

50/100

3

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./T.A No...312/2001...

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

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

1. Orders Sheet...OA-312/2001.....Pg...1.....to...2.....
2. Judgment/Order dtd.20/03/2002..Pg...1.....to...2.....*Dismissed*
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A.....312/2001.....Pg...1.....to...58.....
5. E.P/M.P.....NIL.....Pg.....to.....
6. R.A/C.P.....NIL.....Pg.....to.....
7. W.S.*submitted by the Respondent*..Pg...1.....to...19.....
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.....

Additional statement pg- 1 to 9

SECTION OFFICER (Judl.)

(See Rule 42)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :::: GUWAHATI.ORDER SHEETAPPLICATION NO. 312 OF 2001APPLICANT (S) L. G. Singh & ors.RESPONDENT (S) CEOI & ors.ADVOCATE FOR APPLICANT(S) Mr. M. Chanda, Mrs. N.D. Goswami
& G.N. Chakraborty

ADVOCATE FOR RESPONDENT(S)

Case.

Notes of the Registry	dated	Order of the Tribunal
<p>This application is in form but not in form of a Petition in Form No. M P. No. for Rs. 50/- deposited vide IPO/BD No. <u>SG 423006</u> Dated... <u>30/7/2001</u></p> <p><u>Dr. Registrar</u> <u>3/8/2001</u></p> <p>Notice prepared and sent to D/S for issuing the Respondent No 1 to 4 by Regd Post vide D/No <u>30916/3099</u> dt <u>1/20/8/01</u></p> <p><u>18/8/01</u></p> <p>Show cause has not been filed</p> <p><u>14/9/01</u></p>	<p>14.8.01</p> <p>17.9.01 NB 14/8/01</p> <p>mb NB 17/7/01</p>	<p>Present : Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman. Hon'ble Mr. K.K. Sharma, Administrative Member.</p> <p>Heard Mr. M. Chanda, learned counsel for the applicant.</p> <p>The application is admitted. Call for the records.</p> <p>Issue notice to show cause as to why the interim order as prayed for shall not be granted. In the meantime, status quo as on today shall be maintained.</p> <p>List on 17/9/01 for further order.</p> <p><u>K. Ushah</u> Member</p> <p><u>K. Ushah</u> Vice-Chairman</p> <p>List on 15/10/01 to enable the respondents to file written statement.</p> <p>Interim order dated 14.8.2001 shall continue.</p> <p><u>K. Ushah</u> Member</p> <p><u>K. Ushah</u> Vice-Chairman</p>

15.10.01

On the prayer of Mr.B.C.Pathak,
learned Addl.C.G.S.C. four weeks time
is allowed for filing of written statement
List on 20.11.01 for orders.

ICUShan
Member

lm

20.11.01

List on 24/12/01 to enable the
respondents to file written statement.

No written statement
has been filed

34
21.12.01

ICUShan
Member

Vice-Chairman

mb

24.12.01

List on 29.1.2002 to enable the respon-
dents to file written statement.

W/s has been filed
on behalf of the
respondents. 1-4
at page 59-77.

NS
14/01/02

ICUShan
Member

Vice-Chairman

mb

29.1.02

Pleadings are complete. The case may
now be listed for hearing. The applicant may
file rejoinder, if any, within 2 weeks from
today.

List on 1.3.2002 for hearing.

ICUShan
Member

Vice-Chairman

mb

1.3.02

List on 20.3.02 so as to enable the
respondents to obtain necessary instruction.

Addl. statement has
been filed by the
applicant at page
78-86.

NS
26/1/02

ICUShan
Member

Vice-Chairman

pg

20.3.2002

Heard the learned counsel for the
parties. Hearing concluded. Judgment
delivered in open court, kept in separate
sheets. The application is disposed of. No
order as to costs.

Copy of the
judgment sent
to the D/Sec. on
22/4/2002.

ICUShan
Member

Vice-Chairman

nkm

4

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 312 of 2001

Date of Decision 20.3.2002.....

Shri Laiphrakpam Gunamani Singh and 6 others
-----Petitioner(s)

Mr J.L. Sarkar, Mr M. Chanda,
Mrs N.D. Goswami and Mr G.N. Chakrabarty
-----Advocate for the
-Versus- Petitioner(s)

The Union of India and others
-----Respondent(s)

Mr B.C. Pathak, Addl. C.G.S.C.
-----Advocate for the
Respondent(s)

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

THE HON'BLE MR K.K. SHARMA, ADMINISTRATIVE MEMBER

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 ?

Judgment delivered by Hon'ble : Vice-Chairman

No
h

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.312 of 2001

Date of decision: This the 20th day of March 2002

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

The Hon'ble Mr K.K. Sharma, Administrative Member

1. Shri Laiphrakpam Gunamani Singh
2. Shri Lalsiamliem Hmar
3. Shri Om Prakash
4. Shri Kripal Singh Bisht
5. Shri K. Jeyson Tangkhul
6. Shri Anil Kumar
7. Shri Khem Chand

.....Applicants

By Advocates Mr J.L. Sarkar, Mr M. Chanda,
Mrs N.D. Goswami and Mr G.N. Chakrabarty.

- versus -

1. The Union of India, through the
Secretary to the Government of India,
Ministry of Home Affairs,
New Delhi.
2. The Director General of Security,
Office of the Director,
S.S.B. East Block-V,
New Delhi.
3. The Divisional Organiser,
S.S.B. Manipur & Nagaland Division,
Imphal.
4. Office of the Divisional Organizer,
S.S.B. Government of India,
Arunachal Pradesh.

.....Respondents

By Advocate Mr B.C. Pathak, Addl. C.G.S.C.

.....

O R D E R (ORAL)

CHOWDHURY. J. (V.C.)

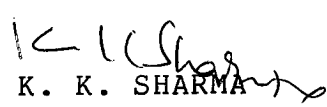
This case is squarely covered by the Judgment and Order rendered by this Bench in O.A.Nos.274/2001, 282/2001 and 285/2001 disposed of on 11.2.2002. The aforesaid cases were disposed of on the basis of the decision rendered by the Calcutta Bench of the Central Administrative Tribunal

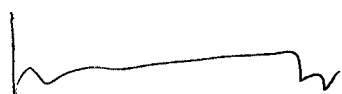
in O.A.Nos.780/2001, 791/2001, 819/2001 and 978/2001 decided on 27.11.2001.

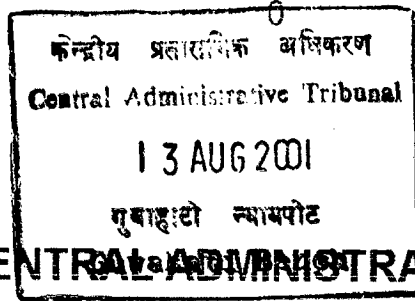
2. Heard Mr J.L. Sarkar, learned counsel for the applicants and Mr B.C. Pathak, learned Addl. C.G.S.C. Mr Sarkar referred to the decision rendered by the Chandigarh Bench of the Central Administrative Tribunal in O.A. No.640(HP) of 2001 disposed of on 5.12.2001 and submitted that the Chandigarh Bench took a contrary view and allowed the application. The learned counsel for the applicants submitted that in view of the said Judgment of the Chandigarh Bench the case may be referred to a larger Bench.

3. We are not inclined to refer the matter to a larger Bench on the above ground since like cases were disposed of by this Bench earlier and we do not find any reason to depart from the same.

4. The application thus stands ^{dismissed} ~~disposed of~~. No order as to costs.


(K. K. SHARMA)
ADMINISTRATIVE MEMBER


(D. N. CHOWDHURY)
VICE-CHAIRMAN



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

(An Application under Section 19 of the Administrative Tribunal Act, 1985)

Title of the Case : O.A. No. 312/2001

Sri Laiphrakpam Gunamani Singh & Ors. : Applicants

-Versus-

Union of India & Ors. : Respondents

INDEX

Sl. No.	Annexure	Particulars	Page No.
1.	---	Application	1-24
2.	---	Verification	25
3.	1(Series)	A few copies of appointment order, selection list and successful completion of probation period.	26-36
4.	2	Memorandum dated 04.03.99	37-39
5.	3	Memorandum dated 22.07.99	40-41
6.	4	Order dated 20.05.99	42-45
7.	5	Memorandum dated 29.11.99	46-47
8.	6	Memorandum dated 05.07.2001	48-55
9.	7	Order dated 12.07.2001	56-57
10	8	Copy of the Hon'ble Tribunal's order dated 25.7.01	58

Date : 25.7.2000

Filed by

Advocate

Filed by an applicant
Shri N. A. Goswami
Advocate.
13/8/2001

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

13 AUG 2001

न्यायपीठ
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

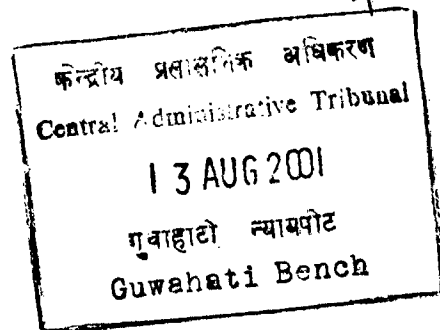
(An Application under Section 19 of the Administrative Tribunals Act, 1985)

O.A. No...../2001

BETWEEN

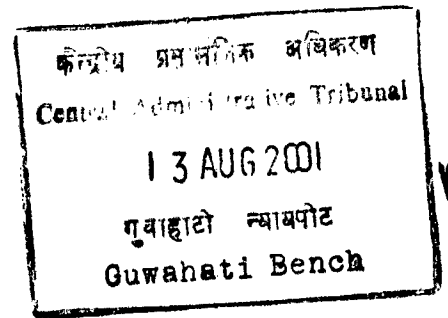
1. Sri Laiphrakpam Gunamani Singh
Son of L. Nityai Singh
Senior Field Assistant (Homeo)
Office of the Divisional Organiser
S.S.B., Manipur & Nagaland Division
P.O. Mantripukhri, P.S. Haingang,
(Now posted at Lamphelpat Division, Hqr).
2. Sri Lalsiamliem Hmar
Son of Sri J.R. Lientaun
Senior Field Assistant (Homeo),
Office of the Divisional Organizer,
SSB. P.O. & P.S. Thanlon,
District Churachandpur,
Imphal
3. Sri Om Prakash
Son of Sri Bhounda Ram
Senior Field Assistant,
Office of the Divisional Organizer,
SSB, Manipur & Nagaland Division
(Now posted at A.O. Mongshargei, Imphal).

Khem Chand



4. Sri Kripal Singh Bisht
Son of Sri Narayan Singh Bisht
Senior Field Assistant (Homeo)
O/o the Divisional Organiser,
Manipur and Nagaland Division,
Imphal (Now posted at Lamphelpat Division, HQ)
5. Sri K. Jeyson Tangkhul
Son of Kaping Khanoth
Senior Field Assistant (Homeo),
O/o the Divisional Organiser
SSB, Manipur & Nagaland Division,
Imphal (Now posted at SAO, Shangshak, Ukhrul)
6. Sri Anil Kumar
Son of Sri Duni Chand
Senior Field Assistant (Homeo)
O/o the Divisional Organiser,
SSB, Manipur & Nagaland Division,
Imphal (Now posted at A.O. Tamenglong, Manipur)
7. Sri Khem Chand
Son of Sri Behari Lal
Senior Field Assistant (Homeo)
Office of the Sub Area Organizer,
S.S.B., Chowkham
District-Lohit,, Arunachal Pradesh
PIN 792104

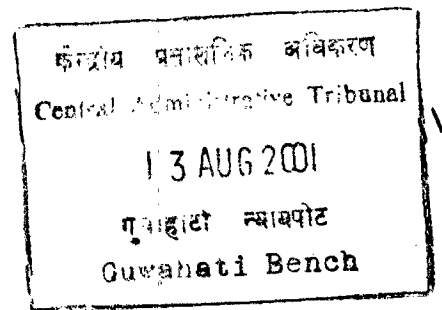
.....Applicants



-AND-

1. Union of India
Through the Secretary to the
Government of India,
Ministry of Home Affairs
New Delhi.
2. Director General of Security
Office of the Director,
S.S.B., East Block-V,
R.K.Puram, New Delhi-110066.
3. Divisional Organiser,
S.S.B. Manipur & Nagaland Division,
Imphal
4. Office of the Divisional Organizer,
S.S.B., Government of India,
Arunachal Pradesh.

