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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 158/2000

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Kalita
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FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. 158/2000 OF 199

Applicant(s)

Sri Prem Mahan Kala

Respondent(s)

Union of India and Ors.

Advocate for Applicant(s)

Mr. R. P. Sharma

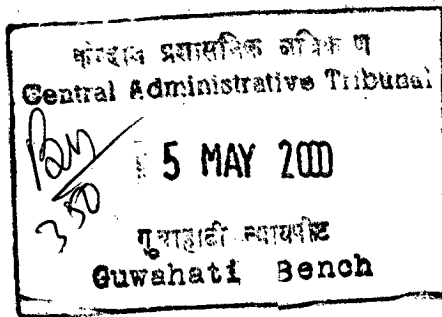
Dr. M. Pathak

Advocate for Respondent(s)

C. G. S. L.

Notes of the Registry	Date	Order of the Tribunal
<p>496060 S.S. 2900</p> <p>9-5-2000</p> <p>Notice prepared and sent to D. Section for issuing of the same to the respondents No-2, 3, 4 and 5 through Regd. post with A.D.</p>	<p>5.5.00</p> <p>5.6.00 nkm</p>	<p>Present: Hon'ble Mr A.K. Misra, Judicial Member</p> <p>Heard Dr (Ms) M. Pathak, learned counsel for the applicant and Mr A. Deb Roy, learned Sr. C.G.S.C. Issue show cause notice to the respondents returnable on 6.6.00. List for admission on 6.6.00.</p> <p>Member</p> <p>Dr. (Ms) M. Pathak learned counsel for the applicant seeks for adjournment. Prayer allowed.</p> <p>List on 21.6.2000 for consideration of admission.</p> <p>Member(J)</p>

Notes of the Registry	Date	Order of the Tribunal
<p>Notice duly served on R. No. 2 & 3. BY 6-6-2000.</p>	<p>10.7.00</p> <p>lm</p>	<p>Ms.M.Pathak learned counsel for the applicant and Mr.A. Deb Roy, Sr.C.G.S.C. for the respondents. Ms.M.Pathak, submits that the remedy sought for in this application has already been given and therefore, she is not pressed the application. In the result the case is dismissed as not press. No costs.</p> <p>Member(A)</p>



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:GUWAHATI BENCH

AT GUWAHATI

O.A. NO. 158 of 2000

I N D E X

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Filed by :
Majinshee Pathak
(Dr. M.Pathak)
Advocate
Date: 5.5.2000

Prem Mohan Kala

Filed by The Applicant
from Mohan Kala.
Through: M. Pathak
Advocate 5/5/2000

An application under Section 19 of the Administrative Tribunal Act, 1985.

Date of Filing :

or

Date of Receipt by Post :

Requisition No. :

Signature of Registrar

In the Central Administrative Tribunal, Guwahati Bench.

O.A. No. of 2000.

BETWEEN

PREM MOHAN KALA Applicant.

-VS-

UNION OF INDIA & CRS. Respondents.

Details of Application :-

1. Particulars of the applicant :-

- (i) Name of the applicant : Prem Mohan Kala,
- (ii) Name of father/husband: Rati Ram Kala,
- (iii) Designation & Office in which employed . : Store Keeper, RDTDC, Office of the Development Commissioner, (Handicrafts), Guwahati.
- (iv) Office address : Office of the Development Commissioner (Handicrafts) Beltola, Basistha Road, Guwahati-6.

Contd .../-

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Pran-Mohan Kala 6

(V) Address for service of / all

Officers : Office of the Development
Commissioner(Handicrafts),
Beltola Basistha Road,
Guwahati-6.

2. Particulars of the Respondents :-

(i) Name and/or designation

of the Respondent : (1) Union of India,
Ministry of Textiles,
West Block VII, R.K.
Purana, New Delhi-66.

{ix}

(ii) Development Commissioner
(Handicrafts), Govt of
India, Ministry of
Textiles. Beltola,
Basistha Road,
Guwahati-6.

(iii) ~~Director~~ Regional
Director (NER), Office
of the Development
Commissioner(Handicrafts)
Govt of India, Beltola,
Basistha Road, Guwahati-6

(iv) Ms. N.L. Palla,
Deputy Director(Designs),
Office of the Development
Commissioner(Handicrafts)
Govt of India, Ministry
of Textiles, Beltola,
Basistha Road, Ghy-6.

Contd .../-

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(V) The Deputy Director (Admn-III)
Office of the DC(Handicrafts,
West Block No.7,R.K.Purane,
New Delhi-110066.

(ii) Office address of : -do-
the Respondents.

(iii) Address for service : -do-
of all notices.

