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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./T.A No...167/2000

R.A/C.P No.....

E.P/M.A No.....

1. Orders Sheet. OA-167/2000.....Pg.....1.....to.....4.....
2. Judgment/Order dtd. 23/5/2001.....Pg.....1.....to.....3.....*Disposed*
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A.....167/2000.....Pg.....1.....to.....27.....
5. E.P/M.P.....NIL.....Pg.....to.....
6. R.A/C.P.....NIL.....Pg.....to.....
7. W.S.....Pg.....1.....to.....16.....
8. Rejoinder.....Pg.....to.....
9. Reply.....Pg.....to.....
10. Any other Papers.....Pg.....to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

In The Central Administrative Tribunal
GUWAHATI BENCH : GUWAHATI

ORDER SHEET
APPLICATION NO. 167/2000 OF 199

Applicant(s) Sri Biprane Prasad Saikia.


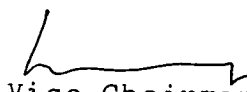
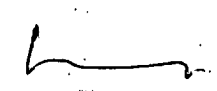
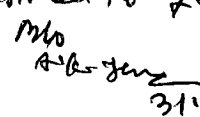
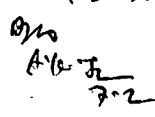
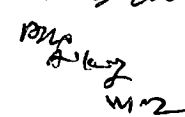
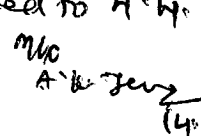
Respondent(s) Union of Nagaland.


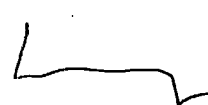
Advocate for Applicant(s) Mr. G. K. Bhattacharyya
Mr. G. N. Das, Mr. B. Choudhry

Advocate for Respondent(s) C. G. S. C.

Notes of the Registry	Date	Order of the Tribunal
<p>497246 16.5.2000</p> <p>mk 22/5/2000</p> <p>Not Registered filed.</p> <p>By</p>	<p>17.5.2000</p>	<p>Present : Hon'ble Mr. A. K. Misra, Judicial Member.</p> <p>Issue notice to the respondent to show cause as to why the applica- -tion should not be admitted. Returnable by 21.6.00.</p> <p>Considered the prayer for interim relief. However, I am not inclined to grant interim relief at this stage.</p> <p>List on 21.6.00 for consideration of admission.</p> <p>21.6.00</p>
	<p>21.6.00</p>	<p>There is no bench today to 10.7.00.</p>

Rs 9-2000
Neither statement
has been filed by
the respondents.
Done
Wls has been filed.
21/9
25.9.2000.
~~The case is ready~~
~~for hearing.~~
21/9
~~25.9.2000.~~

No. / the Registry	Date	Order of the Tribunal
<p>Wls have been filed.</p> <p><u>22/4.22.2000</u></p>	3.11.00	<p>Present: Hon'ble Mr. Justice D.N. Choudhury, Vice-Chairman.</p> <p>Written statement has been filed. Application is admitted. No formal notice need be issued. Case be listed for hearing on 5.12.00.</p> <p> Vice-Chairman</p>
<p>lm</p> <p>The case is ready for hearing.</p> <p><u>22/9.1.2001</u></p>	5.12.2000	<p>A prayer has been made on behalf of Mr G.K. Bhattacharyya, learned counsel for the applicant, for adjournment of the case by Mr B. Choudhury. Prayer allowed. List it on 8.1.2001 for hearing.</p> <p> Vice-Chairman</p>
<p>ankm</p> <p>10.1.01</p>	10.1.01	<p>On the prayer of Mr A. Deb Roy, learned Sr.C.G.S.C the case is adjourned to 31.1.2001.</p> <p> Vice-Chairman</p>
<p>pg</p> <p>31.1.</p> <p>13-03-01</p> <p>W/S on 1/4 Respd. no-1-4 are filed.</p> <p>P. 5 is still admitted.</p> <p>14.2.2001</p> <p>14.3.</p>	<p>31.1.</p> <p>7.2.</p> <p>14.2.2001</p> <p>14.3.</p>	<p>no S.B. Adjourned to 7.2.2001.</p> <p> 31.1.</p> <p>left over to 14.2.2001.</p> <p> 7.2.</p> <p>Due to crowded time, the case adjourned to 14.3.2001</p> <p> 14.2</p> <p>on the prayer of Sri G.N. Das, learned advocate for the applicant, the case is adjourned to 14.4.2001.</p> <p> 14.3.</p>

Notes of the Registry	Date	Order of the Tribunal
	4.4.2001	None appears for the applicant. List again on 9.4.01 for hearing.
	nkm	 Vice-Chairman
	9.4.	Left the matter on 9/5/2001 to enable the respondents to get hold of the records. M/s A.K. Singh 9.4.
	9.5.	Left over. List again on 23/5/2001. M/s A.K. Singh 9.5.
1.6.2001 Copy of the Judgment has been sent to the Office for study the line to the applicant as well as to the L/Adm for the Respn.	23.5.01	Heard counsel for the parties. Hearing concluded. Judgment delivered in open court, kept in separate sheet. The application is disposed of in terms of the orders. No order as to costs.
	pg	 Vice-Chairman

6

CENTRAL ADMINISTRATIVE TRIBUNAL ::
GUWAHATI BENCH.

O.A./K.X. No. . 167 of 2000.

DATE OF DECISION ...23-5-2001...

Sri Bishnu Prasad Saikia

APPLICANT(S)

Sri G.N.Das.

ADVOCATE FOR THE APPLICANT(S)

- VERSUS -

Union of India & Ors.

RESPONDENT(S)

Sri A.Deb Roy, Sr.C.G.S.C

ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE MR JUSTICE D.N.CHOWDHURY, VICE CHAIRMAN.

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the judgment is to be circulated to the other Benches ?

5.

Judgment delivered by Hon'ble Vice-Chairman.

h

X

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 167 of 2000.

Date of Order : This the 23rd Day of May, 2001.

The Hon'ble Mr Justice D.N.Chowdhury, Vice-Chairman.

Shri Bishnu Prasad Saikia,
son of late Tipeswar Saikia,
presently serving as the Sanitary
Inspector, Aviation Research Centre
(A.R.C) Hospital, Doomdoooma,
Tinsukia, Assam.

. . . Applicant

By Advocate S/Sri G.K.Bhattacharyya &
G.N.Das.

- Versus -

1. Union of India,
(Represented by the Cabinet Secretary,
Department of Cabinet Affairs,
Bikaner House, Shahjahan Road,
New Delhi.
2. The Director General of Security,
Block-V (East), R.K.Puram,
New Delhi - 110066.
3. The Director,
Aviation Research Centre,
Block - V (East),
R.K.Puram,
New Delhi-110066.
4. The Deputy Director (Admn.)
Aviation Research Centre,
Doomdoooma (Assam).
5. The Senior Medical Officer,
Aviation Research Centre Hospital,
Doomdoooma (Assam).

. . . Respondents.

By Sri A.Deb Roy, Sr.C.G.S.C.

