

30/100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

3

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 240/2001

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FORM NO. 4
(See Rule 42)IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::::::: GUWAHATI

ORDER SHEET

Original APPLICATION NO 240 OF 2001.

Applicant (s) K.C. Boruah

Respondent (s) Union of India

Advocate for Applicants (s) Mr. Adil Ahmed

Advocate for Respondent (s) Case.

Notes of the Registry	Date	Order of the Tribunal
This application is in form but not in time. Condonation Petition is filed and filed vide M.P. No C.F. for Rs. 50/- deposited vide IPO/BD No 66 770425 Dated 2-7-2001 <i>By [Signature]</i> Dr. Registrar 4/7/2001	4.7.01	<p>Heard learned counsel for the parties.</p> <p>The matter pertains to transfer and posting. The applicant in this application claims for choice place of posting on the strength of the Policy Guidelines mentioned in the CPWD Manual. It has been stated by Mr. A. Ahmed learned counsel for the applicant that pursuant to the order of transfer dated 1.5.01 the applicant has been transferred to Silchar instead of his choice place of posting. The applicant submitted representations which are yet to be disposed of. In our view ends of justice will be met if a direction is issued to the respondents to consider and dispose of the representation submitted by the applicant at Annexures B & C, in the light of the transfer policy. The respondents are accordingly, directed to consider and to dispose of the application keeping in mind their own policy guideline for</p>

4.7.01

posting and transfer by a speaking order. The applicant is also ordered to file a fresh representation to the respondents within 10 days. On receipt of the representation, if such representation is filed, the respondents are directed to dispose of ^{the} same. Till the completion of the aforesaid exercise the impugned order of transfer dated 1.5.2001 so far the applicant is concerned shall remain suspended. Accordingly, the application is disposed of.

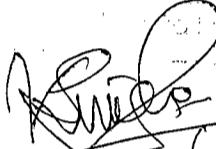
Recopy Copy of order along with application on behalf of respondent no - 4

K. C. Harry

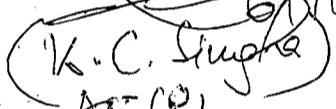
Member

Vice-Chairman

LM



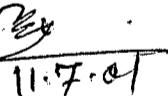
6/7/01


(K. C. Harry)

AE (P.)

CPAB

Copy of the order
dt'd. 4.7.01 issuing
of the same to the
learned Advocate
of the parties.


11.7.01

Central Administrative Tribunal
Guwahati Bench

4 JUL 2001

গুৱাহাটী ন্যায়পৌর
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

(AN APPLICATION UNDER SECTION 19 OF THE
CENTRAL ADMINISTRATIVE TRIBUNAL ACT, 1985.)

ORIGINAL APPLICATION NO. 240 OF 2001.

Sri Kanak Chandra Baruah

- Applicant.

-Versus-

Union of India & Others

- Respondents.

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Filed (by)
Advocate. (ASIL AHMED)

Filed by
 Shri Kanak Chandra Baruah
 applicant
 through
 Advocate
 (Adv. A.H.R.D.)
 Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
 GAUHATI BENCH AT GAUHATI.

(AN APPLICATION UNDER SECTION 19 OF THE
 CENTRAL ADMINISTRATIVE TRIBUNAL ACT, 1985.)

ORIGINAL APPLICATION NO. OF 2001.

B E T W E E N

Kanak Chandra Baruah,
 Draughtsman, Grade-II,
 Assam Central Circle-I,
 Central Public Works Depart-
 ment, Guwahati-21,
 - Applicant

-AND-

- 1) Union Of India,
 represented by the Secretary
 to the Government of India,
 Ministry of Urban Development
 Nirman Bhawan, New Delhi-11.
- 2) The Director General of Works
 Central Public Works Depart-
 ment, Nirman Bhawan,
 New Delhi-11.
- 3) The Superintending Engineer,
 Co-ordination Circle (East
 Zone), Central Public Works
 Department, Nizam Palace,
 Kolkata-20.