3. Particulars of the order against which applica-
tion is made :-(i) No.NER/4/59/Admn/2000/873,
(ii) dated 27.3.2000, (iii) Passed by the Regional
Director (NER),Office of the Development
Commissioner(Handicrafts) Govt of India,Ministry
of Textile, Beltola,Basistha Road,Guwahati-6.

- And -

Order No.NER/1/1/Admn/2000 dated 02.05.2000
passed by the Deputy Director (Designs),
reliving the applicant, while his representa-
tion dated 10-4-2000 against the transfer order
was pending.

Contd .../-

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Dr. Mohan Kumar

4. Jurisdiction of the Tribunal :-

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

5. Limitation :-

The applicant further declares that the application is within the limitation prescribed in Section 21 of the Administrative Tribunal Act, 1985.

6. Facts of the Case :-

(i) That your applicant is a citizen of India and is a resident of Garhwal(UP).

The applicant is aged 43 years of age.

(ii) That after selection the applicant was appointed as store keeper, on 11/13.10-1995.

On his appointment he was posted in little Andaman, (Andaman & Nicobar Islands), The applicant joined his post on 20.11.1995.

(iii) That after about 2 years of service in very back-ward and trouble-torn island of little Andaman, Your applicant was posted and attached to Regional Office, Guwahati by order issued on 25.4.1997.

Contd .../-

5.

A copy of the said order dated 25.4.97
is annexed herewith as Annexure-'A'.

(iv) That on being relieved on 31.5.1997 from
little Andaman, the applicant joined at Guwahati
on 30-6-1997.

(v) That after serving about 3 years in half
stations at little Andaman and at Guwahati
(N. E. Region), the applicant in terms of
the standing Govt. of India, circular applied
for choice posting giving two stations of his
choice by his application dated 02.04.1998.

A copy of the application dated 02.04.1998
is annexed herewith as Annexure-B.

(VI) That thereafter again on 26.6.1998, the
applicant made another application for his
transfer to his any of the choice stations. The
said application was duly received and forwarded
to the Respondent No.2 by the Respondent No.4
on 02.07.1998 for consideration.

A copy of the said application dated 26.6.1998
is annexed herewith as Annexure-C.

Cont d/-

From Mohan Kala

(VII) That Gov t. of India, Ministry personnel and Administrative Reforms, formulated a policy for the employees posted in hand stations, particularly the North Eastern Region, giving certain previledges and benefits of inter alia, posting to outside the N.E. Region for completion of the tenure of 3 years for employees with service of 5 years and the ^{tenure} ~~term~~ 2 years for employees with service period of 10 years or above. The said policy of the Govt of India, was issued in the form of Office Memorandum dated 14.12.1983.

A copy of the said office memorandum is annexed herewith as Annexure-'D' & D₁

(VIII) That inspite of the post that the applicant's, prayer for posting to his choice station, outside N.E.Region, was pending before the competent authority, the applicant was shocked to receive the impugned order of transfer dated 27.3.2000 issued by the Respondent No.3, transferring the applicant to further hand station in Tripura. The said transfer order was in fact like throywing the applicant from frying pan to fire.

7.

A copy of the said transfer order dated 27.3.2000 is annexed herewith as Annexure-'E'.

- (IX) That immediately on receipt the order of transfer the applicant by his application dated 10.4.2000 represented his case to the Respondent No.3 for reviewing the order of transfer and transfer him out from the N.E. region to other place as per choice of stations given by him. In the said application he has also given the reason of his acting parents and the policy of the Govt of India giving benefit of posting completing tenure in N.E.Region.

A copy of the said application dated 10.4.2000 is annexed herewith as Annexure-'F'.

- (X) That on 25.4.2000, the Respondent No.3 wrote to the Deputy Director (Admn-III)/Respondent No.5 recommending the case of the applicant for transferring him from this region to other region at head-quarter level.

A copy of the said recommendation dated 25-4-2000 is annexed herewith as Annexure-G.

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Dr. Mohan Kala.

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(XI) That inspite of pendency of application since 1998 for his posting to choice stations and the application against the order of transfer in the recommendation of the Respondent No.3 on the application of the applicant for reviewing the order of transfer and for his posting to choice station, the Respondent No.4 without allowing the higher authorities to consider the applications and the recommendations pending issued an order on 02.05.2000 relieving the applicant from his post at Guwahati and directing him to hand over the charge to one Shri Gokul Sarma without the other ~~xxx~~ incumbent coming to join at Guwahati.

A copy of the said order dated 2.5.2000 is annexed herewith as Annexure-H.