O R D E R

CHOWDHURY J.(V.C)

By an order dated 4.4.2000 the applicant was transferred from Doomdoooma to Sarsawa . The said order is under challenge as arbitrary and discriminatory. In the application the applicant alleged mala fide against the respondents. The respondents submitted its written statement denying the allegation and stated that the order was passed in the public interest.

2. Heard Mr. G.N.Das, learned counsel appearing for the applicant as well as Mr. A. Deb Roy, learned Sr.C.G.S.C. for the respondents. Mr. G.N.Das, learned counsel for the applicant however, did not press the allegation of mala fide. Mr. Das further submitted that the applicant being a low paid employee, having a family consisting of school going children, the impugned order of transfer will undoubtedly cause serious hardship and bring dislocation to the family peace. Mr Das also submitted that in the establishment so far no para medical staff were transferred, save and except for promotion. If the applicant is to act in terms of transfer order it will have serious repercussion in the family life, more particularly, in the education of the growing children. Mr Das also submitted that the impugned order itself prima facie shows that the order was not a routine transfer order. Without waiting for replacement the applicant was transferred. Mr Das submitted that unknowingly he might have rubbed his shoulder in a wrong place for which this order was passed and the applicant has already by the passage of time become sadder and sober and expressed his regret, if by his act or omission bruised the feelings of others. It is no doubt true that an employee has no right to continue in a particular place. Transfer of an employee is not unknown in the service jurisprudence but nonetheless such orders undoubtedly disrupt and disarrange the household equilibrium.

3. Be that as it may, considering all the aspects of the matter, more so, in view of the fact that the applicant pursuant to the order of transfer dated 4.4.2000 had joined his new place of posting at Sarsawa, I am of the view that

a

it is a fit case for the respondents to re-consider the order of transfer and pass appropriate order, considering the hardship more so, when the post is still vacant. While passing the order I have also taken note of the fact that the concerned Medical Officer has also expressed his opinion, considering the ground realities and informed the authorities about the situation of Doomdooma which was in the extreme corner of North Eastern Region due to adverse climatic and geographic condition including poor living status in a nearby area and in the upkeep of the health highlighted the importance of a post of Sanitary Inspector. For the aforesaid reasons I direct the applicant to submit an appropriate representation before the Directorate within two weeks from today ventilating his grievance. If such representation is made, the respondents shall consider the same and pass an appropriate order taking a sympathetic view as well as the public interest. It is expected that the respondents shall complete the aforesaid exercise as early as possible, preferably within one month from the date of receipt of the representation.

With this the application stands disposed of. There shall, however, be no order as to costs.


(D.N.CHOWDHURY)
VICE CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH :

Central Administrative Tribunal
GUWAHATI.

16 MAY 2000

09/167/2000

Shri Bishnu Prasad Saikia
Guwahati Bench..

Applicant.

Versus

Union of India & Ors.

Respondents.

INDEX

Sl. No.	Particulars	Page No.
1.	Body of the application	1 to 11
2.	Verification	12
3.	Annexure - 1	13
4.	Annexure - 2	14
5.	Annexure - 3	15
6.	Annexure - 4	16
7.	Annexure - 5	17
8.	Annexure - 6	18 to 21
9.	Annexure - 7	22
10.	Annexure - 8	23 to 24
11.	Annexure - 9	25
12.	Annexure - 10	26 to 27

Filed by -

Bikram Choudhury
Advocate. 16/5/2000

- 1 -

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH,
GUWAHATI.

(An application U/s. 19 of the Administrative Tribunals Act, 1985).

O.A. NO. 167 OF 2000

Shri Bishnu Prasad Saikia,
son of late Tipeswar Saikia,
presently serving as the Sanitary
Inspector, Aviation Research Centre
(A.R.C.) Hospital, Doomdooma,
Tinsukia, Assam.

... APPLICANT.

VERSUS

1. Union of India,
(Represented by the Cabinet Secretary,
Department of Cabinet Affairs,
Bikaner House, Shahjahan Road,
New Delhi.
2. The Director General of Security,
Block-V (East)

Contd.../-

Bishnu Prasad Saikia,
Filed by the applicant
through Bishnu Choudhury
Advocate.

R.K. Puram,
New Delhi - 110066.

3. The Director,
Aviation Research Centre,
Block - V (East),
R.K. Puram,
New Delhi - 110066.

4. The Deputy Director (Admn.)
Aviation Research Centre,
Doomdooa (Assam),

5. The Senior Medical Officer,
Aviation Research Centre Hospital,
Doomdooa (Assam).

... RESPONDENTS

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

1. Illegal and arbitrary action of the authorities in transferring the applicant from Aviation Research Centre, Doomdooa to Aviation Research Centre, Sarsawa by way of penalty w.e.f. 31.5.2000 (AN) in terms of the order No.ARC/Genl/284/95 dtd. 04.04.2000 passed by the Director General of Security, Block-V

Contd.../-

80

(East) R.K.Puram, New Delhi - 110066 (Respondent No.2).
Order No.ARC/Genl/284/95 dtd. 10.04.2000 issued by the
Respondent No.2 as communicated by the Respondent No. 4
in his office memorandum No. 109/Estt/DDM/99-4357 dtd.
11.04.2000 whereby the competent authority had approved
the transfer order of the applicant from Doomdooa to
Sarsawa w.e.f. 31.5.2000.

2. JURISDICTION OF THE TRIBUNAL.

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

3. LIMITATION.

The applicant further declares that the
application is within the limitation prescribed under
section 21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE :

1. That the applicant initially joined service
under the respondent authority on 6.5.82 as a Sanitary
Inspector at Doomdooa and he is continuing in the same
post till date. Though the Applicant has rendered about
28 years' of service, he is holding the same post and
there are no promotional avenues. Though there were

Contd.../-

185

several proposals and the Fourth and Fifth Pay Commission had recommended ^{at least} ~~outlast~~ two promotional avenues, nothing has been done and the applicant is holding the same post, as stated above, for the last 28 years.

2. That the applicant belongs to para-medical staff and till date, to the best of the applicant's knowledge, no para-medical staff have been transferred without promotion. In point of fact, the applicants' predecessor has gone on retirement without any transfer after completing about 36 years' of service in the same station. The applicant has now suddenly been transferred to Sarasawa in the same grade and the applicant, because of certain earlier events, is convinced that his transfer has been made not in public interest or due to exigency of service but as a measure of penalty and as such he is approaching this Hon'ble Tribunal for relief due to him. ✓

3. That the applicant begs to state that on 19.8.99, there was no doctor available in the Aviation Research Centre Hospital, Doomdooma and Maj. Dr. S.Choudhury from the Army who was posted to the S.F.C. Unit had come to the Aviation Research Centre Hospital to examine the patients. Maj. (Dr) Choudhury called applicant and wanted to examine the inventories, files etc. and because of some misunderstanding, there was an unpleasant incident for which Maj. (Dr) Choudhury was //

Contd.../-

185/

Prk 152 2

very agitated and he had taken up the matter with the A.R.C. authorities. The matter was brought to the notice to the authorities in the A.R.C. , Doomdooma and the applicant by his letter dtd. 24.8.99, recorded that he was extremely sorry for the incident and prayed apology for the same. Subsequently the applicant received letter No. 109/Estt/DDM/(Disc)/99/12685 dtd. 7.10.99 whereby the applicant was severely warned to keep ^{well} the check his temperament and not to misbehave in future with his superiors.

