Hazarduari Palace Museum, under O/o S.A., A.S.I., Calcutta Circle	Vice S.A., A.S.I., A.S.I.
15.	A.K. Pandey	Gwalior Museum, Bhopal Circle	O/o S.A., A.S.I., Vice R.K.S. R.K.S. A.S.I.	
16.	R.K. Sinha	Patna Circle	O/o S.A., A.S.I., Bhopal Circle	Vice R.K. Sinha A.S.I.
17.	P.K. Mukherjee	Bhopal Circle	O/o S.A., A.S.I., Bhopal Circle	Vice R.K. Sinha A.S.I.
18.	Dr. K.P. Padhy	Ratnagiri Museum, under O/o SA, ASI, Bhubaneswar Circle	Ratnagiri Museum, under O/o SA, ASI, Bhubaneswar Circle	Vice K.P. Padhy A.S.I.
19.	A.K. Khanna	New Delhi	O/o D.G., A.S.I., Srinagar Circle	Vice Jammu
20.	Smt. Sunanda Srivastava	C.A.C. Section, New Delhi	O/o D.G., A.S.I., P.M. Section, O/o D.G., ASI, New Delhi	Vice A.K. Khanna A.S.I.
21.	K.K. Sharma	S.S. Sanghralaya, Red Fort, Delhi, under O/o S.A.,	Taj Museum, under O/o S.A., A.S.I., Agra	Vice C.P. A.S.

.../3-

attested
24/3/2000
Assistant Superintendent Archaeologist
Archaeological Survey of India

Contd....

Sr. No.	Name of Officer	Present place of posting	New place of posting	Reason
22.	S/Shri Fakir Chand	Kalibangan Museum, under O/o SA, ASI; Jaipur Circle	O/o S.A., ASI, Shri Fakir Chand, A.S.A., will hold charge of Kalibangan Museum, Jaipur Circle.	will hold charge of Kalibangan Museum, Jaipur Circle.

2) The headquarter of Assistant Superintending Archaeologist, Kalibangan Museum (Rajasthan) is hereby shifted to Office of Superintending Archaeologist, A.S.I., Jaipur Circle, Jaipur, with immediate effect and until further orders. Shri Fakir Chand, A.S.A., will, in addition to his own duty, hold the additional charge of Kalibangan Museum, until further orders.

3) Dr. A.R. Siddiqi, A.S.A., Red Fort Museum, Delhi, will, in addition, hold the charge of Swantantralaya Sangram Sanghralaya and Salimgarh Fort Museum.

4) The vacant post of Assistant Superintending Archaeologist, Arison due to transfer of Shri K.K. Sharma, A.S.A., is hereby transferred from Swantantralaya Sangram Sanghralaya, Red Fort, Delhi, under jurisdiction of O/o S.A., A.S.I., Delhi Circle, New Delhi, is hereby transferred to O/o Superintending Archaeologist, A.S.I., Jaipur Circle, Jaipur, with immediate effect and until further orders.

5. The vacant post of Asstt. Superintending Archaeologist, Arison due to transfer of Shri A.K. Khanna, A.S.A., is hereby transferred from O/o Director General, A.S.I., New Delhi, to Nalanda Museum, under jurisdiction of O/o Superintending Archaeologist, A.S.I., Patna Circle, Patna, with immediate effect and until further orders.

6. The concerned Superintending Archaeologists are requested to make necessary arrangements for the proper handing/taking over of charge and ensure that the officers transferred are relieved at the earliest possible to enable them to join new assignments.

Hindi version will follow.