(XII) That it is stated that Ms. N.L.Pallai Deputy Director, Respondent No.4 has always nurtured ill feeling towards the applicant and said Ms. Pallai mentally harassed the applicant for which the applicant had to undergo medical treatment in the Gauhati Medical College Hospital and also to make a

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From Mohan Kaler

make a request to Respondent No.3 by application dated 21.1.2000 against the behaviour of Ms. Pallai the relieving order dated 2.5.2000 is out coming of malice on the part of Mr. Pallai towards applicant as otherwise when the transferring authority himself had recommended to the higher authority for posting the applicant out side the N.E.Region.

A copy of the said representation dated 21.1.2000 is annexed herewith as Annexure-I.

(XIII) That the action of the Respondent No.4 is relieving the applicant from Guwahati was malafide and unjustified in as much as the higher authority that is the Respondent No.3, who passed the transfer order for inter-regional transfer to Tripura, recommended the case of the applicant for posting, outside the N.E.Region.

(XIV) That the Respondent No.4 acted illegally and with malice, in precipitating the release order dated 02.05.2000 while the applicant's representation for review of the transfer order dated 27.3.2000 and the recommendation of the Respondent No.3 to the

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the higher authority Respondent No.5 were pending.
The action of the Respondent No.4 amounted to
circumvent and stifle the recommendation made by
the Respondent No.3.

(XV) That the impugned order of transfer is illegal, malafide and discriminatory, in as much as instead of posting the applicant out of the region on completion of his tenure, he has been posted further to harder and remoter station to Tripura, in clear discrimination with other similarly situated employees, who are given the benefit of soft posting outside the region on completion of tenure of 3 years in N.E.Region.

(XVI) That the applicant begs to state that the applicant has been seriously discriminated Vis-a-Vis other similarly situated employees in the department in the matter of posting as the applicant right from the date of his appointment in 1995 has been ~~continuously~~ continuously posted in very hard stations like little Andaman and then to N.E.Region.

(XVII) That the order of transfer is passed malafide and contravention to the laid down policy of the Govt. of India.

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(XVIII) That if the impugned order is allowed to stand, the applicant will suffer irreparable loss and injury.

XIX) That the applicant has not handed over charge and the impugned orders have not taken effect yet.

7. Reliefs sought :-

In view of the facts and grounds stated above in para 6, the applicant seeks the following reliefs:

(i) quash/set aside the impugned orders dated 27.3.2000 and 2.5.2000.

(ii) direct the Respondents to particularly the Respondents No.1,2 and 5 to expedite consideration for applicant's posting outside the N.E.Region in terms of Govt. Policy.

(iii) Cost and

(iv) any other relief(s) as to this Hon'ble Tribunal may deem fit and proper.

8. Interim order, it prayed for;

Pending disposal of this application, the applicant prays for stay of the operation of the

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Dr. Mohan Kala

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the impugned order dated 27.3.2000 and 2.5.2000, thereby allowing the applicant to continue in his present posting at Guwahati.

9. Details of the remedies exhasted :

The applicant, as stated in paragraph 6 above, has availed of all the remedies available to him under the relevant service rules.

10. Matter not pending before any other court, etc. :

The applicant further declares that the matter regarding which this application has been made is not pending before any court of law or any other authority or any other Bench of the Tribunal.

11. Particulars of Bank Draft/Postal order in respect of the application fee :

1. No. of IPO :
2. Name of Issuing
Post Office: H. P. O, Guwahati.
3. Date of Issue of IPO: 5.5.2000
4. Post Office of which :
payable.

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Mohan Kala

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12. Details of index :

An index in duplicate containing the details of the documents to be relied upon is enclosed.

VERIFICATION

I, Prem Mohan Kala, son of Rati Ram Kala, aged about 43 years, working as stores keeper, resident of Beltola, Guwahati do hereby verify that the courtup from paragraphs 1 to 12 are true to my knowledge and belief and that I have not suppressed any material facts.

Prem Mohan Kala.

Signature of the applicant.

Place :- Guwahati

Date :- 5.5.2000

To

The Registrar,
CAT, Guwahati, Bench.

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Annexure A
No.A-22015/3/96-Adm.111
Government of India
Ministry of Textiles

Office of the Development Commissioner(Handicrafts)

West Block NO.7, R.K.Puram
New Delhi-110066.

Dated:- 25/4/17

ORDER

With immediate effect S/Shri Prem Mohan Kala, Storekeeper and G.Khoshy, Asstt. Instructor, UIC(C&B) Andaman and Nicobar shall remain attached to Regional Office Guwahati until further orders for proposed Design Centre Guwahati(NER).

The above officials are entitled to TA and DA under rules.

This issue is with the approval of Development Commissioner(Handicrafts).

(D.K.MUKHOPADHYAY)

Additional Development Commissioner(Handicrafts)

To
The Accounts Officer,
CP&AO, O/O the DC(II)
New Delhi.