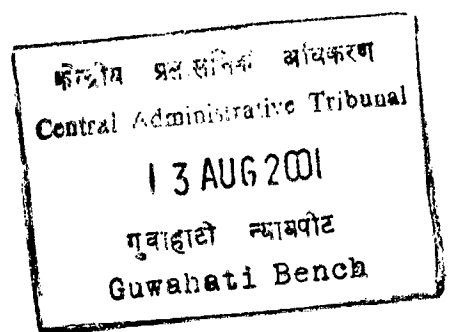
.....Respondents



DETAILS OF THE APPLICATION

1. Particulars of orders against which this application is made.

This application is made against the impugned order issued under Memorandum bearing No. 4/SSH/A1-4/2001(2)-1982-2032 dated 5.7.01 issued by the Inspector General (Pers), Govt. of India, Ministry of Home Affairs, New Delhi whereby an arbitrary decision has been taken by the office of the Director General Security, Govt. of India, Ministry of Home Affairs, New Delhi declaring the applicants surplus contrary to the policy issued by the Govt. of India of 10% cut in different cadres of the Directorate General of Security and also against the arbitrary decision of surrendering the entire cadre of Senior Field Assistant (Homeo) following the order of the Cabinet Secretariat vide impugned letter no. A-11011/17/97-00-I-448 dated 20.5.1999 and also against the adjustment of pay earned by the applicants in the cadre of Senior Field Assistant (Homeo) with the future increments after reversion to the parent cadre of accommodate and adjust the applicants against the existing available vacancies in the cadre of Senior Field Assistant (Madics), Head Constables (General Duty), Head Constables (Madics), and to the cadre of Senior Field Assistant (General) as the applicants possessing the requisite qualifications for appointment on transfer basis to the aforesaid cadres and for a further direction to allow the applicants to continue in their present cadre as per earlier decision of the respondents till the process adjustment and accommodation to the post of equivalent rank and status are over and also for a declaration that the pay and allowances earned during their service period in the cadre of Senior Field Assistant (Homeo) should be protected and their pay should not be adjusted with the future increments in the event of their reversion in the cadre of Constable.



2. Jurisdiction of the Tribunal

The applicants declare that the subject matter of his application is well within the jurisdiction of this Hon'ble Tribunal as the applicants are civilian Central Government employees working under the Directorate General of Security, SSB, New Delhi.

3. Limitation

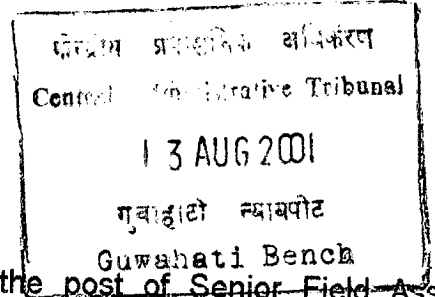
The applicants further declare that this application is filed within the limitation as prescribed under section 21 of the Administrative Tribunals Act, 1985.

4. Facts of the Case

4.1 That the applicants are citizen of India and as such they are entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.

4.2 That your applicants beg to state that the grievances and reliefs sought for in this application are common and working under the same Department, as such the applicants pray for grant of permission to move the Hon'ble Tribunal under section 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987 this application jointly in a single Application.

4.3 That all the applicants were initially appointed on regular basis after being qualified in the selection test in the cadre of Constable under the Respondents – SSB, Government of India, Ministry of Home Affairs in different dates during the years 1985-1991. All the applicants have passed the Matriculation Examination at the time of their initial recruitment. The applicants while working in the cadre of Constables in pursuance of departmental advertisement they have volunteered for appointment on selection in the cadre of Senior Field Assistant (Homeo) and accordingly all the applicants were declared selected for appointment to the cadre of Senior Field Assistant (Homeo). on successful completion of training course in Homeo. It would be relevant to mention here that the cadre of constable are in the operational side under

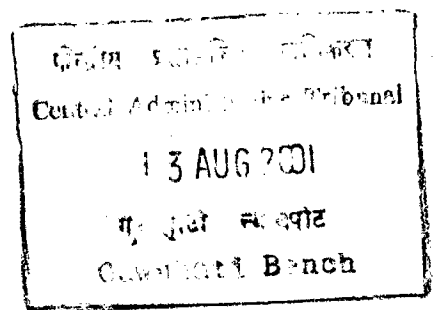


the Directorate of Security General, SSB but the ~~post of Senior Field Assistant~~ (Homeo) belong to the civilian wing under the same Directorate of Security General, SSB, Government of India.

It is further submitted that all the applicants who were initially appointed as Constable in between the year 1976, and 1991 respectively and all the applicants were appointed in the cadre of Senior Field Assistant (Homeo) during the year 1994/1995/1996 and 1998 on transfer basis from the cadre of Constable. After their selection to the cadre of Senior Field Assistant (Homeo), the applicants although appointed on transfer basis and had been placed on probation for a period of two years from the respective date of appointment in the cadre of Senior Field Assistant (Homeo). It would be evident from the Annexure-1 (series) how the applicants were appointed to the cadre of Senior Field Assistant (Homeo) from the cadre of Constable. More particularly it would be evident that the past services rendered in the cadre of constable would also be counted towards service as Senior Field Assistant (Homeo) for the purpose of Pension, leave etc. It would further be evident from the Annexure-Series that all the applicants have satisfactorily completed their two years probation period in the cadre of Senior Field Assistant (Homeo).

A few copies of appointment order, selection list and successful completion of probation period are annexed as Annexure-1 (series).

4.4 That your applicants while working in the cadre of Senior Field Assistant (Homeo) (for short SFA(H)), the Government of India decided to reduce at least 10% of posts from the existing cadre strength in all the Central Government departments. In pursuance of the aforesaid policy of 10% cut in the existing strength the Directorate General of Security issued a Memorandum vide letter bearing No. 38/SSB/A-4/98(I)-880 dated 4.3.1999 wherein it is stated that in response to Ministry of Finance (Department of Expenditure) U.O. No. 7(7)E.Coord/92 dated 4.3.1997 sent under

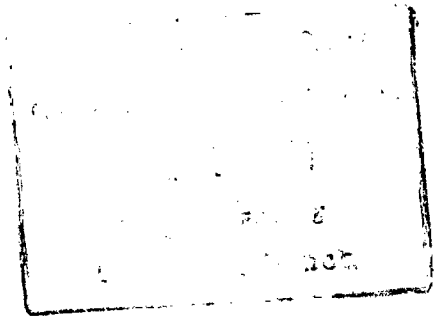


Cabinet Secretariat E.O. No. A-11011/17/97-D.O.I-676 dated 30.12.1997 a proposal was sent to Cabinet in May 1998 seeking exemption from the purview of 10% cut in staff strength of SSB Organisation on the grounds that all posts sanctioned in SSB are operational in nature and surrendering of any post would deprive the units concerned of the services of such functionaries. The Cabinet Secretariat did not agree to such proposal and insisted upon to identify 10% of post of sanctioned strength for surrender. It is further stated that to comply with the Government order to identify the posts which could be surrendered under 10% cut a review was undertaken at SSB, Directorate keeping in view of the operational efficiency of the organisation and taking all aspects into consideration a proposal was sent to Cabinet Secretariat recommending 590 posts in various ranks for surrendered as shown in the enclosed Annexure A. It was also stated in the said impugned Memorandum dated 4.3.1999 that since 590 posts have been shown in the Annexure have already been recommended for surrender, all units are requested not to fill up the existing vacant post and also those posts which are likely to fall vacant due to retirement, resignation, death etc. in near future. The relevant portion of the Memorandum dated 4.3.1999 is quoted below for kind perusal of the Hon'ble Tribunal.

"Sub : 10% cut in the staff strength of SSB.

In response to Ministry of Finance (Department of Expenditure) U.O. No. 7(7) E.coord/92 dated 4.3.1997 sent under Cabinet Secretariat U.O. No. A-11011/17/97-DO.I-676 dated 30.12.1997, a proposal was sent to Cabinet Secretariat in May, 1998., asking exemption from the purview of 10% cut in staff strength of SSB Organisation on the grounds that all posts sanctioned in SSB are operational in nature and surrender of any post would deprive the units concerned of the services of such efficiency of the organisation, but Cabinet Secretariat did not agree to our proposal

Rhem Chand

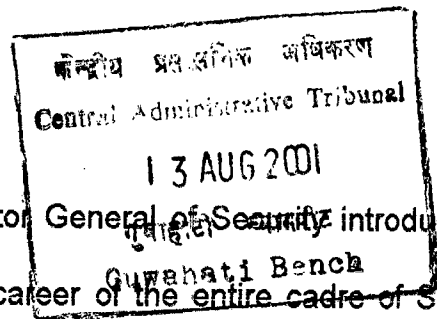


and insisted upon to identify 10 % posts of sanctioned strength for surrender. Comply with the Govt. orders to identify posts, which could be surrendered under 10% cut, a review has been undertaken at SSB Directorate keeping in view the operational efficiency of the organisation. Taking all aspects into consideration, a proposal was sent to Cabinet Secretariat recommending 590 posts in various ranks for surrender as shown in the enclosed Annexure 'A'.

2. Since 590 posts as shown in the Annexure have already been recommended for surrender, all units are requested not to fill up the existing vacant posts and also those filled posts, which are likely to fall vacant due to retirement, resignation, death etc. in the near future."

It would further be evident from the Annexure enclosed to the Memorandum dated 4.3.1999 wherein total sanctioned strength including gazetted and non gazetted posts stands to 5,900 and therefore it was proposed to surrender 590 posts as per the direction of the Government of India. It would further be evident in the said enclosure more particularly in the serial No. 35 where the staff strength of SFA (H) was shown. It appears that altogether there were 89 posts of SFA (H) and out of the said 89 posts 81 posts were already filled up at the relevant point of time and 8 posts were remained vacant. But surprisingly all the 89 posts of SFA (H) have been surrendered under the policy of 10% cut issued by the Government of India. This decision of the Director General of Security is quite contrary to the policy of 10% cut imposed by the Government of India. It is pertinent to mention here that Government of India never suggested for surrendering any particular cadre as a whole but the policy introduced for reduction of staff strength to the extent of 10% from the existing cadres of the total staff strength. Thereby it is implied that from each cadre there should be a reduction of 10% posts as per the policy laid down by the Government of India, as stated above but

Khem Chand

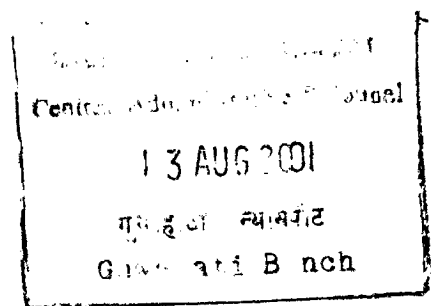


in the instant case of the applicants the Director General of Security introduced an arbitrary policy decision affecting the service career of the entire cadre of SFA (H) where presently 89 incumbents are working in the said cadre of SFA (H) as such the decision of surrendering 89 posts is contrary to the policy decision of the Government of India and the said action of the respondents is unfair labour practice. By no stretch of imagination, it can be said that Government laid down the policy to surrender enter SFA (H) cadre. Therefore the said Memorandum dated 4.3.1999 is liable to be set aside and quashed and as such the same is contrary to the policy of the Government of India for reduction of staff strength to the extent of 10%. It is pertinent to mention here that in spite of their best effort the applicant could not collect the policy decision Circular of 10% cut and as such Hon'ble Tribunal be pleased to direct the respondents to produce the said circular for reduction of staff strength to the extent of 10 % before the Hon'ble Tribunal for kind perusal.

A copy of the Memorandum dated 4.3.1999 is annexed as Annexure-2.