Copies of the letter dtd. 24.8.99 and 7.10.99 are annexed herewith and marked as ANNEXURES-I & II respectively.

4. That the applicant begs to state that because of the small incident due to misunderstanding, the applicant was severely warned and the matter ought to have been dropped. However, since a doctor from the Army was involved, the A.R.C. authorities at Doomdooma took it as a prestige issue and the applicant was given to understand that it was not the end of the matter and that other actions would be taken against him.

5. That, in such a situation, the applicant received the impugned order No.ARC/Genl/284/95 dtd. 4.4.2000 issued by the Respondent no. 2 transferring the applicant from ARC, Doomdooma to ARC, Sarasawa in

Contd.../-

187

the same post w.e.f. 31.5.2000. The aforesaid order was further communicated to the applicant by the respondents No. 4 and 5.

Copies of the aforesaid orders are annexed herewith and marked as ANNEXURES-III, IV & V respectively.

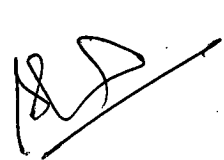
6. That the applicant, on 17.4.2000, submitted a representation to the Respondent No. 3 pointing out the difficulties to be faced by his children in the middle of the academic session. In his representation the applicant also pointed out that not a single para-medical staff was transferred without promotion and that since no substitute was posted in his place, the transfer was not essential.

Copy of the said representation is annexed herewith and marked as ANNEXURE-VI.

7. That the applicant, thereafter, received corrigendum dtd. 26.4.2000 whereby the applicant was directed to report to the Assistant Director (A) ARC, Sarasawa.

Copy of the said corrigendum is annexed herewith and marked as ANNEXURE-VII.

Contd.../-



8. That the applicant has not received any response to his representation filed by him and since no one has been posted in the Applicant's place, none has come to join. The respondent No. 5 under whom the applicant is working, by his letter No. 1416 dtd. 8.5.2000 addressed to the respondent No.4, has informed that it would be very difficult for him to maintain ~~a~~ Sanitary conditions without a substitute, which fact will also show that the transfer was not made in the interest of public service.

Copy of the said letter dtd. 8.5.2000 is annexed herewith and marked as ANNEXURE-VIII.

9. That the applicant, on 12.5.2000, has submitted a reminder representation for cancellation of his transfer order but the applicant is convinced that no useful purpose will be served by waiting any longer and as such he is approaching this Hon'ble Tribunal.

Copy of the said reminder-representation is annexed herewith and marked as ANNEXURE-IX.

10. That the applicant begs to state that from what is stated above, it would be apparent that the applicant was transferred because of the incident of

Contd.../-

187

August, 1999 and not for any public interest and that the transfer was not essential. Moreover, the fact that no substitute has been posted inspite of the difficulties to the faced, as recorded by the Sr. Medical Officer, Respondent No.5, will show that the transfer order has been passed malafide. The respondent authorities, by circular No.ARC/Accts/BE/Genl/99/218 dtd. 5.5.99, had laid down the guidelines on expenditure management and among others, it was laid down that transfers which were not essential should not be made and as such the impugned transfer order was passed in violation of their own guidelines.

Copy of the said guidelines is annexed herewith and marked as ANNEXURE-X.

5. GROUND'S FOR RELIEF WITH LEGAL PROVISIONS:

I. For that the action of the authority in issuing the impugned transfer order in the middle of the academic session would uproot the family of the applicant causing irreparable harm to him. The transfer order, if carried into operation, would surely ^{disrupt} ~~disrespect~~ the education of the applicant's children and would also lead to numerous other complications and problems resulting in acute hardship and demoralisation and as such the impugned transfer order is bad in law and liable to be set aside.

Contd.../-

18/7

II. For that the impugned transfer order was issued arbitrarily in colourable exercise of power. The order was issued by way of penalty and therefore punitive and arbitrary and as such the impugned transfer order is bad in law and liable to be set aside.

III. For that the instant transfer order was issued not in the interest of public service but by way of penalty as a sequel to the unfortunate incident of August, 1999 and as such the impugned order is bad in law and liable to be set aside.

IV. For that, in any view of the matter, the action of the authorities in transferring the applicant is bad in law and liable to be set aside.

6. DETAILS OF THE REMEDIES EXHAUSTED.

The applicant had filed a representation which was followed by a reminder-representation but no response has been received by the applicant till date.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT/TRIBUNAL.

The applicant further declares that he has not previously filed any application, writ petition or suit regarding the matter in respect of which this

Contd.../-

application has been made before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

8. RELIEF SOUGHT:

It is, therefore, prayed that Your Lordships would be pleased to admit this application, call for the entire records of the case, ask the respondents to show cause as to why the impugned transfer orders should not be set aside and quashed and after perusing the causes shown, if any and hearing the parties, set aside and quash the impugned transfer orders dtd. 4.4.2000 and 10.4.2000 (Annexure-III and IV) and/or pass any other order/orders as Your Lordships may deem fit and proper.

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

9. INTERIM ORDER, IF ANY, PRAYED FOR.

It is further prayed that Your Lordships would also be pleased to stay the

Contd.../-

operation of the said impugned transfer orders pending final disposal of this application by this Hon'ble Tribunal inasmuch as the applicant would suffer irreparable loss and injury if the operation of the impugned transfer orders is not stayed.

10. Does not arise. The application will be personally presented by the advocate of the applicant.

11. Particulars of the postal order in respect of the applicant fee.

I.P.O. No. OG 497244 dtd. 16.5.2000 issued by the Guwahati Post Office at Guwahati is enclosed.

12. List of Enclosures:

As stated in the index.

Contd.../-

18/5

52

22

VERIFICATION

I, Shri Bishnu Prasad Saikia, son of Late Tipeswar Saikia, aged about 51 years, presently serving as the Sanitary Inspector in ARC Hospital, Doomdooa do, hereby, verify that the contents in paragraphs No. 1, 2, and 4 are true to my personal knowledge and those in paragraphs 3, 5, 6, 7, 8, 9 and 10 are believed to be true on legal advice and that I have not suppressed any material fact.

Place : Guwahati

Bishnu Prasad Saikia
Signature of the applicant.

- Date : 16-5-2000

Contd.../-

To
The Deputy Director (Admn.),
A.R.C. Doom Dooma.

(Through Proper Channel)

Sub :- SELF STATEMENT IN CONNECTION WITH R.O.G.
AGAINST DR. S. CHAUDHURI.