Baruah

4) Superintendent Engineer,
Assam Central Circle, No. 1,
Central Public Works Depart-
ment, Bamunimaidan,
Guwahati-781021.

- Respondents.

DETAILS OF THE APPLICATION:

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

This instant application is directed against the impugned transfer order of the applicant issued by the Respondent No. 3 vide office order No. 9(33)/D/Men(C)/SE(C)/ER/CAL/01/354 dated 1.5.2001, and also for consideration of the applicant representation dated 8.1.2001 and 11.5.2001 by which the applicant prayed for choice place of posting at any office situated at Kolkata or Guwahati ~~Airport office~~.

2. JURISDICTION OF THE TRIBUNAL

The applicant declares that the subject matter of the instant application is within the jurisdiction of the Hon'ble Tribunal.

3. LIMITATION

Amnah

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

4. FACTS OF THE CASE

Facts of the case in brief are given below:

4.1] That your humble applicant is citizen of India and as such, he is entitled to all the rights and privileges guaranteed under the Constitution of India.

4.2] That your applicant begs to state that he was appointed as Draughtsman Grade-III in the Central Public Works Department in the year 1972. He served 17 (seventeen) years at Arunachal Pradesh in difficult area in different division of Central Public Works Department upto 1987. Then he posted at Guwahati office. In the year 1994 applicant was promoted as Draughtsman Grade-II and posted at Shillong, Meghalaya. After Completion of two and half years at Shillong which is a difficult area and he was again posted at Guwahati. Now he is working as a Draughtsman Grade-II in the office of the Respondent No: 4.

4.3] That your applicant begs to state that he was transferred from Guwahati to

Amrit

Silchar vide order No. 9(33)/D/Men(C)/SE(C)/ER/CAL/01/354 dated 1.5.2001 issued by the Respondent No. 3.

Annexure-A is the photocopy of transfer order No. 9(33)/D/Men(C)/SE(C)/ER/CAL/01/354 dated 1.5.2001.

4.4] That your applicant begs to state that he filed two representations dated 8.1.2001 and 11.5.2001 before Respondent No. 3 for consideration of his transfer at Guwahati Air-Port office or any office at Kolkata. The Respondent No. 4 forwarded his representation to the Respondent No. 3 to re-consider his transfer.

It is also pertinent to mention here that applicant has two sons who are studying at different college at Guwahati and they are in mid-session when the applicant transfer order issued by the Respondent No. 3. Apart from this, the applicant is suffering from colitis and his wife is also suffering from debilitating coronic rhumatic arthritis with hypertension. At present, they are under Medical Treatment at Guwahati.

Annexure-B is the photocopy of representation submitted by the applicant before the Respondent No. 3 dated 8.1.2001.


S. N. SARKAR

Annexure-C is the photocopy of another representation submitted by the applicant before the respondent No. 3 dated 11.5.2001.

Annexure-D ~~is~~ the photocopy of Medical Certificates of the applicant & wife issued by ~~two~~ doctors.

~~With thanks~~

4.5] That your applicant begs to state that as per Central Public Works Department manual Volume-I (Chapter-IV, Section B Rule-20 Region-B (I)Page-78) provide for choice place of posting of Grade-I & Grade-II those who have served in station such as Assam, Manipur, Tripura for a period of two years. The relevant portion of the said manual is quoted below for kind perusal of this Hon'ble Tribunal.

"Region-B

ii Head Clerks, Upper Division Clerks and Draftsman Grade-I and Grade-II, who have served in station such as in Assam, Manipur, Tripura etc. for a period of two years or those who have served in any station or station outside Kolkata other than in Assam, Manipur and Tripura for 4 years (6 years at more than one station) may at their own request be

Amark

transferred to Kolkata or a popular station of their choice. Such transfers will be considered in the public interest. The persons of these categories will be replaced by those serving in Kolkata on the basis of longest continuous stay in all grades. The Superintending Engineer (Coord) will maintain a list of individuals who have requested for transfer and effect transfer on the basis of longest stay at the existing station."