4.5 That your applicants beg to state that the Directorate General of Security, office of the SSB also issued Memorandum bearing letter No. 4/SSB/A-4/99 (II) – 3390-3435 dated 22.7.1999 wherein it is stated that all posts of SFA (H), AFO (H), and DFO (H) have been surrendered under the 10% cut policy of the Government of India.

4.6 That it is stated that Directorate General of Security, office of the Director SSB, New Delhi also issued another Memorandum vide letter No. 4/SSB/A-4/99 (ii) – 6113-61 dated 29.11.99 wherein it is stated that since the complete para homeopathy in the organisation of SSB have been surrendered under 10% cut policy imposed by the Central Government therefore there is no future avenues for promotion for SFA (H) to the higher rank in the SSB organisation. It is also stated that on seeing darkness of future prospect of the incumbents of the cadre of SFA (H) the competent authority has decided to allow willing persons to repatriate their parent group Centre.



In the said Memorandum dated 22.7.1999 it is stated that all posts of SFA Homeo AFO Homeo and DFO Homeo have been surrendered under the 10% cut imposed by the Central Government, it is further stated that in order to adjust incumbents working on those posts and or who are interested to revert to their parent Group Centres, a list of Group Centre personnel selected for appointment on transfer basis as SFA (H) is enclosed with the direction to :-

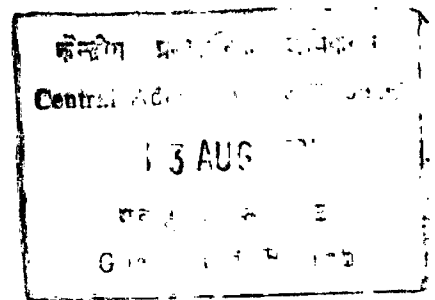
- a) forward vacancy of Constable (GD)
- b) List of personnel recruited with them/junior to them got promotion to higher rank with date.
- c) Their position (individual wise) in the GC but for their selection/appointment to the post of SFA (H).
- d) Whether these personnel can be adjusted in GC on their reversion to parent cadre.

It is further stated in the Memorandum dated 22.7.1999 in paragraph 2 that the incumbent who are serving in the cadre of SFA (H), who will give in writing their willingness without claim of seniority over those constables (GD) of the Group Centre who were junior to them in the inter se seniority of constables but promoted as Head constables (GD) may be consider for reversion as constables, if vacancies in the Group Centre are available. It is further directed that this exercise may be considered only after the above information is available and the pros and cons of the proposal is examined in greater details. The relevant portion of the Memorandum dated 22.7.1999 is quoted below :

"Sub : **ADJUSTMENT OF SURPLUS PERSONNEL UNDER TEN PERCENT CUT IMPOSED BY CENTRAL GOVERNMENT.**

All posts of SFA (Homeo), AFO (Homeo) and DFA(Homeo) have been surrendered under the 10% cut imposed by the Central Govt. order to

Khem Chand



adjust the incumbents working on these posts and/or who are interested to revert to their parent Group Centres, a list of GC personnel selected for appointment on transfer basis as SFA (H) is enclosed with the direction to :-

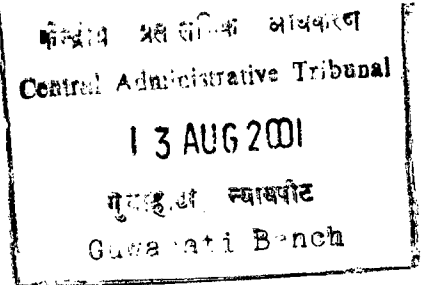
- a) forward vacancy of Constable (GD)
- b) List of personnel recruited with them/junior to them got promotion to higher rank with date.
- c) Their position (individual wise) in the GC but for their selection/appointment to the post of SFA (H).
- d) Whether these personnel can be adjusted in GC on their reversion to the parent cadre.

2. The SFAs(H), who will give inwriting their willingness without claim of seniority over those constables (GD) of the GC who were junior to them in the inter se seniority of Constables but promoted as Head constables (GD) may be considered for reversion as Constable if vacancies in the GC are available. This exercise may be considered only after the above information is available and the pros and cons of the proposal is examined in greater details.

3. The above details should reach this directorate on or before 31st July, 1999. Names of personnel if any left out may also be intimated quoting SSB Directorate reference vide which selection to SFA (H) conveyed."

In view of the decision communicated through Memorandum dated 22.7.1999 it appears that the Directorate General of Security, office of the Director SSB, New Delhi decided to surrender all posts of SFA (H), AFO (H), and DFO (H) and thereby adversely affecting the service prospects of the present applicants and the aforesaid decision of the Director SSB is contrary to the Policy of 10% cut imposed by the

Khem Chandel



Central Government. It is categorically submitted that the Govt. of India never suggested to surrender a particular cadre as a whole rather Government of India, simply suggested that there should be reduction of 10% posts from the existing sanctioned strength but the Director SSB, New Delhi in total violation of the Central Government Policy of 10% cut decided to surrender all posts of entire Homeopathy Cadre including the posts available in the promotional avenue for SFA (H).

It is pertinent to mention here that it appears from the Memorandum dated 22.7.99 as well as from the Memorandum dated 29.11.99 that only those Senior Field Assistant (Homeo) will be reverted who are willing to revert back to their parent Group Centre as Constables in the operational side.

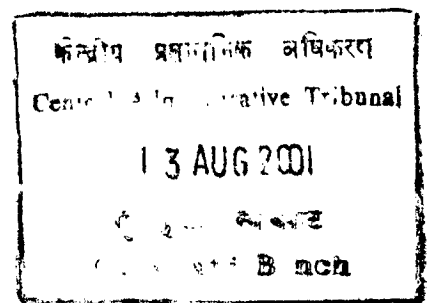
It is also categorically submitted that none of the applicants, submitted their willingness to revert back to their parent cadre as such the applicants were confident that their service prospect shall not be affected following the decision of the Central Govt. of 10% cut policy.

A copy of the Memorandum dated 22.7.1999 is annexed hereto and marked as Annexure-3.

4.7 That most surprisingly the Government of India, Ministry of Home Affairs, office of the Director General, SSB, New Delhi issued the impugned Memorandum bearing letter No.4/SSB/A-4/2001(2) – 1982-2032 dated 5.7.2001 wherein it is decided that all the 79 (seventy nine) posts of Homeo who have been rendered surplus due to abolition of Homeopathy cadre has been decided to transfer them back to their parent units/cadre, in order to implement the decision of the Cabinet Secretariat communicated under order No. A-11011/17/97-110-I-448 dated 20.5.1999 and further instructed as follows :

"i) On their re-transfer to their parent Cadre, as constables/FAs as the case may be, the SFAs(H) will regain their seniority above their

Khem Chand



immediate juniors with consequential benefits. They will be held against the vacancies are not available, they may be adjusted against other vacant posts under GFR-77. If their immediate juniors have been already promoted to the higher rank(s) these officials will be put through the required training course(s) so that they are promoted to the relevant rank(s) against available vacancies adjusted under GFR-77.

ii) The pay drawn by the SFA(s) (Homeo) immediately before their re-transfer to their parent Units/Cadre, shall be protected and adjusted against the future increments. If required by issue of specific orders.

iii) In view of (ii) above if any one of these 79 SFAs (Homeo) happen to draw salary more than his immediate senior(s), the latter cannot claim parity with him.

3. In case an SFAs(Homeo) desires to opt for voluntary retirement, in the event of his having rendered the qualifying service for pension etc, he should tender 3 months irrevocable notice for voluntary retirement immediately and allowed to proceed on voluntary retirement from the rank of S.F.A.s(Homeo).

4. A list containing names and other relevant particulars of the 79 SFAs (Homeo) is enclosed.

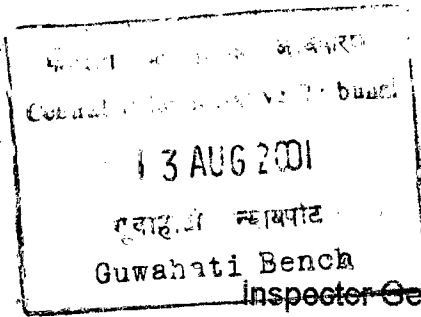
5. The DG, SSB, has desired that follow up action on the above lines should be taken by the concerned Commandants by 31st July, 2001 positively. The D.O.s/D.I.Gs will send information to this Hqrs about the action taken, by 15.8.2001.

6. This has the approval of D.G., SSB.

Enclo : As above

Sd/- Illegible

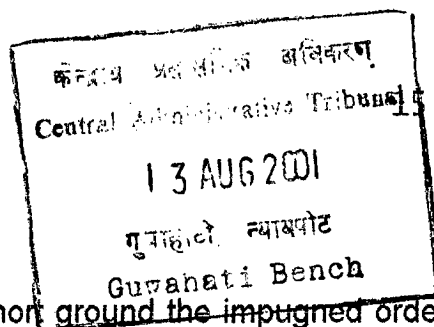
Khem Chand



(N.C. Joshi)
Inspector General (Pers)"

In view of the aforesaid impugned order the service prospects of the present applicants is going to be seriously affected as per clause 1 of paragraph 2 of the impugned Memorandum dated 5.7.2001. The present applicants has been ordered for immediate reversion to their parent cadre as constables even though their juniors might have been promoted to the higher ranks. It is further instructed that if vacancies of Constables are not available in that case they may be adjusted against other vacant posts under GFR 77 and further stated that after reversion of the applicants if it is found that their immediate juniors have already been promoted to the higher ranks in that event the present applicants will be given necessary training so that they can be considered for promotion to the relevant higher ranks.

It is also relevant to mention here that the decision of the Government of India contained in clause (1) of the impugned letter dated 5.7.2001 is contrary to the Government Policy of 10% reduction of sanctioned strength imposed by the Central government and if the same is implemented in that case the applicant will be adversely affected so far as their rank and status are concerned. It is a settled position of law that no Government employees can be transferred and posted to lower rank and status and moreover in the instant case it appears that the Directorate General of Security, New Delhi made a clear departure from the policy decision made by the Government of India so far 10% reduction in existing strength is concerned and arbitrarily decided to surrender entire Homeopathy cadre in total 79 existing filled up posts and it would further be evident that the respondents made a departure from the earlier decision which was communicated by the Memorandum dated 22.7.1999 and 29.11.1999 and moreover the provision of GFR 77 is not applicable in the instant case



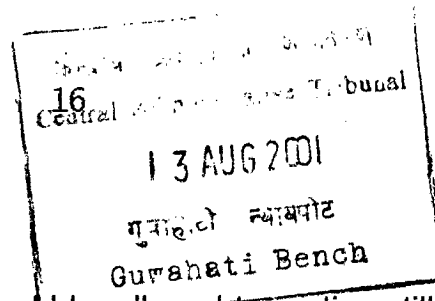
and on that short ground the impugned order dated 5.7.2001 is liable to be set aside and quashed.

It is further stated in the said Memorandum dated 29.11.99 that options from willing SFA(H) may be obtained for reversion to their parent cadre and the same can be forwarded to the concerned group centre and also requested the concerned Divisional Organiser to finalise the matter under intimation to the Directorate General and also stated that those employees who are serving in the cadre of SFA (H) are willing to continue in the Homeo cadre would be allowed to continue as such till they are weeded out. It is further stated that a list of SFA (H) showing their parent Group Centre/Units appended there with for necessary action. It is pertinent to mention here that unfortunately the said list could not be obtained by the applicants in spite of their best effort although they have obtained the Memorandum dated 29.11.1999. Therefore Hon'ble Tribunal be pleased to direct the respondents to produce the list of SFA (H) mentioned in the Memorandum dated 29.11.1999 for perusal of the Hon'ble Tribunal. The relevant portion of paragraph 3 and 4 of the said Memorandum dated 29.11.1999 is quoted below :

"3. In view of the above, it is requested that option from willing SFA (Homoeo) may be obtained for reversion to their parent cadre and may be forwarded to the concerned Group Centre. Matter may be finalised at your end under intimation to the Directorate. Those who would like to continue in the Homeo Cadre will be allowed to continue as such till they are wasted out. List of SFA (Homoeo) showing their parent G.Cs/Units as enclosed for necessary action.