Sir,

I have the honour to request you that on 23.8.99 at 1320hrs. in presence of AD(A), Dr. Mohapatra, Maj. Chaudhuri SFO(A) and S.O. at D.D.(A) office I put further my comments regarding incident happened on 19.8.99 at A.R.C Hospital. ✓

2. I realised the matter and requested apology to Maj. Chaudhuri stating " due to my misunderstanding any un-towards harsh words to Maj Chaudhuri affecting his heart being Sr. Officer I may be pardoned and extremely sorry for the episode as at that moment I was mentally up-set. "

3. Regarding non submission of Registers to him with an impression on my mind that he has been requested to see patients and normal routine jobs like previous SSF Doctors as no such office order have been issued to Hospital. For not obeying his orders I also may please be excused.

Submitted for your kind information please.

Yours faithfully,

(B.P. Saikia)

SJ

W.C. Hosp.

Dt. 24/8/99

~~Copy to~~

~~Commandant SSF.~~

- 14 -

ANNEXURE II

No. 109/ESTT/DDM/(DISC)/99-12685
O/O the Deputy Director (Admin)
Aviation Research Centre
Government of India
Post : Deem Deema : 786 151
Dist : Tiraukia : (Assam)

Dated the, 7/10/99

O R D E R

Whereas Shri B.P. Saikia, Sanitary Inspector posted at ARC, Deem Deema has been involved in an incident occurred at M.I. Room, ARC Hospital on 19/08/99 and displayed an insubordinating act of misconduct before the officiating M.O. Maj. (Dr) S. Choudhury and on apprehending that an enquiry the misconduct of Shri B.P. Saikia Sanitary Inspector is established. Thereby understanding gravity of misconduct committed by him, the said Shri B.P. Saikia gave a written statement subsequently seeking pardon in admitting his mistake.

2. Now Dr Choudhury on receipt of his statement took a sympathetic attitude by accepting the written pardon sought by Shri Saikia. The Deputy Director (A), ARC, Deem Deema after examining the entire incident has observed that "Shri B.P. Saikia, Sanitary Inspector should be severely warned to keep in check his temperament and not to misbehave in future with his superior. Such incident if reported hereafter will be dealt with severely".

3. Thus, Shri B.P. Saikia, Sanitary Inspector is hereby ~~severely warned for his insubordinating misconduct~~ displayed on 19/08/99 in the M.I. Room of ARC Hospital and advised not to expose such temperament in future. His conduct would be under watch and recurrence of such incident on his part will be dealt with severely.

(V.K. NAITHANI)
SENIOR FIELD OFFICER (A)
for ASSISTANT DIRECTOR (ADMIN)

To
Shri B.P. Saikia,
Sanitary Inspector,
(Th) the Medical Officer,
ARC, Deem Deema.

/uma/

212
22-4-2K

No.ARC/Genl/284/95 ✓
 Aviation Research Centre
 Directorate General of Security
 (Cabinet Secretariat)
 Block V (East) 4 R.K.Puram
 New Delhi-110066.

Assistant Director (Adm.)
 ARC Doom Dooma
 Govt. of India (DGS)

Dated: the 11. 4. 2000

ORDER

Shri B.P.Saikia, Sanitary Inspector, ARC, Doom Dooma
 is transferred to ARC, Sarsawa with effect from 31.5.2000 (AN)
 in public interest.

2. This issues with the approval of Competent Authority.

(R.K.SARIN)
 ASSISTANT DIRECTOR (A)

Copy to:-

1. DACS, R.K.Puram, New Delhi.
2. ✓ By Director (A), ARC, Doom Dooma. Shri Saikia may be directed to report to Asstt. Director (A), ARC, Doom Dooma.
3. Asstt. Director (A), ARC, Sarsa Wn.
4. Asstt. Director (A), ARC, Charbatia.
5. Shri S. Das, Assistant, Genl. Br.
6. F.No.ARC/Genl/161/2000.
7. Guard file.

Attested by
 Bhanu Choudhary
 Advocate
 16-5-2000

DDM 836
SWA 766
THI 101640

SECRET/IMMEDIATE.

TO DDM AD (A)
INFO SWA AD(A)
✓ FM DLI AD (A)

NO.ARC/GEN/284/95 DTD 10 APR 2000

COMPETENT AUTHORITY HAS APPROVED THE TRANSFER OF B.P.
SAIKIA, SANITARY INSPECTOR FM DDM TO SWA W.E.F. 31.5.2000(.)
EOM (.)

TOR: Mon Apr.10 17:37:37: 2000

No. 109/Estt/DDM/99-4357
ARC Doom Dooma
Dated 11.4.2000

Copy forwarded for information
and necessary action to.

1. The Accounts Officer, ARC, Doom Dooma.
2. The M.O. ARC Hospital Doom Dooma.
3. File No. 104/ESTT/DDM/99

Sd/-
(R.N.CHAKRABORTY)
SECTION OFFICER

*Attested by
Bikram Choudhury
Advocate
16/5/2000*


MEMORANDUM.

Dated 11th Apr. 2000.

It has been intimated by Section Officer, A.D (Admn) office, Doom Dooma vide No. 109/ESTT/DDM/99-4357 dated 11.4.2000, you are under transfer from Doom Dooma to Sarsawa with effect from 31.5.2000 as per approval of competent authority.

This is for your information please.

✓ To
Shri B.P. Saikia,
San/Insp.ARC, Hospital,
Doom Dooma.


(Dr. N. Behera)

Senior Medical Officer

Copy to :-

Assistant Director (Admn) ARC, Doom Dooma for
information as per A.D.(A) DLI Msg. Copy.

(Dr. N. Behera)

ANNEXURE-VI.

To

The Director,
ARC, New Delhi.

(Through Proper Channel)

Sub: Request for cancellation of transfer.

Respected sir,

With due respect, I have the honour to request the following few lines for your kind consideration and early action please.

a) Sir, my daughter studying at class XII in Assamese medium college and it is middle of her academic session. I am not in a position to leave her alone at here. Further also there is no hostel facility available at her college. My posting place Sarsawa, there is no Assamese Medium College where she can get admission on my transfer for which she has to lose her one year academic session i.e. class XII.

b) My son who is also B.Sc. final year student, on my transfer it will be disturb to him for his final year study. Also he is suffering from CARDIAC (RHD) problems and under treatment. At present, if I go on transfer, it may effect him as well my family members and will put me in agony.

Contd.../-

c) My family members are born and brought up in Assamese culture and society, due to my transfer from N.E. Zone to North Zone, it will disturb for my family, and it will be a discrimination my part.

d) Moreover, no San/Insp. has been transferred/ disturbed by posting to any other station since inspection of ARC establishment and in my case without substitute also transfer has been made which is purely discrimination. Even, I being a low paid para-medical staff in ARC in the past in my service tenure, there is not a single case where without promotion para-Medical staffs are being transferred so far. But mine is a single case where disturbing is a discrimination.

e) Sir, as per Govt. Circular No.ARC/ACCTTS/BE/GENL/99/218 dated 5.5.99 due to financial austerity measures "Transfer which are not essential may not be made. This will reduce the impact on the grant of transfer TA/DA". As without substitute, I am under transfer order, hence cancellation as requested.

f) As per ARC Hqrs. letter No.ARC/COORD/17/87 dated 6.9.88 (Clause B) anybody who is transferred should be given minimum time of 3 months. Sir, since I have not been even received the formal transfer order (except communication of SMO) and my effective date also on 31.5.2000 which is too short notice, the cancel-

Contd.../-

lation of my transfer may kindly be considered which will reduce mental agony of self and my family.

g) Further in one occasion my DD(A) Mr.S.C.Kukreja told me about my taste of transfer. Now I get a transfer order which is a bolt from the blue. - Is it a taste of vindictiveness ?

h) At Charbatin-4 posts are in San/Insp grade since 1964, so far 3 have been retired from ARC Base, worked through out their live. No transfer was made to them till their retirement. So there is no precedence over the transfer for a low paid non promotional Sanitary Inspector. However, my case has been considered for transfer which is completely a vindictive.

i) I am not allowed to draw the benefits of SDA as I am NE Region local candidate, If such so why my transfer to other station i.e. Sarsawa. In this respect a case is under-prejudices at Guwahati CAT.