Copy to:-

- 1.RD(SR)O/O the DC(II)Chennai for further immediate action.
- 2.RD(NER) Guwahati for information..
- 3.DD(Trg)(C&B) O/O the DC(II)New Delhi.
- 4.AD, M&SEC, Port Blair, A&Nicobar.
- 5.Shri G.Khosy, Asstt. Instructor, UIC(C&B) R.K.Pur, A & Nicobar.
- ✓ Shri Prem Mohan Kala, SK, UIC(C&B) R.K.Pur, Andaman and Nicobar.
- 7.Hindi Officer.
- 8.P/F of Shri Prem Mohan Kala and Shri G.Khosy.
- 9.Guard file.

(AJIT KUMAR)

Assistant Director(Adm.111)

[Handwritten signature]

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DIARY No. 2/4/98

Date: 2/4/98

NER

Taluk

The Development Commissioner (Handicrafts)
Govt. of India; Ministry of Textiles;
West Block No. VII; R.K. Puram;
New Delhi-110 066.

Annexure - 'B'

2/4/98

Q. Sumer

(Through Proper Channel)

Subject: - Prayer for transfer from NER.

Sir,

With due respect, I beg to say that I had joined my service as Store-keeper in the Office of the Development Commissioner (Handicrafts) and posted at Little Andaman which is one of the most remotest locality area.

i) I served 14 (fourteen) months at Little Andaman with the hope that I may be posted to some place in the mainland nearby my Home Town .

ii) But, I have been posted at North Eastern Region by transferred from Little Andaman which is also a remote and disturb area.

iii) Now, I have completed 2 (two) years and 5 (five) months service in remote area.

It is, therefore, requested to kindly consider my case sympathetically by transferring from NERO, Guwahati to any of the following office;

(a) Development Commissioner (Handicrafts) Office,
West Block No. VII; New Delhi-110066.

(b) Regional Director (NR) Office;
West Block No. VIII; New Delhi-110066.

Yours faithfully,



(P.M. KALA)
Store-keeper;
BDTDC; C/O the DC(H)
Guwahati-6.

==

Date: 02.04.98.



Annex - C

TO

The Development Commissioner (Handicrafts)
Govt. of India; Ministry of Textiles,
West Block No. VII; R. K. Puram;
New Delhi-110 066.

(Through Proper Channel)

Subject:- Humble prayer for transfer from North Eastern Region.

Sir,

With due respect, I have the honour to lay the following few lines for favour of kind consideration and necessary orders;

i) I joined my service as store-keeper in the Office of the Development Commissioner (Handicrafts) and posted at Little Andaman which is one of the most remotest locality area;

ii) I served about 19 (nineteen) months at Little Andaman with the hope that I may be posted to some place in the mainland nearby my Home Town;

iii) But, I have been posted at North Eastern Region by transferred from Little Andaman which is another remote and disturb area; and

iv) Now, I have completed 2 (two) years and 7 (seven) months i.e., completing 3 (three) years of service in remote area.

I, therefore, requested to kindly consider my case of transfer sympathetically and posted me to any of the following offices on humanitarian ground;

- (a) Office of the Development Commissioner (Handicrafts); West Block NO. VII; R. K. Puram; New Delhi-110 066.
- (b) Office of the Regional Director (NR); West Block NO. VII; R. K. Puram; New Delhi-110 066.

Dated: Guwahati.
the 26th June, 1998.

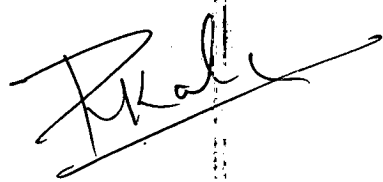
Yours faithfully,

(P.M. KALA)

STORE KEEPER,

RDTDC, Office of the D.C. (H)
GUWAHATI-781006.

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R-1
Annexure D
21
R-1

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No. 20014/3/03-E.IV
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 14th December, 1983.

OFFICE MEMORANDUM

Subject: Allowances and facilities for civilian employees of the Central Government serving in the States and Union Territories of North-Eastern Region - improvements thereof.

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 & 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

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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.

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. Such of those employees who are exempt from payment of income tax will, however, not be eligible for this Special (Duty) Allowance. 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.

(iv) Special Compensatory Allowance :

1. Assam and Meghalaya

The rate of the allowance will be 5% of basic pay subject to a maximum of Rs.50/- p.m. admissible to all employees without any pay limit. The above allowance will be admissible with effect from 1.7.1982 in the case of Assam.

2. Manipur

The rate of allowance will be as follows for the whole of Manipur :-

Pay upto Rs.840/-

Pay above Rs.260/-

Rs.40/- p.m.

15% of basic pay subject to a maximum of Rs.150/- p.m.