4.6] That your applicant begs to state that under the Central Public Works Department Manual Volume-I it has been clearly stated that those who are posted in Assam as Draughtsman Grade-II for two years are entitled to get the transfer to Kolkata or any popular station as per their choice. But the Respondent No. 3 did not dispose up the representation submitted by the applicant consider the place of choice posting as per CPWD Manual. Now the Respondent No. 3 and 4 wants to release the applicant at any time and as such finding no other alternative the applicant approached this Hon'ble Tribunal for seeking justice and also praying for a interim order by this Hon'ble Tribunal for protection of his family and himself from the impugned transfer order issued by the Respondent No. .

Amrit

4.7] That your applicant begs to state that the Respondent No. 3 has arbitrarily and whimsically did not disposed up the applicant's representation regarding choice place of posting as per Central Public Works Department Manual.

4.8] That the applicant begs to state that regarding promotion, transfer and posting of staff in the same station minute of meeting was held on 12.03.98 between the Central Public Works Department Staff Association and Addl. Director General, Eastern Region, Kolkata. In this meeting it has been observed by the Addl. Director General, Central Public Works Department, Eastern Region, Kolkata that posting in the same station even after promotion may be considered by the competent authority.

Annexure-E is the photocopy of the minute meeting held by the Additional Director General, Central Public Works Department, Eastern Region, Kolkata with the Central Public Works Department Staff Association at Kolkata.

4.9] That the applicant submits that the Respondent No. 3 violated the provisions of Central Public Works Department Manual, Volume-I regarding posting, transfer and promotion etc. It may be also stated that when

Suranath

there is sufficient vacancy at Airport Guwahati or Kolkata the applicant can be accommodated in the vacancy or the applicant may be accommodated at any office at Kolkata or Guwahati as per choice place of posting in terms of Central Public Works Department Manual Provision.

4.10] That the applicant submits that the Respondent No. 3 has violated the Government rules and policy in regard of promotion and transfer of individual in contrary to the Central Public Works Department Manual, Volume-I.

4.11] That the applicant submits that the Respondents have issued transfer & promotion Order of the applicant against the Govt. Circular and transfer policy. Your applicant has got reason to belief that the Respondents are resorting the colourable exercise of power to accommodate the person of their interest.

4.12] That your applicant submits that the procedure adopted by the authority in the case of applicant is improper, mala fide, illegal and without jurisdiction.

4.13] In view of the facts and circumstances it is a fit case for passing interim order protecting the interest of the applicant and his family members.

Surwark

4.14] That this application is filed bona fide and for the interest of justice.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1] For that, due to the above reasons narrated in detail the passing of the transfer order of the applicant in *prima facie* is illegal, *mala fide*, arbitrary and without jurisdiction.

5.2] For that, there is violation of provision of existing Central Public Works Department Manual, Volume-I regarding transfer of the individual.

5.3] For that, the Respondent No. 3 has not shown any reason or causes for non-disposal of applicant's representation regarding choice place of posting and hence the impugned transfer order issued by the Respondent No. 3 is liable to be set aside and quashed.

5.4] For that, the action of the respondents is highly illegal, arbitrary and also violative of guidelines of Central Public Works Department Manual, Volume-I regarding transfer of the individual to outside the popular station.

Amrit

5.5] For that, it is settled proposition of law that when the same principle have been laid down in given cases, all the persons who are similarly situated should be granted the said benefits.

5.6] For that, the applicant have been denied the benefit of choice of posting, without any reasonable excuse by the Respondent No. 3 and as such, proper reliefs are required to be granted to the applicant.

5.7] For that, the action of the Respondents is arbitrary, mala fide and discriminatory with an ill motive and as such, the impugned transfer order may be reconsidered as per provision of Central Public Works Department Manual, Volume-I.