Under the above circumstances your kind honour is requested to cancel my transfer for which I shall be grateful to you.

Thanking you sir,

Yours faithfully,
Sd/-B.P.Saikia,
San/Insp.
ARC Hospital, Doom
Dooma.

Contd.../-

21

Dated 17.4.2000

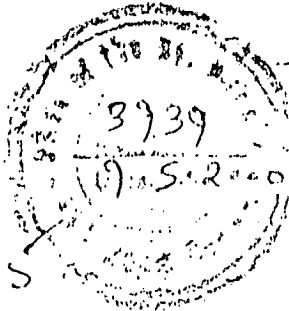
N.B. Adv. Copy sent to Director, ARC to avoid delay.

Remarks of SMO.

This official has got genuine pattern. Strongly recommended for sympathetic consideration without substitute it is difficult to spare him.

Sd/- Illegible,
Senior Medical Officer,
A.R.C. Doomdooma.

Contd.../-



ANNEXURE VII

Assistant Director (Admin.)
ARC Doon Dooma
Govt. of India (DGS)

No. ARC/Genl/284/95
Aviation Research Centre
Directorate General of Security
(Cabinet Secretariat)
Block V (East) + R.K. Puram
New Delhi, 110066.

Dated, the 26.4.2000

CORRENDUM

The endorsement at Sl. 2 of order No. ARC/Genl/284/95 dated 4.4.2000 may be read as "Shri Saikia may be directed to report to Asstt. Director (A), ARC, Sarsawa".

All other terms and conditions remain unchanged.

(R.K. SARIN)
ASSISTANT DIRECTOR (A)

Copy to:-

1. DACS, R.K. Puram, New Delhi.
2. Asstt. Director (A), ARC, Doon Dooma.
3. Asstt. Director (A), ARC, Sarsawa.
4. Asstt. Director (A), ARC, Chorbati.
5. Shri S. Das, Asstt. Genl. Br.
6. F.No. ARC/Genl/161/2000.
7. Guard file.

No. 109/ESTT/DDM/ 53 99
ARC, Doon Dooma

Dated the, 10/5/2000

Alongwith
Order No.

Copy forwarded to Shri B.P. Saikia, San. Insp. (T)
CAS Gr. I, ARC Hospital, Doon Dooma.

ARC/Genl/284/95
dtd. 4/4/2000

(R.N. CHAKRABORTY)
SECTION OFFICER

To
The Deputy Director (A)
ARC Doom Dooma.

Sub : Transfer of Sanitary Inspector Sri B.P. Saikia from ARC
Doom Dooma to ARC Sarsawa.

Please refer to ARC Hqrs Neg No ARC/GEN/294/95 dated 10.4.2000 regarding the subject mentioned above. ✓

ARC Doom Dooma^{is} situated at ^{an} extreme corner of N.E. Region and covers a vast land of area including FRU, MIL. Due to adverse climatic and geographical condition, including poor living status in the near by area, greater responsibilities also involved for supervision, prevention of Communicable disease and frequent liaisoning with Civil Medical authorities, for which the post of Sanitary Inspector is most essential.

More over, the duties of Sanitary Inspector are arduous and manifold and involves wide ranging field duties. To look after hygiene and sanitation in the campus, prevention of Communicable and tropical disease like Malaria, pure drinking water supply, children immunization, Hygiene etc along with other SHO related Medical jobs are assigned by Sanitary Inspector.

To handle the poisonous chemicals like DDT, BHC, Malathion, Pyrethrum, K-othorine etc responsible official are essential and Sanitary Inspector's supervision is a must. Presently FRU MIL station is being provided with the facilities in regular manner.

This station is equipped with high speed spraying machine running by Motor and have to be handle with proper care and supervision to avoid accident to the handling staffs i.e. AMM. At present Monsoon season has approached and spraying activities are also increased at Doom Dooma and MIL station.

Considering all the facts, without substitute of Sanitary Inspector at this station will hamper all SHO jobs. Unlike other station CBT/SAA we donot have more number of Sanitary Inspectors.

From only one Sanitary Inspectors who is entrusted with certain Hospital works like Hospital Inventories, maintenance of SHD chemical consumption records/correspondences, maintain of Hospital surrounding etc. This Hospital provides only basic requirement with less number of staffs. From the limited resources if Sanitary Inspector taken out without any substitute then things will be in haywhere and the normal work will be jeopardised.

Hence authorities is requested that without substitute transfer of present Sanitary Inspector to Sarsawa to be re-consider for better function of Hospital and SHD activities on public interest.

(Dr. N. BEHERA)

N.O.O. Copy to:-

Sri B.P. Saikia.S.I. in connection with this office letter No 1002(1) dated 11/4/2000 for his transfer to Sarsawa for information please.

Senior Medical Officer
A.R.C. Doon Doon

8/5/2000

To
The Assistant Director (Admn.),
A.R.C. Doom Dooma.

(Through Proper channel).

Sub :- RE-PRESENTATION REGARDING TRANSFER.

Sir,

I have the honour to inform you that I submitted an application regarding cancellation of my transfer to ARC Sarsawa on 17-4-2000 address to Director ARC through your office .

As my date of transfer effected w.e.f. 31.5.2000 and till date I am not received any reply in this regards. Now I am bound to go to the Court of Law to seek proper justice on my transfer.

Submitted for your information please.

Yours faithfully,

[Signature]

(B.P. Saik 12/5/2000
San/Insp.
ARC Hospital Doom Dooma.

ND 1028 Forwarded to A.D. (A)

[Signature]
Senior Medical Officer
A.R.C. Doom Dooma

[Signature]

- 26 -

No. ARC/Accts/BE/GENL/99/218
Aviation Research Centre,
Dte. General of Security,
East Block-V, R.K. Puram,
New Delhi- 110066.

ANNEXURE

Dated the, 05/05/99.

Sub :- GUIDELINES ON EXPENDITURE MANAGEMENT - FISCAL PRUDENCE AND AUSTERITY.