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3. Tripura

The rates of the allowance will be as follows:-

(a) Difficult Area

25% of pay subject to a minimum of Rs.50/- and a maximum of Rs.150/- p.m.

(b) Other Areas

Pay upto Rs.260/- Rs.40/- p.m.

Pay above Rs.260/- 15% of basic pay subject to a maximum of Rs.150/- p.m.

There will be no change in the existing rates of Special Compensatory Allowance admissible in Arunachal Pradesh, Nagaland and Mizoram and the existing rate of Disturbance allowance admissible in specified areas of Mizoram.

(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 the 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 upto 1/3rd of his entitlement at Government cost 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 transportation of baggage. In case the family accompanies the Government servant on transfer, the Government servant will be entitled to the existing admissible travelling allowance including the cost of transportation of the admissible weight of personal effects according to the grade to which the officer belongs, irrespective of the weight of the baggage actually carried. The above provisions will also apply for the return journey on transfer back from the North Eastern region.

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(vii) Read mileage for transportation of personal effect on transfer:

In relaxation of orders below S.R. 116, for transportation of personal effects on transfer between two different stations in the North-Eastern region, higher rate of allowance admissible for transportation in 'A' class cities subject to the actual expenditure incurred by the Government servant will be admissible.

(viii) Joining Time with leave :

In case of Government servants proceeding on leave from a place of posting in North-Eastern Region, the period of travel in excess of two days from the station of posting to outside that region will be treated as joining time. The same concession will be admissible on return from leave.

(ix) Leave Travel Concession :

A Government servant who leaves his family behind at the old duty station or another selected place of residence and has not availed of the transfer travelling allowance for the family will have the option to avail of the existing leave travel concession of journey to home town once in a block period of 2 years, or in lieu thereof, facility of travel for himself once a year from the station of posting in the North East to his home town or place where the family is residing and in addition the facility for the family (restricted to his/her spouse and two dependent children only) also to travel once a year to visit the employee at the station of posting in the North Eastern Region. In case the option is for the latter alternative, the cost of travel for the initial distance (400 kms./160 kms.) will not be borne by the officer.

Officers drawing pay of Rs.2250/- or above, and their families, i.e., spouse and two dependant children (upto 18 years for boys and 24 years for girls) will be allowed air-travel between Imphal/Silchar/Agartala and Calcutta and vice-versa, while performing journeys mentioned in the preceding paragraph.

(x) Children Education Allowance / Hostel Subsidy:

Where the children do not accompany the Government servant to the North-Eastern Region, Children Education Allowance upto class XII will be admissible in respect of children studying at the last station of posting of the employee concerned or any other station where the children reside, without any restriction of pay drawn by the Government servant. If children studying in schools are put in hostels at the last station of posting or any other station, the Government servant concerned will be given hostel subsidy without other restrictions.

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2. The above orders except in sub-para (iv) will also mutatis mutandis apply to Central Government employees posted to Andaman and Nicobar Islands.

3. These orders will take effect from 1st November, 1983 and will remain in force for a period of three years upto 31st October, 1986.

4. All existing special allowances, facilities and concessions extended by any special order by the Ministries/Departments of the Central Government to their own employees in the North-Eastern region will be withdrawn from the date of effect of the orders contained in this Office Memorandum.

5. Separate orders will be issued in respect of other recommendations of the Committee referred to in paragraph 1 as and when decisions are taken on them by the Government.

6. In so far as the persons serving in the India Audit and Accounts Department are concerned, these orders issued after consultation with the Comptroller and Auditor General of India.

sd/-

(S.O. MAHALIK)

JOINT SECRETARY TO THE GOVERNMENT OF INDIA.

To,

All Ministries/Departments of the Government of India, etc. etc.

Copy (with spare copies) to C.& A.G., U.P.S.C. etc.

Phala

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F.No. 20014/16/86/E.IV/E.II(B)
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 1st December, 1988

OFFICE MEMORANDUM

Subject:- Improvement in facilities for Civilian employees of the Central Govt. serving in the States of North-Eastern Region, Andaman & Nicobar Islands and Lakshadweep.

The undersigned is directed to refer to this Ministry's O.M. No. 20014/3/83-E.IV dt. 14th December, 1983 and 30th March, 1984 on the subject mentioned above and to say that the question of making suitable improvements in the allowances and facilities to Central Govt. employees posted in North-Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland, Tripura, Arunachal Pradesh and Mizoram has been engaging the attention of the Govt. Accordingly the President is now pleased to decide as follows:-

(1) Termure of posting/deputation

The existing provisions as contained in this Ministry's O.M. dated 14.12.83 will continue.