4. This issue with the approval of the Director, SSB."

Therefore it is quite clear from the above decision of the respondents contention in paragraph 3 of the Memorandum dated 29.11.99 that the present applicants who



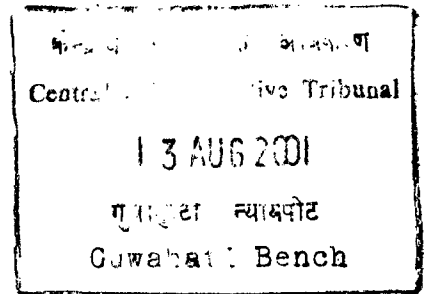
22

are serving in the cadre of SFA (H) would be allowed to continue till those cadres are weeded out. The aforesaid decision might have been taken considering the large interest of the present incumbents who are holding the post of SFA (H) in the Directorate of SSB.

Copy of the Memorandum dated 20.5.1999 and 29.11.1999 are annexed hereto and marked as Annexure-4 and 5 respectively.

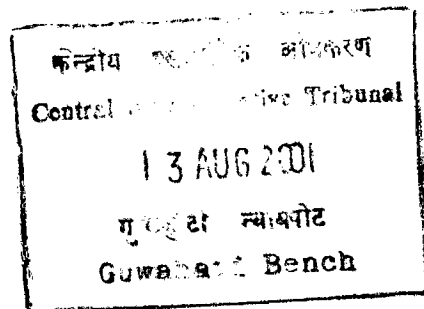
5.8 That it is stated that the decision contained in clause 2 of the impugned Memorandum dated 5.7.2001 is also highly arbitrary as because as per the said decision contained in clause 2 that whatever pay earned by the applicants individually in the higher scale of Rs. 3200-4900 is now sought to reduce gradually by way of adjustment with the future increments in the event of their repatriation to the cadre of Constable as ordered in the impugned Memorandum dated 5.7.2001. It is categorically stated in the said Memorandum that in clause 2 of the impugned memorandum that on re-transfer of the applicant to their parent unit/cadre, their pay drawn in the cadre of SFA (H) shall be protected and the same would be adjusted against the future increments. This means that in the event of their repatriation they will not earn any increment so long their higher pay earned in the cadre of SFA (H) are adjusted. Therefore this clause is also liable to be struck down as because the service rendered by the present applicants during the last six to seven years and pay earned during the said period will be taken away by the respondents by way of adjustment through their future increments in the cadre of constable. It is also pertinent to mention here that if the impugned decision contained in the Memorandum dated 5.7.2001 is implemented in that even the applicant will be placed to in the lower scale of Rs. 3050-4590 from the pay scale of Rs. 3200-4900 which also going to affect adversely the service prospect of the present applicants.

Khem Chand



In paragraph 5 it is further stated that the Director General, SSB as desired that follow up action on the above lines should be taken by the concerned command by 31.7.2001 positively. The Divisional Organisers will send information to the Headquarter about the action taken by 15.8.01. This action of the respondents is also unfair as the arbitrary decision is sought to be implemented without providing any opportunity to the present applicants and in total violation of the principle of natural justice. In this connection it is relevant to mention here that earlier option was sought from the applicants by the respondents vide their Memorandum dated 29.11.1999, but subsequently the respondents have taken altogether different decision which is communicated by the memorandum dated 5.7.2001. As per the Memorandum dated 29.11.1999 the applicants were under the impression that since they have not submitted any willingness/ option circulated for their reversion to the cadre of constable as desired by the Director General of Security that they will be allowed to continue in the existing post of SFA (H) in the greater interest of the employees. But the subsequent decision communicated through Memorandum dated 5.7.2001 is contrary to the 10% cut policy imposed by the central Government and the same is now sought to be implemented by the respondents particularly the Directorate General of Security, Office of the Director, SSB, New Delhi in a very arbitrary and unfair manner and taking advantage of the 10% cut an attempt is now made to abolish the entire Homeopathy cadre (SFA (H) which cannot be sustained in the eye of law. If the impugned order is implemented the present applicants will suffer irreparable loss in the rank and status as well in the matter of their service prospects. Moreover when it was earlier decided by the office of the Directorate General Security, New Delhi though the Memorandum dated 4.3.1999 that in order to adjust and accommodate the incumbents holding the post of SFA(H) shall be adjusted against the other existing vacant posts as

Khem chandel



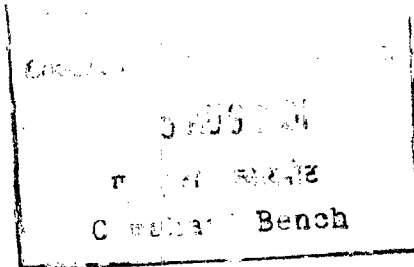
communicated in para 2 of Memorandum dated 4.3.1999. The relevant portion of the Memorandum dated 4.3.1999 is quoted below :

"2. Since 590 posts as shown in the Annexure have already been recommended for surrender, all units are requested not to fill up the existing vacant posts and also those filled posts, which are likely to fall vacant due to retirement, resignation, death etc. in the near future."

In view of the above decision there is no difficulty on the part of the respondents even to accommodate and adjust the present applicants in the similar status and rank in the available post in the following cadre under the Directorate General of Security of SSB namely, (i) SFA (Madics), (ii) Head Constable (General Duty), (iii) Head Constable (Madics) and (iv) SFA (General). It is categorically submitted that all the above mention four cadres are similar in the rank and status with the cadre of Senior Field Assistant (Homeo) and all the present applicants have already passed the Madics Training Course under the Respondents. Therefore they are quite eligible for appointment in the existing available vacancies to the cadre of SFA (Madics). It is also pertinent to mention here that the Directorate General of Security has surrendered only three posts of SFA (Madics) where more than 500 posts are available under the respondents. As such there is no difficulty on the part of the respondents to adjust and accommodate the applicants at least in the cadre of SFA (H).

The post of Head Constable (General Duty), Head Constable (Madics) and Senior Field Assistant (General) are also equivalent with the rank and status with the post of Senior Field Assistant (H). Therefore the present applicants can be adjusted and accommodated also against the existing vacancies available in the above mentioned cadres under the respondents. But it appear now that the respondents is now tried to make a clear departure from their earlier decision communicated vide Memorandum dated 4.3.1999. It is pertinent to mention here that the decision

Khem chandel



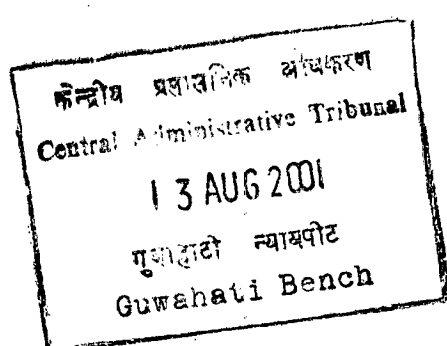
communicated through Memorandum dated 4.3.1999 will serve the purpose and the best interest of the administration as well as the applicants.

It is also relevant to mention here that many juniors as for example Rabindra Singh Slithia, Rom Das, as well as many other juniors to the present applicants earlier worked in the Group Centre, Sundarbari in the State of Jammu and Kashmir have already been promoted to the cadre of Head Constable (General Duty) and Head Constable (Madics). Therefore since the applicants are senior in the cadre of Constable they cannot be repatriated in the cadre of constable at this belated stage arbitrarily. Therefore the Hon'ble Tribunal be pleased to direct the respondents to explore the possibilities to adjust and accommodate the present applicants in the cadre of SFA (Madics), Head constable (General Duty), Head Constable (madics)SFA (General) immediately before their repatriation and till such process is over the Hon'ble tribunal be pleased to direct the respondents to allow the applicants to continue in the present post of SFA(H) and also be pleased to direct the respondents not to fill up any existing vacancies in the equivalent cadre as stated above till the process of adjustment and accommodation of the present applicants are over, otherwise it will cause irreparable loss to the service prospect of the present applicants. Therefore it is a fit case for the Hon'ble Tribunal to interfere with and to protect the interest of the present applicants by way of passing an interim order not to give effect to the impugned Memorandum dated 5.7.2001 till disposal of this application.

Copy of the impugned Memorandum dated 5.7.2001 is annexed hereto and marked as Annexure-6.

5.9 That it is stated that the respondents have already started the process for implementation of the impugned Memorandum dated 5.7.2001. It would be evident from the order issued by the Area Organiser, SSB, Tinsukia vide order bearing No.

pehem chand



NGE/E-26/2001/143 dated 12.7.2001 issued in respect of the applicants Shri Virendra Singh and Ranjit Singh and its is expected similar order are likely be issued shortly in respect of other applicants in order to complete the process of repatriation as instructed through impugned Memorandum dated 5.7.2001. Therefore Hon'ble Tribunal be pleased to protect the rights and interests of the applicants by passing an interim order staying the operation of the impugned Memorandum dated 5.7.2001 and order dated 12.7.2001 and if any similar orders are issued in the mean time in respect of the present applicants.

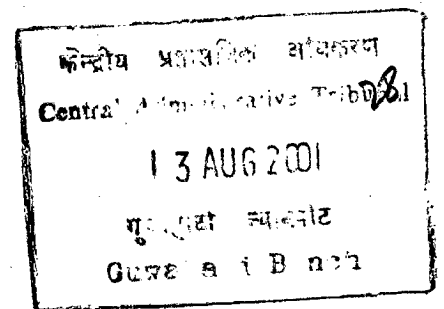
A copy of the order dated 12.7.2001 is annexed as Annexure-7.

4.10 That it is categorically stated that none of the applicant has not yet been released from the cadre of SFA (H) and they are still serving in their respective places in the same capacity as SFA (H). But the applicants are apprehending that at any moment they may be released from the cadre of SFA (H). Therefore the Hon'ble tribunal be pleased to pass an appropriate interim order restraining the respondents to take further action in terms of the impugned order dated 5.7.2001 and 12.7.2001 and further be pleased to pass an interim order directing the respondents to allow the applicants to continue in the cadre of SFA (H) in the same capacity in their respective places till disposal of this application.

5.10 That this application is made bona fide and for the cause of justice.

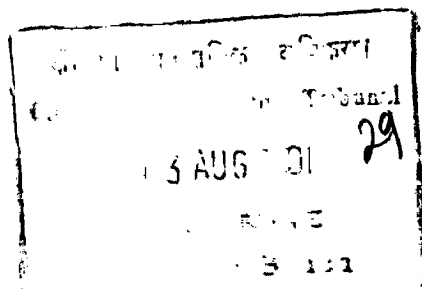
5. Grounds for Relief(s) with legal provision.

5.1 For that the applicants have been appointed on transfer basis to the cadre of Senior Field Assistant (Homeo) after being qualified in the regular selection post in pursuance of the advertisement issued by the respondents and also undergone the required training course in Homeo.



- 5.2 For that the arbitrary decision communicated through Memorandum dated 5.7.2001 is contrary to the policy of 10% cut issued by the central Government from the existing cadre strength.
- 5.3 For that the Central Government never instructed to surrender entire filled up 79 posts of Homeo from a particular cadre, rather the instruction of the Central Government to reduce 10% posts from each existing cadre but the respondents arbitrarily and on pick and choose basis decided to surrendered the entire SFA (H) cadre in violation of the 10% cut policy of the Government of India.
- 5.4 For that the decision contained in the Memorandum dated 4.3.1999, 29.11.99 and 27.7.1999 is contrary to the decision is now sought to be implemented through impugned Memorandum dated 5.7.2001 and 12.7.2001.
- 5.5 For that if the impugned decision communicated through Memorandum dated 5.7.2001 is implemented in that event it will adversely affect the rank and status and pay and service prospects of the present applicants.
- 5.6 For that the decision communicated through impugned Memorandum dated 5.7.2001 neither in the interest of the Government nor in the interest of the present applicants and the same is contrary to their earlier decision communicated through Memorandum dated 4.3.1999 and 29.11.1999.
- 5.7 For that posts in the equivalent rank and status are available in the cadre of SFA (Madics), Head Constable (General), Head constable (Madics), SFA (General) under the respondents and the present applicants are qualified for adjustment on transfer basis in the aforesaid cadres in terms of earlier decision communication under the Memorandum dated 4.3.1999.
- 5.8 For that the pay earned by the applicants in the cadre of SFA (H) after rendering long service cannot be taken away by the respondents by way of adjustment with future increments.