Reference is invited to this office memorandum No. ARC/Accts/BE/98(3)-1122 dated 28.09.98 vide which a copy of Ministry of Finance (Deptt. of Expenditure) OM No.F-19(1)-E-II(A)/98 dated 20.8.98 and a copy of DO No. IFA/BE/30/XX/DG(S) dated 18.9.98 issued by the Addl. Secretary & Financial Adviser, Cab. & Sectt. addressed to the Director, ARC, was forwarded for enforcing austerity in Govt. expenditure.

2. AS(SR) Cab.Sectt. vide para 3 of his circular instruction No. 5/99 dt. 24.03.99 (Copy enclosed) as further emphasised the need to restrict all the expenditure especially the expenditure on non-salary secretariat expenditure i.e. TA office expenses POL etc to the maximum extent possible.

Some of the areas where economy could be effected are mentioned below for guidance and necessary action.

i) ECONOMY IN THE EXPENDITURE OF TA.

Our sanctioned BE 99-2000 under this head is Rs. 127.00 lakh. Our actual expenditure under in 98-99 was Rs. 176.39 lakhs. In other words allocation this year is just 72% last years actual expenditure. In view of austerity measures announced by the Govt. there is no likely hood of Govt. enhancing allocation under TA any further. In view of the above all wings are requested to issue suitable instructions to their subordinate authorities to curtail the expenditure under TA as far as possible. The following tips should help in bringing down the expenditure under TA.

✓ a) Transfers which are not essential may not be made. This will reduce the impact on the grant of Transfer TA/DA.

b) Tour should be authorised when it is absolutely necessary.

c) Foreign tour may be undertaken in extreme unavoidable circumstances only so that the expenditure under this head is kept at the barest minimum possible. The funds sanctioned under the head foreign travel in BE 99-2000 is Rs. 120 lakhs only. Therefore all the proposals for overseas tour will have to be subjected to careful scrutiny to keep the expenditure within the sanctioned allocation.

Contd. p#2.

ii) OFFICE EXPENSES / POL :-

Drastic measures are also required to be imposed on Office Expenses and POL. All out efforts are to be made to bring down the expenditure on Electricity and Telephone bills. All purchases and other expenditure which are not essential may be kept in abeyance.

This has the approval of Director ARC.

Sd/-

S.K. SINGHA
DEPUTY DIRECTOR (A)

DDA(A) DDM.

No. 6383-10
ARC Doon Dooma.

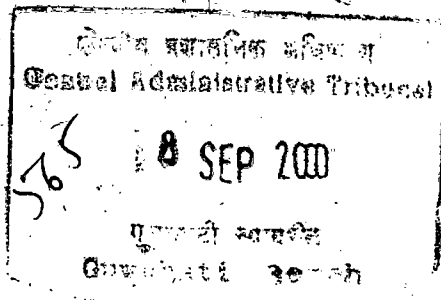
Dated 27.5.99.

Copy forwarded to the all units Heads for information and necessary action please.

Sd/

R.N. Chakraborty.
Section Officer.

and



38
Filed by

28
24/8/2000
(A. DEB ROY)
Sr. C. C. 5 C.
G. A. T., Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

O.A. No. 167/2000

Shri B.P. Saikia

....Applicant

-vs-

Union of India & Ors.

IN THE MATTER OF :

Written Statement submitted by
respondent No. 1, 2, 3, 4

WRITTEN STATEMENT

The humble respondents beg to
submit their written statement
as follows :

1. That with regard to the statements made in para 1, the respondents beg to state that Shri B.P. Saikia, Sanitary Inspector, the applicant in this OA was transferred from ARC Doom Dooma to ARC Sarsawa w.e.f. 31.5.2000 vide order No. ARC/Gen/284/95 dated 4.4.2000 and corrigendum of even number dt. 26.4.2000 in public interest and not as a measure of penalty.

...2/-

A copy of the order is annexed herewith and marked as Annexure 'A'.

2. That with regard to the statements made in para 2, and 3, the respondents beg to offer no comments.

3. That with regard to the statements made in para 4 (i) , the respondents beg to state that the applicant joined as Sanitary Inspector in the Office of Deputy Director (A), ARC, Cabinet Secretariat, Doom Dooma, Assam and is holding the same designation ever since. The applicant was offered the post of Sanitary Inspector vide Memo No. 102/DDM/72.1335 dated 6.4.72 with various conditions relating to his appointment. In terms of Para (iii) of the offer of appointment issued vide the aforesaid memo dated 6.4.72, while in service, he is transferable to any place in India in the interest of public service. Having accepted this condition, the applicant was appointed to the post w.e.f. 6.5.72. The post of Sanitary Inspector belong to ARC(Para Medical) Service and is an isolated post. In isolated post, the promotional avenues are not available when compared with other organised cadres. Government have from time to time introduced various schemes extending the services/ financial benefits to Govt. servants holding such

isolated posts. In situ is one such scheme introduced by Govt. DP&T OM No. 10(1)/E.III/88 dated 13.9.91 under which the eligible personnel were granted financial benefits. The applicant himself has been granted this benefit vide order No. ARC/Genl/62/93(IV) dated 14.8.98. Government of India, DP&T vide their OM No. 35034/1/97-Estt(D) dated 9.8.99 introduced yet another scheme of Assured Career Progression to Government Servants who have not got any promotions during their career or holding the isolated posts where no promotion avenues are available. Under this scheme, the Govt. Servants who have put in 24 years or more of serviced without getting any career progression would be granted two financial upgradations (i) on completion of 12 years of service and (ii) on completion of 24 years of service. His case has already been recommended for grant of one financial upgradation, as admissible under the ACP scheme as he has been approved by the screening Committee held for this purpose and orders to this effect are under issue. Therefore it is incorrect on the part of the applicant to state that he is continuing to the post in which he was initially appointed without any financial benefits.

4. That with regard to the statements made in para 4(ii) , the respondents beg to state that in

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terms of the conditions of his appointment, the applicant has an All India transfer liability. Transfer and promotion are two different aspects of service of a Govt. servant, which need not to be inter related. It is not correct that a predecessor of the applicant, has gone on retirement from the same station after 36 years of service without any transfer. As a matter of fact, there is only one sanctioned post of Sanitary Inspector at ARC Deon Deona which the applicant has been holding since his appointment w.e.f. 6.5.72 and the organisation itself has come into being only on Sept. 1963. The transfer of the applicant, as is evident from order dated 4.4.2000 is made in public interest and not as a measure of penalty.

5. That with regard to the statements made in para 4.3, the respondents beg to state the applicant himself has admitted that he misbehaved with his superiors for which action has been taken and completed by issuing him a warning. This has no relation with his transfer to ARC Sarsawa which is made in the interests of public service. The only intention of the applicant is to avoid a transfer for which he is otherwise duty bound which is in the interest of public service.

6. That with regard to the statement made in para

4.4, the respondents beg to state that there is no relation between the transfer of the applicant with the misconduct he was involved in with his superiors earlier.