(ii) Weightage for Central deputation and training abroad; special section in confidential records:-

The existing provisions as contained in this Ministry's O.M. dated 14.12.83 will continue. Cadre authorities are advised to give due weightage for satisfactory performance of duties for the prescribed tenure in the North-East in the matter of promotion to the cadre posts, deputation to Central tenure post and courses of training abroad.

(iii) Special (Duty) Allowance:-

Central Govt. Civilian employees who have All India Transfer Liability will be granted Special (Duty) Allowance at the rate of 12% of basic pay subject to a ceiling of Rs 1000/- 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 1000/- p.m. Special allowances like Special Compensatory (Remote Locality) Allowance, Construction Allowance and Project Allowance will be drawn separately.

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The Central Govt. Civilian employees who are members of scheduled Tribes and are otherwise eligible for the grant of Special (only) Allowance under this para and are exempted from payment of Income Tax under the Income-Tax Act will also draw Special (Duty) Allowance.

(iv) Special Compensatory Allowance:-
The recommendations of the 4th Pay Commission have been accepted by the Govt. and Special Compensatory Allowance at the revised rates have been made effective from 1.10.86.

(v) Travelling Allowance on First appointment:-
The present concessions as contained in this Ministry's O.M. dt. 14.12.83 will continue with the liberalisation that on first appointment T.A. should be admissible for the total distance, instead of for the distance in excess of first 400 Kms. only.

(vi) Travelling Allowance for journey on transfer:-
The existing provisions as contained in this Ministry's O.M. dated 14.12.83 will continue.

(vii) Head allowance for transportation of personal effect on transfer:-
The existing provisions as contained in this Ministry's O.M. dated 14.12.83 will continue.

(viii) Joining time with leave:-
The existing provisions as contained in this Ministry's O.M. dated 14.12.83 will continue.

(ix) Leave Travel Concession:-
The existing concession as contained in this Ministry's O.M. dated 14.12.83 will continue.

Officers drawing pay of Rs 5100/- or above, and their families i.e. spouse and the dependent children (upto 18 years for boys and 24 years for girls) will be allowed air travel between Imphal/Silchar/Agartala/Aizawl/Itanagar and Calcutta and vice-versa; between Port Blair and Calcutta/Andam and Nicobar Islands; and between Kavaratti and Cochin and vice-versa in case of postings in Lakshadweep.

(x) Children Education Allowance/Hotel subsidy
Where the children do not accompany the Government servant to the North-Eastern Region, Children Education Allowance upto class XII will be admissible in respect of children studying at the last station of posting of the employee concerned or any other station where the children reside. If children studying in schools are put in hotels at the last station of posting or any other station, the Government servant concerned will be given hotel subsidy without other restrictions.

Final

The rates of Children Education Allowance/Hostel subsidy will be as in the DOP&F, O.M. 10011/1/67-Ett. (Allowances) dt. 31.12.67. as amended from time to time.

(xi) Concession regarding grant of House Rent Allowance to officers posted in the States of North Eastern Region, Andaman & Nicobar Island and Lakshadweep Islands.

The present concession as contained in this Ministry's O.M. No. 11016/1/E.II(B)/64 dt. 29.3.64 as amended from time to time will continue to be applicable.

(xii) Telephone facilities

The officers who are eligible to have residential telephone may be allowed to retain their telephone at their residences in their last place of the posting subject to the condition that the rental and all other charges are paid by such officers.

2. The above orders will also apply ~~mutatis-mutandis~~ to the Central Govt. employees posted in Andaman & Nicobar Islands and Lakshadweep Island. These orders will also apply ~~mutatis-mutandis~~ to officers posted to N.E. Council, when they are stationed in the N.E. Region.

3. These orders will take effect from the date of issue.

4. In so far as the persons serving the Indian Audit & Accounts Deptt. are concerned these orders issue after consultation with the Comptroller & Auditor General of India.

5. Hindi version of this Memorandum is attached.

(A. JAYARAMAN)

JOINT SECRETARY TO THE GOVT. OF INDIA.

To

All Ministries/Departments of Govt. of India, etc.
Copy (with usual number of spare copies) forwarded to
C.S.A.O., U.P., S.G., etc., etc. as per standard endorsement
list.

भारत सरकार, वस्त्र मंत्रालय
कार्यालय विकास आयुक्त हस्तशिल्प (पूर्वोत्तर क्षेत्र)
द्वितीय मंजिल, सेंट्रल ब्लॉक,
हाउसिंग अफ़ेय कार्यालय
बेलहा बासिथा रोड,
गुवाहाटी, असम - 781006
तार : डायक्राफ्ट
दूरभाष : 560174, 566123, 563259
फैक्स नं : 0361-560174



GOVERNMENT OF INDIA, MINISTRY OF TEXTILES
Office of the Development Commissioner (Handicrafts),
(North Eastern Region)
2nd Floor, Central Block
Houseed Office Complex
Behola Basistha Road,
Guwahati - 781006, ASSAM
Gram : DYCRAFTIND
Tel : 560174 / 566123 / 563259
Fax No 0361-560174

No. NER/4/59/Admn/2000/

Date: 27.03.2000.