5.8] For that, the respondents before transferring the applicant ought to have considered the transfer policy of the Central Public Works Department Manual, Column-I in this matter and as such, the impugned transfer order is bad in the eye of law and is liable to be set aside and quashed.

5.9] For the, in any view of the matter the action of the respondents are not sustainable and hence the same is liable to be set aside and quashed.

Sumak

The applicants craves leave of this Hon'ble Tribunal to advance further grounds at the time of hearing of this instant application.

6. DETAILS OF REMEDIES EXHAUSTED :

That there is no other alternative and efficacious remedy available to the applicant except invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT:

That the applicant further declares that he has not filed any application, writ petition or suit in respect of the subject matter of the instant application before any other Court, authority, nor any such application, writ petition or suit is pending before any of them.

8. RELIEF SOUGHT FOR:

Under the facts and circumstances stated above the applicants most respectfully prayed that your Lordship may be pleased to admit this petition and may be pleased to direct the respondents to give the following reliefs:

Arvind

8.1] That the impugned transfer order vide No. 9(33)/D/Men(C)/SE(C)/ER/CAL/01/354 dated 1.5.2001 issued by the Respondent No. 3 transferring the applicant as Draughtsman from Guwahati to Silchar may be set aside and a fresh order of transfer may be issued with consideration of Government Policy laid down regarding posting at the same station or in existing vacancy available at ^{or Guwahati} Kolkata Airport as per choice place of posting.

8.2] To pass order to avail the benefit of choice of posting as per Central Public Works Department Manual, Volume-I to the applicant at ^{or Guwahati} Kolkata Airport as per his choice mentioned in his representation.

8.3] To pass any other relief/reliefs to which the applicant may be entitled and as such may be deemed fit and proper by the Hon'ble Tribunal.

8.4] Cost of the application.

9] INTERIM ORDER PRAYED FOR :

Pending disposal of the application the applicant most respectfully prays that your Lordship may be pleased to pass interim order by way of suspending the No. 9(33)/D/Men(C)/SE(C)/ER/CAL/01/354 dated 1.5.2001 at Annexure-A issued by the Respondent No. 3 with further direction to allow the applicant to be


Sunmukh

~~.....~~ posted at Guwahati till a fresh order of promotion and transfer is issued by the respondents as per choice place of posting at any office situated at Kolkata or Guwahati Airport.

101 Application Is Filed Through Advocate.

121 Particulars of I.P.O.:

I.P.O. NO. 6G770425

Date Of Issue 2.7.2001

Issued from Quadrant C.P.O.

Payable at Guwahati.

131 LIST OF ENCLOSURES:

As stated above.

...Verification.

Sunmukh

VERIFICATION

I, Kanak Chandra Baruah, Draughtsman, Grade-II, Assam Central Circle-I, Central Public Works Department, Guwahati-21, the applicant of the instant case do hereby solemnly verify that the statements made in paragraphs 4.1, 4.2, 4.6, 4.7 are true to my knowledge, those made in paragraphs 4.3, 4.4, 4.5, 4.8 are being matters of records are true to information derived therefrom which I believe to be true and those made in paragraph 5 are true to my legal advice and rest are my humble submissions before this Hon'ble Tribunal I have not suppressed any material facts.

And I sign this verification today on this the 4th day of July, 2001 at Guwahati.

Kanak Chandra Baruah.