7. That with regard to the statements made in para 4.5 the respondents beg to offer no comments.

8. That with regard to the statements made in para 4.6, the respondents beg to state that the orders relating to the transfer was issued on 4.4.2000, effective from 31.5.2000. In the Government of India normally transfers are ordered keeping in view the academic interest of the children of the Govt. servants and the academic session starts during the June/July every year. From impugned transfer orders it may be seen that the orders are well timed giving the applicants sufficient time in advance to manage the academic interests of his children. The applicant has already sought deferment of his transfer by three months vide his application dated 22.5.2000 on the grounds that he did not receive transfer TA advance without which he is not able to reserve his tickets for his journey to the new place of posting and secondly for the operation his daughter has to undergo for appendix (Appendicitis) in the month of June. His request for deferment has been granted by

Headquarter and the applicant has been informed vide No. ARC/Genl/284/95 dated 29.5.2000. It has also been stipulated that on expiry of the period of deferment he would be relieved from ARC Doom Dooma. It is further submitted that on the one hand the applicant has sought a deferment of his transfer by 3 months, which has since been granted and on the other hand filed the present OA by presenting misleading facts.

Copies of the above two letters are enclosed herewith and marked as Annexure B and C respectively.

9. That with regard to the statements made in para 4.7, the respondents beg to offer no comments.

10. That with regard to the statements made in para 4.8, the respondent beg to state that the ARC has got three main bases where the services of the Sanitary Inspector are extended. Sarsawa is one of them where there was a requirement of posting one Sanitary Inspector. As the incumbent Sanitary Inspector at Sarsawa resigned from the post in December, 99, it was felt administratively proper to post one Sanitary Inspector at Sarsawa at this stage. It was conscious decision of the competent authority to transfer the applicant to Sarsawa. As regards providing substitute, the matter is receiving attention of the competent authority.

11. With this, the matter is closed. Dated 21.4.2001.

11. That with regard to the statements made in para 4.9, the respondents beg to state that vide his representation dt. 17.4.2000, addressed to Director, ARC (Respondent No. 3) advance copy of which was received, requesting for cancellation of transfer was examined. The request was not considered favourably and the applicant was informed through respondent No. 4 vide memo No. ARC/Genl~~1~~284/95 dated 22.5.2000 that his request for cancellation of transfer had been rejected by the Director, ARC and the applicant may be informed and relieved accordingly. The applicant has since been informed vide memo No. 6005 dated 27.5.2000.

Copy of the above letter dated 27.5.2000

is annexed hereto and marked as Annexure D.

12. That with regard to the statements made in para⁴/10, the respondents beg to state that the circumstances leading to the transfer of the applicant and providing a substituted have already been stated above.

13. That with regard to the statements made in para 5,¹ the respondents beg to state that the impugned transfer orders was issued on 4.4.2000 effective from 31.5.2000. The academic session starts during June/July every year as a policy, the transfer of Govt. servants are effected keeping the academic interests of the children of the Govt. employees. In the case of the applicant also this aspect has been given due consideration as is evident from the timing of issue of

orders of his transfer. Hence the averments in this para does not merit consideration.

14. That with regard to the statements made in para 5.II, the respondents beg to state that the applicant being a Central Govt. employees with contractual transfer liability was transferred in interest of public service only.

15. That with regard to statements made in para 5.III, the respondents beg to state that the transfer of the applicant is made in public interests. Transfer as a measure of administrative requirement is not bad in law and hence the impugned order is not liable to be set aside.

16. That with regard to the statements made in para 5.IV, the respondents beg to reiterate the statements made above.

17. That with regard to the statements made in para 6, the respondents beg to state that the representations submitted by the applicant were duly examined by the competent authority and reply furnished to him vide endorsement No. 6005 dated 27.5.2000 thorough Civil Assistant Surgeon, Grade-I ARC Hospital Doom Dooma. The applicant has submitted an application to the respondent No. 3 seeking deferment of the transfer by three months for treatment of his daughter who was to undergo a surgical operation for appendicitis which was scheduled for the month.

....9/-

of June 2000 and also for not receiving transfer TA advance. This request was considered favourably and the extension sought was granted to him upto August 2000. The applicant was duly informed granting of deferment of transfer upto August 2000 as received vide Message No. ARC/Gen/284/95 dated 29.5.2000 ~~dated~~ which has endorsed through CAS I, ARC Hospital, Doom Dooma, It may, thus be seen that the applicant himself has accepted the genuiness of the transfer orders and was prepared to go to the new place of posting. It is not, therefore, understood as to why this application has been filed before the Hon'ble CAT ~~whereby~~.

18. That with regard to statements made in para 7, the respondents beg to ~~offer~~ no comments.

19. That ~~the~~ respondents beg to state that the present application is devoid of merit and it is liable to be dismissed with cost as the transfer order was issued in the interest of public service.

20. That the respondents beg to state that the impugned order transferring the applicant from ARC Doom Dooma to ARC Sarsawa effective from 31.5.2000 which now stands deferred upto 31.8.2000 was issued in public interest after due consideration of various factors like administrative requirement, the duration of stay of the applicant in the same and present station, academic session, the liability of the applicant for

for transfer anywhere in India etc. Therefore, it is respectfully submitted that the request for stay of the impugned order may not be granted and the application dismissed with costs, in view of the facts submitted in the preceding paras.

21. That with regard to the statements made in para 10, 11, and 12 the respondent beg to offer no comments.

VERIFICATION

I, Shri Raghubar Dayal Sharma, UDC

do hereby verify that the statements made in this written statement are true to my knowledge, belief and information and not materials facts have been suppressed.

And I sign this verification on this the 24th day of August 2000.

R D Sharma

DECLARANT.

No. ARC/Genl/284/95
 Aviation Research Centre
 Directorate General of Security
 (Cabinet Secretariat)
 Block V (East) : R.K. Puram
 New Delhi-110066.

Dated, the 11/1/2000

Assistant Director (Adm.)
 ARC Doom Dooma
 Govt. of India (DGS)

ORDER

Shri S.P. Saikia, Sanitary Inspector, ARC, Doom Dooma is transferred to ARC, Sarsawa with effect from 31.5.2000 (AN) in public interest.

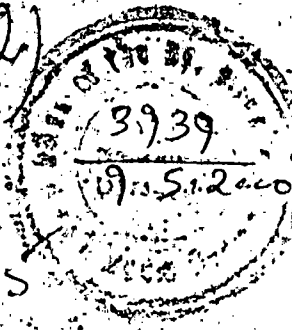
2. This issues with the approval of Competent Authority.

(R.K. SARDI)
 ASSISTANT DIRECTOR (A)

Copy to:-

1. DGS, R.K. Puram, New Delhi.
2. ✓ By Director (A), ARC, Doom Dooma. Shri Saikia may be directed to report to Asstt. Director (A), ARC, Doom Dooma.
3. Asstt. Director (A), ARC, Sarsawa.
4. Asstt. Director (A), ARC, Charbatia.
5. Shri S. Das, Assistant, Genl. Br.
6. F.No. ARC/Genl/161/2000.
7. Guard file.

ARC Doom Dooma
 Govt. of India (DGS)



335 AN EXCISE - A (Singh) 9/5/00

Assistant Director (Adm.)
ARC, Doom Dooma
Govt. of India (DGS)

No. ARC/Genl/284/95
Aviation Research Centre
Directorate General of Security
(Cabinet Secretariat)
Block V (East) : R.K. Puram
New Delhi. 110036.