Satyapal
(SATYA PAL)
Director [Administration]

Copy to:-

1. Officials concerned (Para 1, Col. 2 & 3).	BY FAX / SPE.
2. Offices concerned (Para 1, Col. 3 & 4).	BY HAND
3. Pay & Accounts Office, A.S.I., New Delhi/Hyderabad (4 copies each).	BY REGD. POST

Ann. V

NO: 23-16/99-Adm.I

1 SEP 1999

GOVERNMENT OF INDIA
ARCHAEOLOGICAL SURVEY OF INDIA

JANPATH, NEW DELHI-110011

Dated: 09.09.99

OFFICE ORDER NO:190/99-Adm.I

Shri A. Jha, Assistant Superintending Archaeologist, O/O Superintending Archaeologist, Archaeological Survey of India, Guwahati Circle, Guwahati is hereby transferred in the same capacity, in the public interest from Guwahati Circle to O/O Superintending Archaeologist, Archaeological Survey of India, Bangalore Circle, Bangalore, with immediate effect and until further orders.

(HINDI VERSION FOLLOWS)

Saty Pal
(SATYA PAL)
Director(Administration)

DISTRIBUTIONS:

1. Shri A. Jha, Asstt. Suptdg. Archaeologist, O/O S.A., ASI, Guwahati Circle, Guwahati.) BY FAX
2. S.A., ASI, Guwahati Circle, Guwahati.)
3. S.A., ASI, Bangalore Circle, Bangalore.)
4. Pay & Accounts Office, ASI, Hyderabad/ New Delhi.)
5. All Archaeological Offices.)
6. PA/PS to D.G./ADG/All Directors/Dy.Dir.(Admn.)/Dy. Dir.(O.L.)/Director Institute of Archaeology.)
7. Office Order file/Guard File.)

sent back
All 3.2.2000
Archaeological Survey of India

To,

The Director General,
 Archaeological Survey of India,
 Janpath, New Delhi-110011.

Subj:- Transfer in the mid-academic session - Reg.
 Sir, (Through proper channel.)

With reference to the transfer order
 No. 23-16/99-Adm. I dated 9th September, 1999, I have the honour
 to place following facts for your kind consideration-

The transfer in the mid-academic session has put
 me in much difficult situation. It will, besides, my changing
 the headquarter, also requires to change the school of my children
 as I cannot leave them at present station which is not my home-
 town.

My daughter is in the Class X (C.B.S.E. Course) and
 going to appear for the Board Examination which will be held in
 March-2000. The registration and the payment of fee etc. for the
 said examination have been over. According to the C.B.S.E. Rules,
 after these formalities the ^{change of} school and region of the candidate is
 not allowed. But the said transfer will require the same.

Moreover, by virtue of my having served in the
 North-Eastern Region since March, 1995, I become eligible for
 the choice posting, for which I had already informed the
 Directorate General's Office vide Guwahati Circle Office's letter
 No. 1/2-Adm/97-4663 dated 23.2.1998. I had mentioned my choice of
 places, according to the preference, in that letter as being-
 Institute of Archaeology, Excavation Branch II, New Delhi,
 Chandigarh Circle and Patna Circle.

Therefore, on the above mentioned reasons, I earnestly
 request you to kindly keep the present transfer order in abeyance
 till the end of this academic season which will end in March-2000.
 After which I will have no problem in complying your order in the
 matter.

For this kind sympathetic consideration and kind
 favour I shall ever be grateful to you.

authored
 All by
 11.9.3.2000
 Archaeological Survey of India

Yours faithfully,

(A. Jha)
 Asstt. Suptdg. Archaeologist,
 Guwahati Circle.

In The Central Administrative Tribunal
GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. 307/99

OF 199

Applicant(s) *See Achyutnanda Jha*

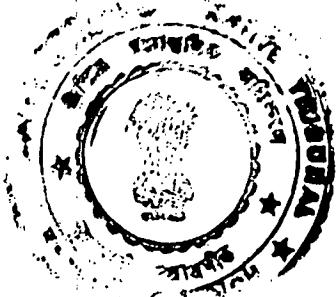
Respondent(s) *Union of India and ors.*

Advocate for Applicant(s) *M. G. K. Bhattacharya*

M. G. N. Das, M. B. Choudhury

Advocate for Respondent(s) *M.S. N. Devi*

C.G.S.C.