Declarant

GOVERNMENT OF INDIA
CENTRAL PUBLIC WORKS DEPARTMENT

No.: 9(33)/D/men(C)/SEC/ER/Cal/ 01/ 354

1/5/2001

Dated:

OFFICE ORDER

The transfer/posting of the following Draftsmen Grade-II(Civil) are hereby ordered with immediate effect in the interest of public service:

Sl.No	Name	From	To	Remarks
1.	B.K.Roy	S.M.C,Silchar	NLD/Cal	Vice D.K.Chakraborty
2.	D.K.Chakraborty	NLD,Cal	SCC/Silchar	Vice A.K. Barman
3.	A.K. Barman	SCC,Silchar	ACC-II/Guwahati	Vice Smt. D.Bora
4.	Smt. D. Bora	ACC-II/Guwahati	SE(P&A),Shillong	Vice D.Lyndogh
5.	Smt. D. Lyndogh	SE(P&A),Shillong	ACC-II/Guwahati	Vice K.C. Barua
6.	K.C. Barua	ACC-II/Guwahati	SCC/Silchar	Vice D.Bhattacharyya
7.	D.Bhattacharyya	SCC/Silchar	SE(P&A),Shillong	Vice Smt. R. Tham
8.	Smt. R. Tham	SE(P&A),Shillong	ACC-II/Guwahati	Vice B.C.bora
9.	B.C. Bora	ACC-II/Guwahati	SCC/Silchar	Vice S.C.Biswas
10.	S.C. Biswas	SCC/Silchar	SE(P&A),Shillong	Vice D.Adhikary
11.	D. Adhikary	SE(P&A)/Shillong	MCD-II/Imphal	Vice Smt.H.Devi
12.	Smt.H.Devi	MCD-II/Imphal	AAWD/Guwahati	Vice U.Bordoly
13.	U.N. Bordoly	AAWD/Guwahati	SE(P&A)/Shillong	Vice S.U.Ahmed
14.	S.U. Ahmed	SE(P&A)/Shillong	S.M.C,Silchar	Vice B.K.Roy
15.	A.Bakhandi	SE(P),EZI,Cal	MCC/Maldà	Ex. vacancy
16.	P.K.Kundu	SMD,Silchar	SE(P),EZI,Cal	Vice A.Bakhandi

Sl.No.1,6, 13 & 15 shall move first.

(D.Hore) 30/4
Superintending Engineer, Co-ordination

Copy to:-

1. Addl. Director General, ER, CPWD, Kolkata
2. All concerned Chief Engineers (Civil) CPWD of Region 'B'
3. All concerned Superintending Engineers (Civil) i/c Supdtg. Engineer (P&A) of Eastern Region
4. All concerned Executive Engineers (Civil) of Eastern Region
5. Officials concerned through their Controlling Officers.
6. Secretary, EDSA, Nizam Palace, Kolkata

(U.K.Saha) 30/4

Engineer Assistant to
Superintending Engineer, Co-ordination

Attached
Ans

To
The Superintending Engineer,
Coordination Circle (EZ),
C.P.W.D. Nizam Palace,
234/4, Acharya J.C. Bose Road,
Calcutta -20.

- 17 -

20
ANNEXURE-B

(Through Proper Channel)

Subject: - Transfer and posting of D'Man-I & II during 2001-2002.

Reference: - Coordination Circle O.M. No, 9 (57)/99/SE (C) D/Mcn-I/C/1259,
dtd.20.12.2000.

Sir,

With reference to the order quoted above on the subject indicated I have the honour to lay down the following few lines before you for favour of your kind and sympathetic consideration please.

That Sir, I have been serving the this department since 1972 and spending long seventeen years at Arunachal Pradesh in haed area with full of difficult in different Divisions up to 1987 and then I was posted at Guwahati office. After completion of about seven years I got my promotion as grade II in the year 1994 and joined at S.S.W. (NEZ) Shillong-3. Again I was transferred to Guwahati in the year 1996 vide Calcutta co-ordination order No. 9(57) grd.II/coord/588 dtd.27/5/96. I joined in the office of the SE/ACC-1 on 1.7.96. from the office of the S.S.W C.P.W.D. Shillong -3. after completion of two and half years at Shillong.