O R D E R

With immediate effect and until further orders,
the following Storekeepers are hereby transferred to the
places as shown against their names:-

Sl. No.	Name	Transferred	
		From	To
1.	Sri P.H.Kala	RDTC, Guwahati	DTC(C&B), Arelia (Tripura)
2.	Sri Dinesh Ch. Das	BCDI, Agartala	RDTC, Guwahati.
3.	Sri R.K. Sinha	DTC(C&B), Arelia	BCDI, Agartala

The above transfers and postings are in the
interest of Public service and the incumbents are entitled to
Transfer TA/DA, joining time etc. admissible as per rules.

Sri R.K. Sinha, Storekeeper of DTC(C&B), Arelia
will move first and the above officials shall join in the new
places of their posting within 30th April/2000. , positively .

(L. HATZAW)

Regional Director(NER)

To,

The Incumbents concerned.

copy to:-

1. The Sr. Accounts Officer, CPAO, O/O the DC(H), New Delhi-66.
2. Dy. Director(D), RDTC, O/O DC(H), Guwahati.
3. Officer-in-charge, BCDI, O/O the DC(H), Agartala for nece-
4. Asstt. Director(Admn. III), O/O the DC(H), New Delhi-66. ssary action.
5. Asstt. Director(H), HSEC, O/O the DC(H), Agartala.
6. Bill Clerk/Accounts Section, NERO, Guwahati.

.....
Regional Director(NER)

A Hested & be true copy

Brem Mohan Kala.

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Annexure - F

(ADVANCE COPY)

We may recommend for
the transfer to other region. But
the transfer order to DTC
should remain unchanged.

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To: 10/4/2000
O/O the DC (H)

The Regional Director (NER),
Office of the Development Commissioner (H),
Houseed Complex, 2nd floor, Central Building,
Gauhati-781006.

Subject: Prayer for reconsider of transfer order no. NER/4/59/Admn/2000
dated 27.3.2000.

Through proper channel

Sir,

With due respect and humble submission I beg to submit the following few lines for favour of your kind consideration and sympathetic orders please.

1. Sir, I was posted as StoreKeeper in the O/O the D.C(H), Guwahati vide order no. A-22015/3/96-Admn-3/939 dt. 25.4.97 and accordingly I joined. I have been working in the above office for last two years and ten months prior to this I was working as StoreKeeper in little Andaman since 20.11.95 till 22-6-97.
2. Sir, with above period of service I have completed my turnover period. As per rule of the department on completion of the turnover period in one region I should be transferred and posted in other region.
3. Sir, vide the transfer order referred to above I have been transferred from Guwahati to Agartala which is in the same region i.e. N.E. region. Needless to mention here that I have completed my turn over period in this trouble torn N.E. region.
4. Sir, I am hailing from Garhwal (U.P) and my old ailing parents are living there. During the last few years my old ailing parents were spending their nights with great anxiety for the reason of my stay at troubled torn region. If I am not transferred from this region then my old ailing parents shall shorten their live period.
5. Sir, prior to this I made representation to your end to transfer me from this region to other region. Since I did not complete my turn over period, probably, I was not considered for transfer.

Under the premises stated above I must fervently pray that your enlightened heart will kindly to review the transfer order referred to above and stay the same and be kind enough to transfer me from the N.E. region to other place as per choice.

For this act of kindness I shall ever pray.

Yours faithfully,

(PREM MOHAN KALA)

S.K.RDTC.Guwahati,

10-4-2000

Copy to:-

1. Development Commissioner (H), O/O the D.C. (H), R.K. Puram, New Delhi-66.
2. Additional Commissioner (H), O/O the D.C. (H), R.K. Puram, New Delhi-66.
3. Dy, Director (Admn)-3, O/O the D.C. (H), R.K. Puram, New Delhi-66. for perusal and necessary action please.