Notes of the Registry	Date	Order of the Tribunal
	22.9.99	<p>Learned counsel Mr. G.K. Bhattacharyya for the applicant and Mr. B.C. Pathak, learned Addl. C.G.S.C. for the respondents.</p> <p>The representation dated 14.9.1999, Annexure V, filed by the applicant against the impugned order dated 9.9.1999, Annexure IV, has not been disposed of by the respondents.</p> <p>This application is disposed of with direction to the respondents to dispose of the representation dated 14.9.1999, Annexure V, and communicate a speaking order to the applicant within one month from today. Till such disposal of the representation the</p>

Notes of the Registry	Date	Order of the Tribunal
 <i>9/5/6/2</i> <i>ALL</i> <i>Central Adminstrative Tribunal</i> <i>Architectural</i> <i>1/1/1</i> <i>27/3/2000</i>	22.9.99	<p>operation of the impugned order dated 9.9.1999, Annexure IV, shall remain suspended.</p> <p>The application is accordingly disposed of. No order as to costs.</p> <p>Sd/-MEMBER (Adm)</p> <p>Certified to be true Copy प्रशाणित प्रतिलिपि <i>23/10/1999</i> Section Officer (J) गोप्य अधिकारी (न्यायिक शास्त्र) Central Administrative Tribunal केन्द्रीय प्रशासनिक अधिकारण Guwahati Bench, Guwahati গুৱাহাটী বৰকঠৰ, গুৱাহাটী</p>

Janpath, New Delhi-110 011.

Dated the 18 OCT 1999

ORDER

WHEREAS Shri A.Jha, Asstt. Superintending Archaeologist, has been transferred from the Office of Superintending Archaeologist, Archaeological Survey of India, Guwahati Circle to the Office of the Superintending Archaeologist, Archaeological Survey of India, Bangalore Circle, Bangalore, vide Office Order No.190/99-Admn.I dated 9.9.1999 (No.F.23-16/99-Admn.I) and, accordingly, relieved of his duties, w.e.f. 17.9.1999 (Afternoon) by the Superintending Archaeologist, Archaeological Survey of India, Guwahati Circle, Guwahati, vide his office order NO.133/99 (No.1/1-Admn./99-1655) dated 14.9.1999 for joining at his new place of posting i.e. at Bangalore Circle Office.

2. WHEREAS Shri A.Jha, aggrieved by the transfer order, filed an application (O.A. No.307/99) before the Hon'ble C.A.T., Guwahati Bench, seeking interim relief for the stay of operation and execution of office order issued by the Office of Director General, ASI, New Delhi, and Office Order No.133/99 dated 14.09.1999 (No.1/2-Admn./99/1655) issued by the Superintending Archaeologist, ASI, Guwahati Circle, during the pendency of the application, and accordingly, the Hon'ble C.A.T., Guwahati Bench, vide its 'Order' dated 22.09.1999 suspended the operation of the impugned order dated 0.9.99 till disposal of the representation of the applicant dated 14.09.1999 through a speaking order.

3. AND WHEREAS the applicant had submitted a copy of his written representation dated 14.09.99 to the Office of Superintending Archaeologist, Guwahati, on 23.09.99. The copy of the said representation dated 14.09.1999 was forwarded by the Superintending Archaeologist, Guwahati Circle. The representation of applicant, forwarded by the concerned S.A., received in the O/O DG, ASI, New Delhi, on 04.10.1999.

4. The undersigned has gone through the contents of the representation dated 14th September, 1999 submitted by Shri A.Jha inter-alia indicating the problems and difficulties of his childrens' education, had prayed for

Cont/-

26
retaining him at the O/o S.A., Guwahati Circle till 31st March, 2000. After satisfying myself and reiterating the administrative decision, I hereby dispose of the representation of Shri A.Jha, Assistant Superintending Archaeologist, with directions to report for duty at the O/o S.A., ASI Bangalore Circle, Bangalore immediately after 31st March, 1999 in implementation of and exigencies of work at the O/o S.A., Bangalore Circle against the vacant post.