Khem Chand



5.9 For that the applicants have earned valuable and legal right for appointment in the posts available in the similar rank and status under the Directorate General of Security, SSB, New Delhi.

6. Details of remedies exhausted :

That the applicants state that he has no other alternative or other efficacious remedy available before him than to file this application.

7. Matters not previously filed or pending with any other Courts/Tribunal.

The applicant further declares that he had not filed any application, writ petition or suit regarding the matter in respect of which this 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. Reliefs sought for :

8.1 That the impugned Memorandum issued under letter No. A-11011/17/97-110-1-448 dated 20.5.99 (Annexure) and Memorandum issued under letter No 4/SSB/A-4/2001 (2) 1982-2032 dated 5.7.2001 (Annexure-6) and the Memorandum issued under letter No.NGE/E-26/2001/143 dated 12.7.2001 (Annexure- 7) be set aside and quashed.

8.2 That the respondents be restrained to surrender the entire Senior Field Assistant (Homeo) cadre under the respondents in the name of implementation of 10% cut policy imposed by the central Government, alternatively;

Khem Chand

the respondents be directed to adjust and accommodate the present applicants in the existing available posts with equivalent ranks and status particularly in the cadre of Senior Field Assistant(Madics), Head Constable (General Duty), Head Constable (Madics), Senior Field Assistant (General) and also against the other equivalent cadres.

That the respondents be directed to allow the applicants to continue in their existing capacity till the process of adjustment by way of appointment on transfer basis to the posts with the equivalent rank and the status is completed.

8.4 That the Hon'ble Tribunal be pleased to declare that the pay earned, by the applicants in the cadre of SFA (H) should be protected and the same cannot be adjusted by the respondents with future increments.

8.5 To pass any other order or orders as deem fit and proper by the Hon'ble Tribunal.

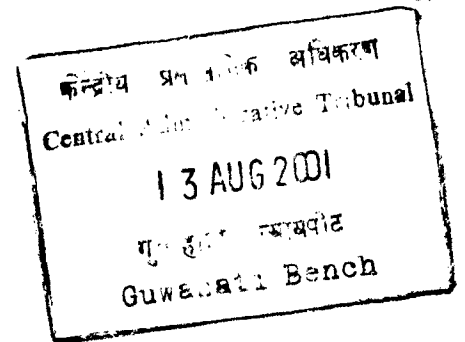
8.5 Costs of the application.

9. Interim Prayer:

During the pendency of this application, the applicant prays for the following interim relief :

9.1 That the Hon'ble Tribunal be pleased to stay the operation of the impugned Memorandum issued under letter No.SSB/A-4/2001(2) 1982-2032 dated 5.7.2001 (Annexure-) and the Memorandum issued under letter No.NGE/E-26/2001/143 dated 12.7.2001 (Annexure-) till disposal of this application and further be pleased to direct the respondents to allow the applicants to continue in their present post in the existing capacity till disposal of this application.

The above interim reliefs are prayed on the grounds explained in paragraph 5 of the Original Application and if the same is not granted, the applicants will suffer irreparable loss and injury.



10.

This application is filed through Advocate.

11. Details of Postal Order :-

- | | | | |
|------|------------------|---|------------------|
| i. | Postal Order No. | : | 562 423 006 |
| ii. | Date of Issue | : | 30/7/2001 |
| iii. | Issued from | : | G.P.O., Guwahati |
| iv. | Payable at | : | G.P.O., Guwahati |

12. List of enclosures :

As per Index.

VERIFICATION

I, Shri, Khem Chand, Son of Sri Behari Lal, working as Senior Field Assistant (H), office of the Sub Area organiser, SSB, Chowkham, District-Lohit, Arunachal Pradesh of the applicants in this Original Application and I have been authorised by the other applicants to sign this verification on behalf of them accordingly I do hereby verify and declare that the statements made in paragraphs 1 to 4 and 6 to 12 are true to my knowledge and those made in paragraph 5 are the legal advice which I believe to be true and I have not suppressed any material fact.

And I sign this verification on this the 23rd day of July 2001.

Khem Chand

UPC

No. I/Dir-Rect-SFA(Home)-95- 10941
 Directorate General of Security,
 Office of the Commandant,
 Group Centre (SSB) Dharanpur,
 Distt. Solan(HP)-173209.

Dated the 18th Sept., 1995.

MEMORANDUM

Subject:-

Recruitment of SFA(Home) in SSB holding
 test thereof.

for the said post.

This is with reference to your application

1. It is to inform you that written examination for the direct recruitment to the post of SFA(Home) is being held at GC HQ Dharanpur on the date and times given below :-

- a) Date of Examination - 27.10.1995.
- b) Written Paper-1 - 100 Marks
(1000 to 1200 hrs).

2. It is to mention here that you will be eligible to appear in said test provided you have completed 3 years of regular service in the present grade and have undergone Homeopathy course as prescribed by SSB Directorate.

3. In case you fulfilling the eligibility conditions as mentioned under para-2 above, you are hereby directed to report at GC Hqr. Dharanpur on or before 27.10.95 at 1000 hrs sharp to appear in the said test. The candidate who qualify the written test will be called for oral test at later stage separately.

4. All those who are in Govt. servants would be entitled for TA under SB-132 i.e. TA as on tour without daily allowance for the days of halt from HQ Station and place of interview/test and back.

5. The candidates have to make their own arrangement for boarding and lodging etc.

LOCATION OF G.C. HQ DHARAMPUR.

Group Centre Hqr. Dharanpur is located on NH-22 between Chandigarh and Shimla at a distance of about 45 Kms from Chandigarh and 25 Kms from Kalka. There is regular bus run on this route and candidates are advised to debus at proper Dharanpur bus stand. GC HQ is up about 200 Yrds from bus stand.

Commandant,
 Group Centre, SSB, Dharanpur.

To

Ch. Omprakash NO 8962804

CE- COY SSB G.C. SAPRI C/O

POST BAG- I JAWALA MUKHI -

DISTT KANGRA (H.P.)

ROLL NO 8

G.C. DHARAMPUR HP-8

-27-

To

The Commandant,
Group Centre, SSB HQ Sapri,
Distt. Kangra (HP).

THROUGH

PROPER CHANNEL.

Subject:- Willingness for appointment to the post of
SFA (Homeo) on Transfer Basis.

Sir,

Kindly refer to Commandant, Group Centre, SSB HQ
Sapri, endst. Memo No. I/2401/96-GCS-EI-1059 10795-97 dated
26.9.96, on the subject cited above.

2. I accept all the terms and conditions for
appointment to the post of SFA (Homeo) on transfer basis,
circulated vide SSB Dte. Memorandum No. 6/SSB/A2/89(9) dated
16.9.96, under para-2 (i) to (iv) please.

3. I further submitted that I am willing to
appoint as SFA (Homeo) on transfer basis. It is therefore,
requested that I may kindly be appointed as SFA (Homeo)
on transfer basis at your earliest please.

Dated _____

Yours faithfully,

Om Parkash
(Om Parkash)
Const. No. _____
'D' Coy. SSB CC, Sapri.

*Accepted
SFA-e*

- 28 -

No. III-25/98/38.48
DIRECTORATE GENERAL OF SECURITY
OFFICE OF THE DIVISIONAL ORGANISER
U.P. DIVISION ; SEWAPURAM
RANIKHET.

DATED: MARCH 19, 1999

ORDER 2

On the recommendation of the D.P.C. held on 10.3.99, the competent authority is please to declare following officials to the have satisfactorily completed the probation period.

Sl.no.	Name and designation of the incumbents.	Period of probation
	S/Sri	
1.	Upendra Singh, SFA(Homeo)	2.12.96 to 1.12.98
2.	Harish Chandra, -do-	1.1.97 to 31.12.98
3.	Dinesh Prasad, -do-	4.12.96 to 3.12.98
4.	Rajpal Singh, -do-	2.12.96 to 1.12.98
5.	Rajendra Singh, -do-	2.12.96 to 1.12.98
6.	Shishpal Singh, -do-	30.11.96 to 29.11.98
7.	R.S.Rawat, -do-	2.12.96 to 1.12.98
8.	Kripal Singh, -do-	2.12.96 to 1.12.98
9.	Sajit S. Pharmacist	10.6.96 to 9.6.98
10.	Mukesh Bisht, DFO(T)	23.12.96 to 22.12.98
11.	P.S.Tomar, A.F.O>(V)	24.8.96 to 23.8.98
12.	A.K.Behera, U.D.C.	14.10.96 to 13.10.98
13.	AST(Clk) V.S. Rauthan	21.10.97 to 20.10.98
14.	Smt. Kamla Devi, Peon	27.8.96 to 26.8.98

Necessary entry in the service records may please be

(K. LAL) S/S
Area Organiser (Staff)

Area Organisers, SSB,
ALM, PTH, CMI, PWL, TWL, UKT
Commandant, Group Centre, Almora.

Probation reports of above officials are returned to the unit concerned for record.

ST
25/2

- 29 -

No.1/2(1)E/97-SSB/ 2836
 Directorate General of Security
 Office of the Divisional Organiser
 SSB Manipur & Nagaland Division
 Imphal - 795001.

Dated the 21st March, 1997.

ORDER

In pursuance of SSB Directorate Memo.No.6/SSB/A-2 - 89(9)-2362 dated 16-9-96, following O.C. Personnel are appointed to temporary post of SFA(Homeo) in the establishment of D.O., SSB, Manipur and Nagaland Division w.e.f. 28-2-97(FN) in the pay scale of Rs.975-25-1150-EB-30-1650/- with usual allowances as admissible to Central Govt. employees under the Rules from time to time.

They have been posted to the places as noted against each on transfer basis from the O.C., SSB, Imphal as shown below :-

Sl.No.	Name.	Place of posting.
1. ✓	L.Gunamani Singh	Divn. HQ. Imphal.
2.	K.Joyson Tangkhul	SAO, Shangshak.
3.	Lalsiemliem Haer	A.O. Imphal.

They will be on probation for a period of 2 years which may be extended or curtailed at the discretion of the competent authority.

2. The seniority of the SFA(Homeo) taken on transfer will be regularised in terms of the orders contained in Ministry of Home Affairs OM No.9/11/55/RPS dated 22-12-59 as amended from time to time which envisage that their seniority will be below those already recruited.

3. They will be required to undergo training courses prescribed for the SFA(Homeo) by the SSB Directorate from time to time.

4. They are liable to be transferred anywhere in India.

Copy to:-

Area Organiser (Admn).

1. The Director of Accounts, Cab. Sectt. (East), Block-V, R.K.Puram, New Delhi-66.
2. The Assistant Director (EA), SSB, Dte., R.K.Puram, New Delhi.
3. The Divisional Medical Officer, Div. HQ. Imphal.
4. The Medical Officer (Homeo), Div. HQ. Imphal.
5. The Area Organiser, HQ/UKL/Imphal.
6. The Sub-Area Organiser, Shangshak.
7. Accounts Branch (local).
8. Estt.-II (MPR)
9. Individual concerned.
10. Personal file.
11. Service Book.
12. N.G.O (ACR), Branch.
13. Office order file.

AREA ORGANISER (ADMN).

- 30 -

No. 14(NGO)/REGPRO/NCO/1996/5236-40
Directorate General of Security
Office of the Divisional Organiser
SSB Manipur & Nagaland Division
Imphal - 795001

Dated, the 21st April, 1999

ORDER

The Divisional Organiser, SSB Manipur and Nagaland Division has ordered the removal of Probation period of the following NGOs on completion of their probation period successfully basing on the recommendation of the D.P.C. constituted for this purpose.