That Sir, I have already explain to your good self vide my previous representation that my two sons are studing in higher classes in local medium and also my wife is sick since long period. At present there is no any gurdian to look after my sons and my wife except me. Sir, I am to leave my house at about 8 A.M. and to reach at 7.30 P.M. from Guwahati Air Port to C.P.W.D. office Bamunimoidan and back ,which is more than 25km. (one way). As my own house is at Guwahati Air Port, it will be better for me to perform office duties at Guwahati Airport where I can able to spare my time for my family members as well as to discharge my duties smoothly.

As such I shall be very much grateful to your good self if you kindly post me at Guwahati Airport in the office of the A.A.W.D, C.P.W.D., Guwahati-15, where I am able to spare my time to look after my family members and for which act of your kindness I shall remain grateful to you.

Enclo: As stated above.

Yours faithfully

Baruah

1/-(Mr.Kanak Chandra Baruah)
D'Man,Grd-II, ACC-1,
CPWD, Guwahati-21

Copy to:-

- ✓ 1. The Superintending Engineer, Assam Central Circle-1, CPWD, Guwahati-21, with request to take up the matter with the competent Authority for favorable decision please.
2. The Regional Secretary, Engineering & Drawing Staff Association, CPWD,Nizam palace,234/4,Acharya J.C. Bose Road, Calcutta-20 for his kind information and further necessary action please.
3. The Unit Secretary, Engineering & Drawing Staff Association, CPWD, Guwahati Unit, Guwahati for his kind information and necessary action please.

Baruah
c/s/e (Mr.Kanak Chandra Baruah)

To
The Superintending Engineer
Co-ordination Circle(EZ)
CPWD, 2nd MSO Building,
Nizam Palace, 234/4 Acharya J.C. Bose Road,
Kolkata 20.

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ANNEXURE C

(Through proper Channel)

Subject:- Transfer and posting of D'man II(C) during 2001-2002

Ref. :- Your Office Order No.9(33)/D/men(C)/SE(c)/ER/Cal/01/354 dt. 15.2.2001

Sir,

Kindly refer to my representation dated 08.01.2001 (copy enclosed for your ready reference). In this connection, it is stated that I have been suffering from *Colitis* and require frequent medical check up at Guwahati. Medical Certificate of the same alongwith Medical Certificate in respect of my wife are attached herewith for your kind perusal. Sir, I have already served in hard area since my joining in this department i.e. from 1972 which was elaborated in my representation dated 8.1.2001. Inspite of my submission dated 8.1.2001, I have been transferred and posted at Silchar vide your above referred Office Order. Since I have served almost entire service period in hard area, I may kindly be considered for Guwahati or 'A' Station i.e Kolkata, if your goodself is unable to retain me at Guwahati.

In view of circumstances stated above I request you to kindly retain me at Guwahati or post me at Kolkata so that I may get better medical facility as well as other facilities of my family members.

Eagerly awaiting for your favorable consideration please

Thanking you

Enclo.: As stated above

Yours truly

August

(K. C. Baruah)
D'man Gr.II, ACCI
CPWD, Guwahati 21

Dated, 11.5.2001

The Superintending Engineer, Assam Central Circle No.1, CPWD, Guwahati with the request to take up the matter with the competent authority for favorable consideration please.

favorable consideration please.
The Regional Secretary, Engineering & Drawing Staff Association, CPWD, Nizam palace, 234/4 Acharya J.C. Bose, Kolkata 20 for further needful action at his end please.

The Unit Secretary, Engineering & Drawing Staff Association, CPWD, Guwahati Unit, Guwahati for further needful action please.

(K. C. Baruah)
D'man Gr.II, ACCI

Attest'd
John T. Edwards

✓
19
ANNEXURE - D

ANNEXURE - I

Dr. Amrit Chandra Das
MBBS, DLO, MAIMS
Regd. No. 9525 (AMC)
E.N.T. SPECIALIST.

CHAMBER
KAHUKUCHI BAZAR
Morning - 9.30 A.M. to 12 Noon
Evening - 5.30 P.M. to 8.30 P.M.