5. Whereas, it is clarified that the request of Shri A.Jha, A.S.A., for deferring the transfer till the end of March, 2000 has been acceded to on compassionate grounds, he will comply with the Director General's Officer order dated 09.09.1999. However, the deferment of transfer till the end of the financial year will be reviewable if any administrative grounds so require.

Ajai Shankar

(AJAI SHANKAR) IAS
Secretary & Director General

Place: New Delhi

Dated: 18 OCT 1999

attested
11132500

To

The Director General,
 Archaeological Survey of India,
 Janpath,
 New Delhi.

Subject: Request for posting on Transfer.

Sir,

I have the honour to bring following facts for your kind consideration:

I have completed almost 5 years of posting at Guwahati in the Guwahati Circle of the Survey. The D.P.& T. instructions prescribes for the choice posting after the tenure in the North-Eastern region. Thus this posting of mine in the North-Eastern region makes me eligible for the choice posting.

Therefore, I request you to kindly transfer me from Guwahati Circle and for this purpose my choice of places are:

- (i) Headquarters Office, New Delhi.
- (ii) Calcutta Circle, Calcutta.
- (iii) Patna Circle, Patna
- (iv) Chandigarh Circle, Chandigarh

For the kindness shown to me in posting at either of the above mentioned places, I shall ever be grateful to you.

Thanking you,

Yours faithfully,

A. Jha

(A. Jha)

ASSTT. SUPERINTENDING ARCHAEOLOGIST
 Archaeological Survey of India,
 Guwahati Circle, Guwahati (Assam)

Camp - N. Delhi

No. Pf./P.C./A.S.H/G.C.-3103 (22)
Government of India
Archaeological Survey of India
Office of the Superintending Archaeologist
Guwahati Circle, Ambari, G.N.B.Road, Ghy-1.

Dated, the 15/2/2002

To,

The Director General,
Archaeological Survey of India,
Janpath, New Delhi-110011.

Subj:-

Representation of Shri A. Jha, Assistant
Superintending Archaeologist-Regarding.

Sir,

I have the honour to enclose herewith a
representation which is self explanation submitted by, Sri A. Jha,
Assistant Superintending Archaeologist for your kind perusal.

Yours faithfully,

(Dr. G.C. Chauley)
Superintending Archaeologist.

No.

Dated, the

Copy to :-

Shri A. Jha, Assistant Superintending Archaeologist,
Archaeological Survey of India, Guwahati Circle, Guwahati-1 for
information.

AMCH
15/2/2002
Assistant Superintending Archaeologist
Archaeological Survey of India.

Dr. G.C. Chauley (22)
Superintending Archaeologist.
15/2/2002

To,

23
29

The Director General,
Archaeological Survey of India,
Janpath, New Delhi-110011.

Sub:- Posting at the Choice station after serving in the North Eastern Region.

Sir,
Through Proper channel.

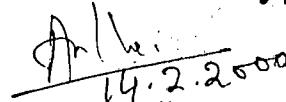
With reference to my letter dated 03-12-1999 I most respectfully, request you to kindly reconsider my place of posting from Bangalore to either or my choice stations in the light of the instructions of the Department of Personnel and Training, Ministry of Home, stipulating such after serving in the North Eastern Regions, where I have been posted since March, 1995.

Following stations, as my choice places, are being mentioned for your sympathetic consideration :-

- (i) New Delhi.
- (ii) Patna.
- (iii) Chandigarh.
- (iv) Calcutta.

For this kind sympathetic reconsideration of my place of posting, as requested above, I shall ever be grateful to you.

Yours faithfully,


14.2.2000

(A. JHA)
Asstt. Superintending Archaeologist
Guwahati Circle.

*At the end
A. JHA 2000
Asstt. Superintending Archaeologist
Guwahati Circle.*