S.No.	Name & designation	Date of removal
1.	Sh Prabir Kumar Ray, DFO(Tele)	30.1.1999
2. ✓	Sh K. Joyson Tangkhul, SFA(Homeo)	28.2.1999
3. ✓	Sh. L. Gunamani Singh, SFA(Homeo)	28.2.1999
✓ 4.	Sh. Lalsiemlien Hmar, SFA(Homeo)	28.2.1999
5.	Sh. Kh. Shyam Singh, SFA(Medic)	28.1.1999
6.	Sh. Bijoy Kumar Bhujal, SFA(Medic)	10.2.1999
7.	Sh. A. Joy Kumar, SFA(Medic)	29.1.1999
8.	Sh. Ch. Gojendro Singh, SFA(Medic)	28.1.1999
9.	Sh A. Sanahal Meitei, SFA(Medic)	29.1.1999
10.	Sh Anil Kumar, SFA(Homeo)	1.1.1999

DISTRIBUTION

Sd/- 20/4/99
Area Organiser(Admn)

1. The Assistant Director(EA)
SSB Dte, RK Puram, New Delhi-66
2. The Section Officer(local)
Div. Hq. Imphal for recording
and necessary follow up action
please.
3. Individual concerned by name.
4. Probation dossier of individual
5. Order file.

-31-

No. 1/2(14)/89-GCI/1023
Directorate General of Security
Office of the Commandant
Group Centre SSB Imphal, Manipur.

Imphal-795001

Dated, the: ... 28/1/89

Memorandum

The undersigned hereby offers
Shri. L. A. SIED. LIEN. H. MAR. S/O. F.R. LIEN. TAWN. H. MAR.
for temporary post of Asst. (Genl.) in the office of
the Commandant, Group Centre SSB Imphal, Manipur in the pay of
Rs. 950 in the scale of Rs. 950-20-144-43-144.
He will also be entitled to draw dearness and other allowances
at the rate admissible subject to the condition laid down in
rules and order governing the grant of such allowance in force
time to time.

2. The terms of appointment are as follows:-

(i) The post is purely temporary. His permanent
appointment to the post if and when it is made permanent will,
however, depend on various factors governing permanent appoint-
ment to such post in force at the time and will not confer on
him the title to permanency from the date the post is named
permanent.

(ii) The appointment is purely provisional.

(iii) The appointment may be terminated at any
time by giving a month's notice by the appointing authority
without assigning any reason.

(iv) The appointment carries with it the liability
to serve in any part of India.

3. The appointment will be further subject to:

(i) Submission of a declaration in the prescribed
form and in the event of the candidate having more than one wife
living the appointment will be subject to his being excepted from
the enforcement of the requirement in this behalf.

(ii) Taking of an Oath of Allegiance/Faithfulness
to the constitution of India (or making of solemn affirmation to
that effect) in the prescribed forms.

(iii) Production of a certificate of fitness from
the Medical Officer, Group Centre SSB Imphal, Manipur.

(iv) Production of the following original
certificate.

(a) Certificate of age.

(b) Degree/Diploma/Certificate of Educational
and other technical qualifications.

(c) Character Certificate in prescribed form.

i) Attested by a District Magistrate or a
Gazetted Officer or a Magistrate.

(d) Certificate in the prescribed form in
support of candidate's claims to belong to
Scheduled Caste or Tribe/Anglo Indian community.

(e) Discharge certificate in the prescribed form
of previous employment, if any.

Contd..2..

-(2): -

4. It may please be stated whether the candidate is serving or is under obligation to serve, another Central Government Department, a State Government or a public authority.

5. If any declaration or information furnished by the candidates prove to be false or if the candidate is found to have wilfully suppressed any materials information he will be liable to the removal from service and such other action as Government may deem necessary.

6. If Shri *Lalsiemkhen Hman*..... accepted the offer on the above terms, he should report to the Commandant, Group Centre, SSB Imphal, Manipur, HQ. Mongsangai on *an. 26/11/91* *with 2/3 days for medical check up*

If no reply is received or the candidate fails to report for duty by the prescribed date the offer will be treated as cancelled.

7. No travelling allowance will be allowed for joining the appointment.

8. He may have to stay for medical check up for 2/3 days.

9. If he is declared medically fit and his documents are in order, may be asked to join at short notice.

10. This offer does not give any guarantee for appointment.

11. He should bring sufficient money for medical check up i.e. X-ray/Urine test if required necessary.

12. He should also bring Hafflong/Saraham Training Certificate obtained from concerned C.O./S.A.C./A.O.

Blugant
COMMANDANT

Group Centre SSB Imphal,
Manipur.

To

Shri *Lalsiemkhen Hman*
Vill : *Thantlan vill. 43 - VENI NUNUM*
P.O. : *Thantlan*
P.S. : *Thantlan*
Distt: *Churachandpur*

unwillingness
to repatriate 40
CT.(GD)

Dated, C.C.Pur
22nd Jan.2000.

- 33 -

To.

The Divisional Organiser
SSB, Manipur & Nagaland Divn.
HQ. Lamphelpat, Imphal.

(Through proper channel)

Subj:- Submission of un-willingness to repatriate
to Group Centre as Cont. (GD)

Sir,

With reference to Dte.Memorandum No. 4/SSB/A-4/
99(11)-6113-61 Dated 29th November 1999 regarding 10 pc
cut imposed by Central Govt. in respect of Homoeopathy
cadre.

✓ I am hereby too submitted my option of un-will-
ingness to return to my parent Group Centre as Cont.(GD)
as I am already appointed in the same scale of Head Cont.
(GD) vide SSB Dte.Memo No.5/SSB/A-S/89-(9)-2362 Dated
15.9.96 and your order No.1/2(1)E/97-SSB/2836 Dated 21.3.97.

In the other side I am always ready to convert
to Head Constable (GD) and promised to do the necessary
courses for time to time.

It is submitted for your kind information and
further necessary action.

Yours Faithfully.

Lalsiemlie Hmar
(LALSIEMLIE. HMAR) 22/1/2000
S.F.A (Homceo)
AO, SSB/VVF Churachandpur
Manipur.

Appointment
2 St (49)

34- 8/11/1991

No.E/1106/GCD/G/91- 12241
Directorate General of Security, 41
Office of the Commandant,
Group Centre, SSR, Delhi-7
Dated the 21 Aug, 1991.

-34-

OFFICE ORDER

RECRUITMENT:

Consequent upon the recommendation of the L
Board Shri Anila Kumar S/O Shri Duni Chand resident of
Village & Post Office Nehran Pukher, Teh Dehra Distt
Kangra (HP) who has been declared medically fit by the
Senior Medical Officer Group Centre SSB New Delhi-47 is
hereby appointed as Constable/CD in the pay scale of Rs.
950-20-1150-EB-25-1400 per month purely on temporary basis
with effect from 20.8.1991 (F/N). His particulars are given
as under:-

1. Educational/Qualification: BA Part.II.
2. Date of birth: 7-1-1970
3. Whether SC/ST No.
4. Whether Saradhan Trained: Yes in batch No.163.
5. His IR clearance obtained through SSB Dta under memo
No.19/1/91-SSR/EI dated 7.8.1991.
6. His verification of character and antecedents have
already been verified by the Distt Magistrate Kangra
at Dharamsala (HP) vide their memo No.557/ dated
24.7.1991.
7. He is a member of CGEGIS -1980 with effect from the
date of his appointment.
8. He is posted in 'B' Coy and allotted Reg. No. 66164

(KL Datyal)
Commandant

Distribution:

1. DDO, Group Centre, SSR, Delhi-47 (in duplicate).
2. OM GC SSB Delhi.
3. Coy Commander 'B' Coy Parpatganj, New Delhi.
4. SI(A) Group Centre, SSR, Delhi.
5. CRC alongwith all relevant papers.
6. TO Clerk for publication in FO part.II.

परिशिष्ट (Appendix)
द्वारा की गई सेवा का सारा

हम में ग्रहण ना हो और कारण
qualifying as service and
here of

कारण
Reasons
7

कार्यालय अध्यक्ष के हस्ताक्षर
Signature of Head of Off
के सारांश की प्राप्ति स्वीकार कर
नहीं करता हूँ।

सरकारी कर्मचारी के हस्ताक्षर
Signature of Govt. Servant

35-
 Director to General
 Office of the Divisional Organiser, SSB
 Himachal Pradesh Division
 Fir Hill Shimla-4.

OFFICE ORDER

Dated Shimla-4 the, 5/12/96

In pursuance of SSB Dte's memorandum No. 6/SSP/12/89/9)-2354 dated 16-9-1996, following Group Centres personnel are appointed as SFA (Homeo) on 'Transfer basis' in the pay scale of Rs. 975-25-1450-EB-30-4660 and posted in the unit concerned indicated against each from the date they assume charge of the post.

Sl. No.	Name of CC Personnel	Place where posted.
1.	Dina Nath, NK/GD GC Delhi.	A.O. Office Sundernagar.
2.	Ranjit Singh, CT/GD GC Dharmpur.	A.O. Office, Rampur.
3.	Hemant Kumar, CT/GD GC Dharmpur.	A.O. Office, Kullu.
4.	Anil Kumar, CT/GD GC Delhi.	A.O. Office, Sundernagar.
5.	Ram Lal CT/GD GC Shamshi.	Div. Hqrs. Shimla.
6.	Om Parkash, CT/GD GC Sapri.	A.O. Office Kangra.
7.	Narid Lal, CT/GD GC Delhi.	A.O. Office Kullu.
8.	Jeewan Lal, CT/GD GC Sapri.	A.O. Office, Chamba.
9.	Mast Ram, CT/GD GC Shamshi.	A.O. Office, Rampur.
10.	Khem Chand, CT/GD GC Dharmpur.	A.O. Office, Rekonig Poo.

- The seniority of SFA (Homeo) will be as per merit drawn by the Selection board.
- Their pay will be fixed as per rules applicable and instructions issued by the Govt. from time to time.
- They will be on probation for a period of two years as per SSB (Homeopathy) Service rules 1972 from the date they assume charge which may be extended or curtailed at the discretion of the competent authority as per SSB (Homeo) Service Rules.
- They will be required to undergo training courses prescribed for SFA (Homeo) by the department from time to time.

sd/-
 Deputy Inspector General, SSB.
 Dated Shimla-4,

Endst. No. A-2/4/74-DO-XIV
 Copy to:

- The Director of Accounts, Cab. Sectt. R.K. Puram New Delhi.
- The Asstt. Director (EA), SSB Dte. New Delhi.
- The Commandants Dharmpur/Delhi/Shamshi/Sapri for further n/a.
- The Area Organisers Sundernagar, Rampur, Kullu/Kangra

Contd/..2

Attested
 Sub A. S. Sharma
 Directorate General of SSB
 Govt. of India Kharpur Area
 Rekonig PEO (H.P.)

Chamber/Rekong Pao for further necessary action.
The Divisional Medical Officer, Divl. Hqs. Shimla.
The Accounts Officer, Divl. Hqs. Shimla.
The individual concerned through unit.
File No. A-2/45/24-DO-

5. The Divisional Medical Officer, Divl. Hqs. Shimla.
6. The Accounts Officer, Divl. Hqs. Shimla.
7. The individual concerned through unit.
8. File No. A-2/45/24 DO-

Area Organizer (Staff)

Miss Ford
S. A. C.

Annexure-2

Confidential

No. 38/SSB/A-4/98(I)-880
Directorate general of Security
Office of the Directorate SSB,
New Delhi-11006

Dated the 4th March, 1999**MEMORANDUM****"Sub : 10% cut in the staff strength of SSB.**

In response to Ministry of Finance (Department of Expenditure) U.O. No. 7(7) E.coord/92 dated 4.3.1997 sent under Cabinet Secretariat U.O. No. A-11011/17/97-DO.I-676 dated 30.12.1997, a proposal was sent to Cabinet Secretariat in May, 1998., asking exemption from the purview of 10% cut in staff strength of SSB Organisation on the grounds that all posts sanctioned in SSB are operational in nature and surrender of any post would deprive the units concerned of the services of such efficiency of the organisation, but Cabinet Secretariat did not agree to our proposal and insisted upon to identify 10 % posts of sanctioned strength for surrender. Comply with the Govt. orders to identify posts, which could be surrendered under 10% cut, a review has been undertaken at SSB Directorate keeping in view the operational efficiency of the organisation. Taking all aspects into consideration, a proposal was sent to Cabinet Secretariat recommending 590 posts in various ranks for surrender as shown in the enclosed Annexure 'A'.