TO WHOM IT MAY CONCERN

This is to certify that Mrs. Torashi Barnali, wife of K.C. Barnali of office of Supdt. Engineer, C.P.A.D. Guwahati-21, aged 47 yrs F had been suffering from debilitating chronic Rheumatoid Arthritis with hypertension since last one(1) year and has been under my constant observation and treatment.

Mrs. Barnali requires frequent check ups at regular intervals for her arthritis problem. As her day to day activities are hampered by the ailment, someone responsible, preferably husband, should be always beside her to continue her medical check ups and treatment.

23/5/01

Dr. Amrit Chandra Das
MBBS (Gau), DLO (Gau), M.A., M.B.
E.N.T. Specialist & General Practitioner
Address:

Residence: Azara, Guwahati - 781017

840336 (R)
840336 (L)

Amrit
Amrit

- 20 -

ANNEXURE - E

Dr. B. K. Choudhury M.B.B.S
Regd. No 5565 (AMC)

S.D.M&H.O i/c
Azafà P.H.C
Guwahati 17

Date.....

To whom it may concern.

This is to certify that
Shri K. C. Barman of village
Kabitkuchi go Arora Dih Kamrup
has been suffering from Cholitis
& Neuro-Muscular fits; He should
be under strict medical supervision

W. K. Choudhury
12/5/1947

S.D.M&H.O
1/14/1947
KAMRUP, ASSAM.

Attested
S. S. Damente

Government of India
Central Public Works Department.

NO. 22(27)/ACC1/W-II/98/5967

Dated, Guwahati, 13.10.98.

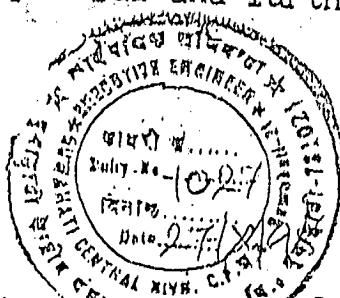
To

The Chief Engineer, (NEZ),
C.P.W.D., Cleves Colony,
Dhankheti, Shillong. 3.

Subject : Minutes of the meeting held by the
A.D.G.(E.R.), with the CPWD Staff
Association on 12.3.98 at Nizam
Palace. 20.

Reference : (i). ADG(ER), CPWD, Calcutta letter
No. 2(2)/98-ADG(ER) dt. 16.4.98.
(ii). SO O/O. the CE(NEZ), CPWD, Shillong
letter No. 32/6/94-Ad
dt. 21.8.98.

Adverting to above minutes of the meeting
issued vide your letter under reference, the parawise
reply is submitted herewith for favour of your kind
perusal and further needful action:



I). Re-distribution of Ministerial
Staff of CPWD(NEZ) attached to
various Circles/Divisions in
Connection with re-structuring
of post.

Re-Structuring of Circles/Divisions
is a policy matter however as it appears it will effect
the efficiency and working of CPWD unless computerisation
is fully introduced in the Offices and for which deploy-
ment of staff for training in computer is very essential.

As regards C.R. it is stated that
necessary instructions have already been issued to all
concerned under this Circle to complete the C.R. of all
staff at the scheduled time. However whenever C.R. is
called for from the Superintending Engineer, (Coordn.) the
same is submitted on priority without any delay from
this end.

Similarly, as regards to the demand
of Association that Posting of staff in the same station
should be made even after promotion to the extent
permissible and practicable in view of its implementation.
As such the demand of association appears to be genuine
and needs due consideration. As regards the promotion of
Ms. Chandrakala Dutta, U.D.C. as Head Clerk, inspite of
vacancies available at Guwahati, she was posted at
Silchar resulting in non-acceptance of the promotion.

Contd....2.

Attached
1
Admire

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III). C/O. Addl. Office and residential Accommodation for CPWD staff at Guwahati and C/O. Office resdl. accommodation at Silchar.