Prakash

भारत सरकार, वस्त्र मंत्रालय
कार्यालय विकास आयुक्त (पूर्वोत्तर क्षेत्र)
द्वितीय मंजिल, सेंट्रल ब्लॉक,
होउसिंग ऑफिस कॉम्प्लेक्स,
बेलचि बासिठा रोड,
गुवाहाटी, असम - 781006
तार : 25/04/2000
दूरभाष : 560174, 566123, 566259
फैक्स नं : 0361-560174

24
GOVERNMENT OF INDIA, MINISTRY OF TEXTILES
Office of the Development Commissioner (Handicrafts),
(North Eastern Region)
2nd Floor, Central Block
Housing Office Complex
Belich Basistha Road,
Guwahati - 781006, ASSAM
Gram : DYCRAFTIND
Tel : 560174 / 566123 / 566259
Fax No. 0361-560174

No. NER/4/50/Adm/2000/3

Date: 25/04/2000

To,

The Dy. Director (Adm. III),
Office of the DC (Handicrafts),
West Block No. 7, A.M. Bazar,
New Delhi-110001.

Sir,

I am forwarding herewith a representation received from Shri P.M. Kala, Storekeeper, R.P.T.D.C., Guwahati for his transfer from NER, Guwahati to other region as Shri Kala has completed 3(three) years service in NER.

I, therefore, request you kindly to consider his transfer from this region to other region at Hqs. level.

Yours faithfully,

(L. Kataria) 25/4
Regional Director(NER)

Encls:- as above.

O/C

P. Kala

कार्यालय विकास आयुक्त हस्तशिल्प (पूर्वोत्तर क्षेत्र)
भारत सरकार, वस्त्र मंत्रालय
आंचलिक नक्शा एवं कारिगरी विकास केन्द्र
द्वितीय तल, सेंट्रल ब्लॉक,
हाउसेड ऑफिस कॉम्प्लेक्स,
बेल्टोला बसिस्ता रोड,
गुवाहाटी, आसाम - 781 006.
तार : डायक्राफ्टइंड
दूरभाष : 563259, 560174,
फैक्स नं. : 0361-560174
टेलीग्राफ : 235-2333 स्लिप इम



OFFICE OF THE DEVELOPMENT COMMISSIONER (HANDICRAFTS)
MINISTRY OF TEXTILES, GOVT. OF INDIA
REGIONAL DESIGN & TECHNICAL DEVELOPMENT CENTRE
2nd Floor, Central Block
Houseled Office Complex
Beltola Basistha Road,
Guwahati - 781 006 (ASSAM)
Gram : DYCRAFTIND
Tel : 563259/560174
Fax No : 0361-560174
Telex : 235-2333 SLIP - IN

Annexure - H

No.NER/1/1/Admn./2000

Dated: 02-05-00.

ORDER

In pursuance of Order No.NER/4/59/Admn./2000/873 dtd. 27-03-2000 from Regional Director(NER), O/O DC(Handicrafts), Guwahati Shri P.M.Kala, Storekeeper of Guwahati Office stands relieved of his duties from this office w.e.f. to-day afternoon i.e., 2-5-2000(A/N). He will join his duty at DTC(C&B), Aralia (Tripura) after handing over his charge to Shri Gakul Sarma, ACSK pending Shri Dinesh Ch, Das, Storekeeper transferred from ~~NER(C&B)~~ BCDI, Agartala to Guwahati office reports for duty and takes over store-charge.

To

Shri P.M.Kala,
Storekeeper,
O/O DC(H), GUWAHATI.

=====

(Niralaxmi Palai),
Deputy Director(Design) and

Copy to :-

- (1) Regional Director(NER),
O/O the DC(Handicrafts),
N.E.Regional Office,
Guwahati.
=====
- (2) Sr. Accounts Officer,
C.P.A.O., O/O the DC(Handicrafts),
New Delhi-66.
=====
- (3) Dy.Director(Admn.III),
O/O the DC(Handicrafts),
West Block No.7, R.K.Puram,
New Delhi-66.
=====
- (4) Incumbents Concerned(G.S./D.C.D.)
- (5) Bill/Accounts Section.

(Niralaxmi Palai),
Deputy Director(Design).n).

[Signature]

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Annexure - I
To,

The Regional Director (NER),
Office of the OC(H),
NERO, Guwahati.

Through Dy. Director (Design), RDTDC, Guwahati.

Sir,

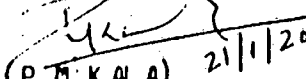
I have the honour to inform you that I am not staff of RDTDC, Guwahati as per my Transfer Order No, as I was posted to RO(NER).

2. I am suffering from mental illness (due to misbehavior of Ms. N. L. Palai, DD(D), and under treatment at G.M.C.H. referred by CGHS, Guwahati. Under these circumstances I am mentally harassed by Ms. N.L. Palai, Dy. Director (D), RDTDC, Guwahati.

3. Under the above condition I can not work under her in RDTDC, Guwahati.

4. At last I may request you to transfer me from RDTDC to RO(NER), Guwahati or any other place, for my mental peace.

Yours faithfully,


(P.M. KAL A) 21/1/2000.
Storekeeper,
RDTDC, Guwahati-6.