2. Since 590 posts as shown in the Annexure have already been recommended for surrender, all units are requested not to fill up the existing vacant posts and also those filled posts, which are likely to fall vacant due to retirement, resignation, death etc. in the near future.

3. This issued with the approval of Joint Director (A),

Encl :- As above

Sd/- Illegible 3.3.89

(N.C. Bhattacharjee)
Assistant Director (EA.I)

*Assistant
Director*

Annexure-2 (Contd.)

To

1. The DOS : HP/UP/AP/NB/SB/R&H/J&K/Shillong.
2. The DIGs : Haflong/Sarahan/FA Gwalidam/TC Salonibari
3. The Comdt.WATG Jammu/Ranidanga/Kashipur.

No. 38/SSB/A-4/98(1)

Copy alongwith a copy of Annexure 'A' is forwarded to :

1. The DIG (Trg) SSB Dte.
2. xxxxxxxxxxxx
3. xxxxxxxxxxxx
4. xxxxxxxxxxxx
5. xxxxxxxxxxxx

Sd/-

Assistant Director

Memo No. 2988-11

Dated 4.3.999

Copy to :

1. The Comdts : GC Bongaigaon/ for information
GC D/Nagar please.
2. The AOs : TZP/TSK/NLP/NK/KJR
3. The Comdt. WATS D/Nagar.

Sd/- Illegible

SECTION OFFICER
SSB ,NORTH ASSAM DIVISION,
TEZPUR

ANNEXURE 'A'

Total sanctioned strength of Area - side ---- 5,000 posts
(Gazetted and Non- Gazetted)
2. Posts proposed for surrender under ---- 5,80 posts
105 out in sanctioned strength

DETAILS OF POSTS PROPOSED FOR SURRENDER

Sl. No.	Name of the Post.	Name of unit of SSB from which sanctioned	No of posts.		
			S	P	V
1	2	3	4	5	6
1.	DIG (Publicity)	SSB Dte.	1	-	1
2.	Dy. Director (Accounts)	SSB Dte.	1	-	1
3.	AO/Commandant.	WATS Jammu	1	1	1
4.	SAD/Coy Commander	WATS J&K, Kashipur & Ranidanga	3	3	
5.	CO/Inspector.	WATS J&K, Kashipur & Ranidanga	3	3	
6.	S.M.O.	WATS Ranidanga	1	1	
7.	M.O.	WATS J&K and Kashipur	2	1	
8.	Accountants	WATS J&K, Kashipur and Ranidanga	3	1	
9.	Assistant	WATS Jammu	1	-	1
10.	U.D.Cs	2 WATS Jammu, 1 Ranidanga & 1 WATS K/pur.	4	3	1
11.	L.D.Cs	2 WATS Jammu, 1 Ranidanga & 1 WATS K/pur.	4	4	
12.	Steno Grd -III	2 WATS Jammu, 1 Ranidanga & 1 WATS K/pur.	4	2	
13.	F.A.	4 WATS Jammu, 1 Ranidanga & 1 WATS K/Pur.	0	0	
14.	Drivers	4 WATS Jammu, 2 Ranidanga & 2 WATS K/pur.	8	8	
15.	Sweeper/Safaiwala.	2 WATS Jammu, 2 Ranidanga & 2 WATS K/pur.	6	6	
16.	AFO(M)	WATS Jammu, Ranidanga & WATS Kashipur.	3	3	
17.	SFA(M)	WATS Jammu, Ranidanga & WATS Kashipur.	3	3	
18.	DFO (Instructor)	2 WATS Jammu, 1 Ranidanga & 1 WATS K/pur.	4	4	
19.	AFO (Instructor)	4 WATS Jammu, 2 Ranidanga & 2 Kashipur.	8	5	3
20.	SFA (Instructor)	5 WATS Jammu, 3 Ranidanga & 3 Kashipur.	11	11	
21.	Naik Cook.	2 WATS Ranidanga	2	2	
22.	Cooks	3 WATS Jammu, & 2 Kashipur.	5	5	
23.	Maid-Servants	2 WATS Jammu, 2 Ranidanga, 1 Kashipur	5	5	
24.	Waterman	2 WATS Jammu, 2 Ranidanga, 2 Kashipur.	6	6	
25.	Washerman	1 WATS Jammu, 1 Ranidanga, 1 Kashipur.	3	3	
26.	Lab. Tech.	1 WATS Jammu, 1 Ranidanga, 1 Kashipur.	3	3	
27.	Pharmacist.	1 WATS Jammu, 1 Ranidanga, 1 Kashipur.	3	2	1
28.	AFO (Armourer)	1 WATS Ranidanga, 1 Kashipur.	2	2	
29.	MT Cleaners	WATS Ranidanga	1	1	
30.	Storekeeper.	WATS Jammu	1	1	
31.	S.M.O. (Homoeo)	SSB Dte.	1	-	1
32.	H.O. (Homoeo)	MP, UP, AP, NA, NB, Shillong, Manipur J&K and R&G 1 in each Divisional Hqrs.	7	9	
33.	DFO (Homoeo)	Entire Units of SSB.	10	-	10
34.	AFO (Homoeo)		48	-	48
35.	SFA (Homoeo)		89	81	0
36.	Peons	8 WATS Ranidanga, 3 Kashipur			
37.	Chowkidars	12 Each in Division Hqrs., UP, MP & NAD	47	47	
38.	Mali	Entire Unit of SSB	120	120	
39.	Group Leaders	3 IC Faridabad	3	3	
40.	SFA(FF)	43 in A.P. Division	43	32	11
41.	FA (FF)	Entire cadre of Fire Fighting	17	17	
42.	FA (FF) Drivers	sanctioned for IC Saharan, Hailong and CSD&W Bhopal.	60	66	
43.	SFA (Blacksmith)	SSB Dte.	1	-	1
44.	FA (Blacksmith)	SSB Dte.	1	-	1
TOTAL			590	487	103

ANN/Est/B.C.D

Handwritten signature and initials

Annexure-3

No. 4/SSB/A4/99(2)-3390-3455
Directorate General of security
Office of the Director, SSB,
East Block-V, R.K.Puram
New Delhi-110066.

MEMORANDUM

Dated 22.7.99

"Sub : **ADJUSTMENT OF SURPLUS PERSONNEL UNDER TEN PERCENT CUT IMPOSED BY CENTRAL GOVERNMENT.**

All posts of SFA (Homeo), AFO (Homeo) and DFA(Homeo) have been surrendered under the 10% cut imposed by the Central Govt. order to adjust the incumbents working on these posts and/or who are interested to revert to their parent Group Centres, a list of GC personnel selected for appointment on transfer basis as SFA (H) is enclosed with the direction to :-

- a) forward vacancy of Constable (GD)
- b) List of personnel recruited with them/junior to them got promotion to higher rank with date.
- c) Their position (individual wise) in the GC but for their selection/appointment to the post of SFA (H).
- d) Whether these personnel can be adjusted in GC on their reversion to the parent cadre.

2. The SFAs(H), who will give inwriting their willingness without claim of seniority over those constables (GD) of the GC who were junior to them in the inter se seniority of Constables but promoted as Head constables (GD) may be considered for reversion as Constable if vacancies in the GC are available. This exercise may be considered only after the above information is available and the pros and cons of the proposal is examined in greater details.

See list
SFA

3. The above details should reach this directorate on or before 31st July, 1999.

Names of personnel if any left out may also be intimated quoting SSB Directorate reference vide which selection to SFA (H) conveyed.

Sd/- Illegible
(S.S.Bora)
JOINT DEPUTY DIRECTOR (EA)

No. 1/1/POST-SURPLUS/99(1)/2094-55

Dated 6.8.99

Copy to:

The SAO Tezpur/Mangaldoi for information and necessary action please. The written willingness for the officials may be obtained and send early to this office for onward submission to Higher Hqr.

Sd/- Illegible 6.8.99
Area Organiser, SSB
Tezpur

*Attended
S.S.B.
Tezpur*

Annexure-4

No. A. 11011011/17/97-DO-I-148
GOVERNMENT OF INDIA
CABINET SECRETARIAT
BIKANER HOUSE ANNEXE

SHAHJAHAN ROAD,
NEW DELHI THE 20 MAY 1999

ORDER

In terms of Government directive for 10% cut in the sanctioned strength of posts of SSB (Excluding Battalion side) and SFF, President is pleased to abolish 590 posts in SSB as indicated in Annexure-I and 870 posts in SFA as shown in Annexure-II.

2. So far abolition of posts in SSB is concerned, total number of 103 posts as shown under col. 6 of the Annexure-I are abolished with immediate effect. The posts shown under Col.5 of the Annexure (total 487 posts) which are at present filled up will be abolished automatically on their falling vacant due to promotion, transfer, retirement, death etc. of the incumbent holding the post.

3. As regards abolition of posts in SFF, 35 posts have already been abolished vide order No. A 49011/96/98-DO-I, dated 11.08.97. Therefore, actual 835 posts as indicated under Col. 6 against Sl. No. 1 to 5 in the Annexure-II shall be abolished with immediate effect.

4. This issued with the concurrence of Ministry of Finance (Expenditure) vide UO No. 7(7)/E.Coord/92 dated 22.04.99.

Sd/- Illegible

(MUKUL CHATTERJEE)
Deputy Secretary to the Govt. of India

Copy to :

1. Director, SSB,
2. IG, SFF,
3. Joint Director (P&C), Coord. Cell.
4. Deputy Secretary (F/S).
5. DO-II(S) through Director (SR).
6. Guard File.

Attest
[Signature]

- 40-43-
1. Total sanctioned strength of Area-side 5,500 posts
(Gazetted & Non-Gazetted)
2. Posts proposed for surrender under 10% cut in sanctioned strength 590 posts

Annexure - 4 (sum)

DETAILS OF POSTS PROPOSED FOR SURRENDER

Sl No	Name of the post.	Name of units of SSB from which sanctioned	No. of posts		
			S	P	V
1.	2.	3.	4.	5.	6.
1.	DEG(Publicity)	SSB Dte.	1	-	1
2.	Dy. Director(Accnts)	SSB Dte.	1	-	1
3.	AO/Col.	WATS Jammu	1	1	-
4.	SAD/Dep. Comdr.	WATS J&K, Kashipur & Ranidanga	3	3	-
5.	CO/Insp.	WATS J&K, Kashipur & Ranidanga	3	3	-
6.	S.M.O.	WATS Ranidanga	1	1	-
7.	M.O.	WATS J&K & Kashipur	2	1	1
8.	Accountants	WATS J&K, Kashipur & Ranidanga	3	1	2
9.	Assistant	WATS Jammu	1	-	1
10.	U.D.Cs.	2 WATS Jammu, 1 Ranidanga & 1 WATS Kashipur	4	3	1
11.	L.D.Cs.	2 WATS Jammu, 1 Ranidanga & 1 WATS Kashipur	4	4	-
12.	Steno Grd-III	2 WATS Jammu, 1 Ranidanga & 1 WATS Kashipur	4	2	2
13.	F.A.	4 WATS Jammu, 1 Ranidanga & 1 WATS Kashipur	6	3	-
14.	Drivers	4 WATS Jammu, 2 Ranidanga & 2 WATS Kashipur	8	6	-
15.	Sweeper/Safaiwala	3 WATS Jammu, 2 Ranidanga & 2 WATS Kashipur	7	5	2
			<u>43</u>	<u>39</u>	<u>9</u>