Estimate for addl. residential Qrs. for staff at Guwahati has already been submitted to the Chief Engineer, (NEZ), CPWD/Shillong who in turn also sent the same to the D.G.(W), CPWD/New Delhi vide his letter No. 28(156)/SSW/NEZ/92/1323 dt. 17.9.96 for obtaining A/A and E/S which is still awaited. However, the Sr. Architect (NEZ) has asked for layout plan with latest site data of Bamunimaidan and Japrigog site. The information is awaited from the RE/GCD/Guwahati who is being reminded separately to submit the same to the SA(NEZ), CPWD, Shillong3.

Similarly, as regards addl., Office Accommodation at Bamunimaidan the estimate has already been sent to D.G.(W), CPWD, New Delhi by the SSW/NEZ/92/ 1000 dt. 18.7.96. Some quarries were made by the D.G.(W) through SSW(NEZ) Shillong has also been replied vide T.O. letter No. 23(25)/ACC1/W1/97/3588 dt. 26.12.97.

As regards availability of land the /C lieu of money already deposited. The matter has been taken up with the Revenue Secretary, Govt. of Assam. The matter is pursued and with the latest position will be intimated separately.

III). Regarding justification for continuance of Zone(NEZ) at Shillong with reference to the work load. Accessibility, Proximity etc. in the light of D.G.(W)'s letter No. 2/2/92-WII(DGW) dt. 22.05.96.

The matter relates to the CE(NEZ), Shillong as such no comments from this side.

IV). Regarding distribution of proportionate sanction of staff for the unit of North Eastern Region consequent upon the closure of the Zonal Office at Calcutta.

The matter relates to redistribution another 20 posts among EZ and NEZ vis-a-vis the sanction available earlier Zonal office for which proposal was required to be sent to D.G.(W) by the CE(NEZ). This staff is specifically essential for maintenance of GPF accounts of Work-Charged staff in Guwahati Central Division and Meghalaya Central Division, CPWD, Shillong.

Contd....3.

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H.A.
Advocate

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V). Rotational transfer of Ministerial staff between civil and elect. wing at Guwahati and in between various units at Shillong - delegation of powers.

VI). Creation of separate Co-ordination Circle for NE Zone and also for adoption of separate policy for promotion posting and transfer of Ministerial staff of NE Zone considering its tough geographical and disturbed situation.

As regards item No.V it is submitted that the power for rotational transfer in between civil and elect. wing rests with the SE(Coord.) and delegation of powers to any of the SE stationed at Guwahati will not be practically helpfull for proper implementation of transfer from Electrical to civil and viceversa as per Manual procedure. However, if separate coordination for (NEZ) is created, then rotational transfer from Civil and Elect wing can be possible smoothly.

As regards point VI it is to submit as under considering the remoteness and topography of the region, and practical difficulties it would be more appropriate to have separate Coordination Circle for (NEZ) for effective control. Lot of vacancies do exists ex JE's/LDC/UDC/Head Clerks in Divisions and Circle Office but vacancies are not filled up, when staff posted it is observed that staff from East Zone is posted to Guwahati whereas staff from Guwahati is posted to other places in NEZ area. Thereby vacancies remain vacant and do not get filled up. Subsequently this aspect needs review

VII). Regarding Projects in N.E. Zone going out of CPWD.

As far as this Circle is concerned every effort is being made to keep proper liaison with all the clients so that clients do not go out from CPWD.

Copy to :-

Superintending Engineer,
Assam Central Circle - 1,
S.P.W.D., Guwahati - 21.

1. The Executive Engineer, Guwahati Central Division, CPWD, Guwahati.
2. The Executive Engineer, Meghalaya Central Divn., CPWD, Shillong.
3. The Executive Engineer, Tezpur Central Divn., CPWD, Tezpur.

Ranjan Kumar 12-10-98
SUPERINTENDING ENGINEER.

Attn:
Ranjan Kumar