Dated, the 26.4.2000

CORRIDENDUM

The endorsement at Sl. 2 of order No. ARC/Genl/284/95 dated 4.4.2000 may be read as "Shri Saikia may be directed to report to Asstt. Director (A), ARC, Sarsawa".

All other terms and conditions remain unchanged.

(R.K. PURAM) 26/4/2000
ASSISTANT DIRECTOR (A)

Copy to:-

1. DACS, R.K. Puram, New Delhi.
2. Asstt. Director (A), ARC, Doom Dooma.
3. Asstt. Director (A), ARC, Sarsawa.
4. Asstt. Director (A), ARC, Chabatia.
5. Shri S. Das, Asstt. Genl. Br.
6. P.No. ARC/Genl/161/2000.
7. Guard file.

No. 109/ESTT/EDM/ 5397
ARC, Doom Dooma
DGS

Dated the, 10/5/2000

Copy/forwarded to Shri S.P. Saikia, Sen. Insp. (T)
CAS Gr. I, ARC Hospital, Doom Dooma.

File No. 104/ESTT/EDM/

(R.N. CHAKRABORTY)
SECTION OFFICER

along with order
ARC/Genl/284/95
4.4/2000

2000
Doom Dooma
Govt. of India

The Director,
AFC, New Delhi.

(Through proper channel).

SUBJECT: REQUEST FOR DEFERMENT OF TRANSFER FOR
OF 3 MONTHS UPTO AUG. 2000.

Respected Sir,

Kindly refer to your office Msg. No. ARC/Genl/
224/99, dated 19.5.2000, copy forwarded to me vide DD(A) Office
letter No. 224/99 dated 20.5.2000, for information.

Sir, I fervently requested your honour by submit-
ting an application dated 17.4.2000 address to you through proper
channel which was sent to ARC Hqrs by DD(A) Doom Dooma vide
letter No. 224/99 dated 26.4.2000, requesting for cancellation
of my transfer to Sarsawa on genuine ground.

In this respect, S.M.O. (ARC Hospital) Doom Dooma
has sent letter No. 1028 dated 12.5.2000 and consequent
letter No. 111 dated 19.5.2000 address to DD(A) Doom Dooma
regarding my transfer from Doom Dooma to Sarsawa with a sugges-
tion which was deliberately rejected by DD(A) Doom Dooma and
have taken a vindictive attitude that I should be relieved on
compliance of ARC Hqrs instruction.

Due to an incident occurred in the month of Aug. 99
with Maj. Choudhary a SFF Doctor who is not my immediate officer
is a close friend of DD(A) Doom Dooma which has taken a turn in
my transfer. Because he asked me to show all the files and docu-
ments pertaining to Hospital where secrecy is maintained and
wants to devolve the things to him, which I objected.

Sir, I applied T.A. advance for my transfer but
have not received the same from the office of DACS till date for
which I am unable to reserve my journey ticket. Moreover, it is
too late to get confirmed reservation with a short time parti-
cularly in the summer season.

Contd. Page - 2.

to may grant 3 months deferment.

Arbitrator (Admin.)
AFC
Genl

(14)

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(151)

- 2 -

Sir, my daughter, age 19 years has to undergo an appendix operation in the month of June as suggested by Doctor. During her operation, my presence is quite essential.

Under the above circumstances, my transfer which is effected from 31.5.2000 may be deferred for a period of 3 months so that I can fully devote my duty at new place of my posting i.e. Sarsawa.

Thanking you Sir,

Yours faithfully,

Bishnu Prasad Saitia

(B. P. SAIKIA)

SAN/INSP.

ARC, HOSPITAL
DOOM DOOMA.

dt. 22/5/2000

Remarks of Unit Head: SMO ARC Hospital

Case is genuine, kindly consider.

Signature
Date: 22/5/2000

Ge

Signature

Assistant Director (Admin)
ARC Doom Dooma
Govt. of India (DGS)

15

ANNEXURE - C 4/2/2000

71

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3075

30/5

D.D. (Admn.)
विमान प्रशिक्षण केंद्र,
Aviation Research Centre,
डूम डूमा
Doom Dooma

80

2

ESTR

39

DDM 427
THI 291750
SECRET/MOST IMMEDIATE
TO DDM DD(A)
FM DLI DD(A)

NO. ARC/GEN/284/95 DATED 29.5.2000

PSE REF YR MSG NO. 109/ESTT/DDM/99-465 DTD 14.5.2000 &
THIS HQR MSG NO. ARC/GENL/284/95 DTD 19.5.2000 AND MEMO OF
EVEN NUMBER DTD 22.5.2000 REG CANCELLATION OF TRANSFER OF
SHRI B.P. SAIKIA, S.I. (.) DIRECTOR, ARC HAS NOT AGREED TO
HIS ROST FOR CANCELLATION OF TRANSFER (.) HOWEVER ROST FOR
DEFERMENT FOR 3 MONTHS W.E.F. 31.5.2000 HAS BEEN AGREED TO (.)
SHRI SAIKIA MAY BE INFORMED SUITABLY AND HE SHOULD BE RELIEVED
ON DUE DATE, ON EXPIRY OF PERIOD OF DEFERMENT (.)
EOM (.)

No. 109/ESTT/DDM/99-
ARC, Doom Dooma

6068

Dated the, 30/5/2000

TOR : Mon May 29 20:48:33 2000 Copy to the CAS Grade I, ARC Hospital, Doom
Dooma. It is requested that Shri Saikia, San.Insp. may please be
informed suitably.

2. The AO, ARC, DDM.

SECTION OFFICER

ae

Signature

Assistant Director (Admn.)
ARC Doom Dooma
Govt. of India (DGS)

ANNEXURE-D 43

68



No.ARC/Gen/284/95
Aviation Research Centre
Dte.General of Security
(Cabinet Secretariat)
Block-V(East),R.K.Puram
New Delhi-110066.

Dated: 22.5.2000

MEMORANDUM

Sub: Representation of Shri B.P. Saikia, Sanitary Inspector to Director, ARC for cancellation of his transfer to Sarsawa.

Please refer to AD(A), Doom Dooma Memo No.109/Estt/DDM/99-4839 dated 26.4.2000 on the above subject.

2. The representation has been examined. His request for cancellation of the transfer has been rejected by Director, ARC. His transfer to Sarsawa stands and he may be informed and relieved accordingly.

3. This issues with the approval of Director, ARC.

(S.K. SINGHA)
DEPUTY DIRECTOR (A)

To
The Deputy Director(A),
ARC, Doom Dooma.

Copy to:-The Assistant Director(A), ARC, Sarsawa.

DEPUTY DIRECTOR (A)

No. 6005
O/O the DD(A), ARC, DDM.
Dated the, 27/5/2000

Copy forwarded to :-

Shri B.P. Saikia, S.I. (Th) CAS Gr.I, ARC Hospital, Doom Dooma-
for information.

SECTION OFFICER

Assistant Director (Admin.)
ARC Doom Dooma
Dist of (G.S.)