1.	2.	3.	4.	5.	6.
			43	39	9
16. AFO(M)	WATS Jammu, Ranidanga & Kashipur	3	3	-	-
17. SFA(M)	WATS Jammu, Ranidanga & Kashipur	3	3	-	-
18. DFO(Instructor)	2 WATS Jammu, 1 Ranidanga & 1 Kashipur	4	4	-	-
19. AFO(Instructor)	4 WATS Jammu, 2 Ranidanga & 2 Kashipur	3	5	3	-
20. SFA(Instructor)	5 WATS Jammu, 3 Ranidanga & 3 Kashipur	11	11	-	-
21. Naik Cook	2 WATS Ranidanga	2	2	-	-
22. Cooks	3 WATS Jammu & 2 Kashipur	5	5	-	-
23. Maid Servants	2 WATS Jammu, 2 Ranidanga & 1 Kashipur	5	5	-	-
24. Waterman	2 WATS Jammu, 1 Ranidanga & 2 Kashipur	6	6	-	-
25. Washerman	1 WATS Jammu, Ranidanga & Kashipur	3	3	-	-
26. Lab. Tech.	Wats Jammu, Ranidanga, & Kashipur	3	3	-	-
27. Pharmacist	Wats Jammu, Ranidanga & Kashipur	3	2	1	-
28. AFO(Armourer)	Wats Ranidanga & Kashipur.	2	2	-	-
29. MT Cleaners	WATS Ranidanga	1	1	-	-
30. Storekeeper	WATS Jammu	1	1	-	-
31. S.M.O. (Homeo)	SSD Dte.	1	-	1	-
32. M.O. (Homeo)	HP, UP, AP, MA, MB, Shillong, Manipur, J&K and R&G 1 in each Div. Hqrs.	9	9	-	-
		<u>110</u>	<u>104</u>	<u>14</u>	

Contd. ..3/-

-51- 42-45-

--- 3 ---

62

1.	2.	3.	4.	5.	6.
33.	DFO (Horseo)		BF113	104	14
			10	-	10
34.	AFO (Horseo)	Entire Units of SSB.	43	-	43
35.	SFA (Horseo)		89	21	8
36.	Peons	8 WATS Ranidanga, 3 Nashipur, 12 Each in Div. Hqrs, UP, MP & NAD	47	47	-
37.	Chowkidars	Entire Units of SSB.	128	125	2
38.	Mali	3 TC Faridabad	3	3	-
39.	Group Leaders	43 in A.P. Division	43	32	11
40.	SFA (FF)	Entire cadre of Fire Fighting	17	17	-
41.	FA (FF)	sanctioned for TC Sarahan, Laflong and CSBW Shopai	60	33	2
42.	FA (FF) Drivers		17	11	6
43.	S (Black-Smith)	SSB Dte.	1	-	1
44.	FA (Black-Smith)	SSB Dte.	1	-	1
Total :			590	487	103

RSD/23/5/

Accepted
A Sw

Annexure-5

No.4/SSB/A-4/99(11)-6113-61
Directorate General of Security
Office of the Director, SSB, East Block-V
R.K.Puram, New Delhi-110066

Dated :- 29.11.99

MEMORANDUM

Sub : Adjustment of surplus personnel under 10% cut imposed by the Central Govt. in respect of Homeopathy cadre.

1. Since the complete para-Homeopathy Cadre in this Organisation have been surrendered under 10% imposed by Central Govt., therefore there is no future avenues of promotion for SFA (Homoeo) to the higher rank in this Organisation.
2. On seeing darkness of their future prospects, competent authority has decided to allow the willing persons to repatriate their parent Group Centre.
3. In view of the above, it is requested that option from willing SFA (Homoeo) may be obtained for reversion to their parent cadre and may be forwarded to the concerned Group Centre. Matter may be finalised at your end under intimation to the Directorate. Those who would like to continue in the Homeo Cadre will be allowed to continue as such till they are wasted out. List of SFA (Homoeo) showing their parent G.Cs/Units as enclosed for necessary action.
4. This issue with the approval of the Director, SSB.

Encl : As above

Sd/-

Joint Deputy Director (TA)

To :

1. The D.O.s HP/UP/AP/HA/NB & S/SB/J SK/R&G/M & N/Shillong.
2. All concerned

Memo No. 13352-56
21.12.99

Dated 15th December,

Attested
by
A. S. -

54

55
- 47-

Copy to

The Area Organisers, SSB Tezpur/Kokrajhar/N.Lakhimpur/North Kamrup/Tinsukia for information and necessary action please.

Sd/-

Section Officer
North Assam Division
Tezpur

No. 3355-56

Date 21/12/99

Copy to

The Sub-Area Organiser, SSB, Tezpur, Mangaldoi for information and necessary action please.

Sd/-

Area Organiser, SSB
Tezpur.

Tezpur
S. A. S.

No. 4/SSB/A-4/7001(2)
Government of India
Ministry of Home Affairs
Office of the D.G., SSB,
East Block-V, R.K.Puram
New Delhi-110066.

Dated the 5.7.01

MEMORANDUM

Subject : Adjustment of Surplus Para-Homoeopathy – Staff in their parent units.

As you are aware, the entire Homoeopathy Cadre has been abolished by the cabinet Secretariat vide their order No. A-11011/17/97-DO-I-448 dated 20.5.1999 under 10% cut with the direction that filled up posts will be abolished automatically on their falling vacant due to promotion, transfer, retirement, death etc. of the incumbents holding the posts.

2. The matter regarding adjustment of the 79 SFAs (homoeo) who have been rendered surplus due to abolition of the Homeopathy cadre has been considered. The SFAs (Homeo) were appointed to the post on transfer basis from amongst the Constables (GD)/Fas etc. who had done Homeopathy Course. It is observed that almost all the incumbents of the post of SFA (Homeo) have on an average 15 to 25 years of service left till the age of superannuation. As such in the larger public interest, it has been decided to transfer them back to their parent units/cadre. In order to implement the decision, D.G. SSB has issued the following instructions :-

- "i) On their re-transfer to their parent Cadre, as constables/FAs as the case may be, the SFAs(H) will regain their seniority above their immediate juniors with consequential benefits. They will be held against the vacancies are not available, they may be adjusted against other vacant posts under GFR-77. If their immediate juniors have been already promoted to the higher rank(s) these officials will be put through the required training course(s) so that they are promoted to the relevant rank(s) against available vacancies adjusted under GFR-77.

Attest for
[Signature]

- ii) The pay drawn by the SFA(s) (Homeo) immediately before their re-transfer to their parent Units/Cadre, shall be protected and adjusted against the future increments. If required by issue of specific orders.
- iii) In view of (ii) above if any one of these 79 SFAs (Homeo) happen to draw salary more than his immediate senior(s), the latter cannot claim parity with him.
3. In case an SFAs(Homeo) desires to opt for voluntary retirement, in the event of his having rendered the qualifying service for pension etc, he should tender 3 months irrevocable notice for voluntary retirement immediately and allowed to proceed on voluntary retirement from the rank of S.F.A.s(Homeo).
4. A list containing names and other relevant particulars of the 79 SFAs (Homeo) is enclosed.
5. The DG, SSB, has desired that follow up action on the above lines should be taken by the concerned Commandants by 31st July, 2001 positively. The D.O.s/D.I.Gs will send information to this Hqrs about the action taken, by 15.8.2001.
6. This has the approval of D.G., SSB.

Enclo : As above

Sd/- Illegible

(N.C. Joshi)
Inspector General (Pers)"

LIST OF SENIOR FIELD ASSISTANTS (HOMEO)

57

SL. NO.	NAME OF OFFICIAL S/SHRI	STATE TO WHICH BELONGS	DATE OF BIRTH	DATE OF SUPERANNUATION	PARENT PLACE OF POSTING WITH DATE	PARENT UNIT TO WHICH BELONGS
1.	2.	3.	4.	5.	6.	7.
	<u>A.P. DIVISION</u>					
1.	S.K. BOY	ASSAM	01/11/57	31/10/2017	ITANAGAR 27/02/97	GC HAFLONG
2.	A.C. KALITA	ASSAM	01/09/53	31/08/2013	BOMDILA 11/04/94	GC BONGAIGACH
3.	RAHESH CHAND	HP	15/07/63	31/07/2023	SEPPA 10/01/27	GC DHARAMPUR
4.	VIRENDRA SINGH	UP	12/10/63	31/10/2028	ZIRO 16/12/98	GC CHAMHA
5.	RABINDER JOSHI	UP	17/05/62	31/05/2028	PALIN 18/05/98	GC ALHURA
6.	SANJIB SINGH	HP	15/11/64	30/11/2024	ALONG 25/06/27	GC SAPRI
7.	A.K. NIRALA	ASSAM	13/12/53	31/12/2023	YIMKLONG 11/02/97	GC BASAR
8.	K.P. POWDEL	ASSAM	07/11/65	31/11/2026	TEZU 01/07/2K	GC BASAR
9.	ASHWANI KUMAR	HP	15/10/55	31/10/2015	KHONSA 03/02/97	GC SHAMSH
10.	S. BISWAS	W.BENGAL	07/01/63	31/01/2023	HIAO 30/04/28	GC RANIOANGA
11.	V.S. RAWAT	UP	15/12/55	31/12/2015	DIV. HQR 17/05/2K	GC SRINAGAR
12.	BIHANATH SHARMA	HP	07/01/54	31/01/2014	ROING 15/05/2K	GC GHITORNI
13.	JEEVAN LAL	HP	14/12/62	31/12/2022	LONGDING 15/05/2K	GC SAPRI
14.	RAST RAN	HP	23/04/68	30/04/2028	JANG 15/05/2K	GC SHAMSH

1.	2.	3.	4.	5.	6.	7.
15.	KHEM CHAND	HP	13/07/70	31/07/2030	CHOWKHAH 25/05/2K	GC DHARAKPUR
16.	RANJEET SINGH	HP	25/01/64	31/01/2024	DAPORIJO 15/05/2K	--DC-- ✓
17.	HEMANT KUMAR	HP	14/02/68	29/02/2028	PASSIGHAT 27/05/2K	--00-- ✓
<u>N.A. DIVISION</u>						
18.	B.N. BHARALI	ASSAM	01/01/57	31/12/2017	AO N/KAHRUP 11/03/94	GC TEZU
19.	P.K. SARKAR	ASSAM	13/09/49	31/10/2009	KOKRAJHAR 01/09/99	GC BONGAIGAON
20.	G.C. BARMAN	ASSAM	01/02/55	31/01/2015	BONGAIGAON 01/12/96	-00-
21.	R.K. SARHAH	ASSAM	01/02/56	31/01/2016	N/LAKHIMPUR 01/12/96	-00-
22.	B.L. BHAGAT	ASSAM	15/05/64	31/05/2024	DO TEZPUR 02/09/97	GC JAMHU
23.	BANESWAR SHARMA	ASSAM	01/11/55	31/10/2015	SAG H/DO1 02/12/96	GC BONGAIGAON
24.	R.B. SAHA	ASSAM	02/04/58	30/04/2018	SAG TIHSUKIA 21/11/96	GC DEBEN- DERHAGAR
25.	B.K. DAS	ASSAM	02/04/69	30/04/2029	SAG DIBRUGARH 02/11/96	GC HAFLONG
26.	G. SARHA	ASSAM	01/09/57	31/07/2017	AO TEZPUR 01/07/99	GC BONGAIGAON
27.	JAGMOHAN SINGH	ASSAM	20/06/73	30/06/2033	CHANGSARI 14/12/96	GC CHAMHA
<u>U.P. DIVISION</u>						
28.	K.S. NEGI	U.P.	19/04/55	30/04/2015	AO UTTARKASHI 21/08/97	GC SRI HAGAR
29.	U.S. CHAUHAN	U.P.	14/12/71	31/12/2031	AO UTTARKASHI 01/12/96	GC CHAMHA

2.	3.	4.	5.	6.	7.
P.D. BHATT	U.P.	20/05/53	31/08/2015	SAO DIDI HAT 06/38	GC ALHORA
HANGAL SINGH	U.P.	15/02/69	28/02/2029	AO PITHORAGARH 05/97	GC SRI NAGAR
S.N. SHARMA	U.P.	22/10/54	31/10/2014	AO CHAMOLI 10/07/99	FA GWALOH
RAJPAL SINGH	U.P.	30/07/70	31/07/2030	AO CHAMOLI 02/12/96	GC SRINAGAR
RAC DIVISION					
SAHAB RAM	RAJ.	30/10/65	31/10/2026	AO JAISALMER 16/120/96	GC SRI GANGANGR
DAULAT RAM	RAJ.	10/07/68	31/07/2028	AO JAISALMER 01/06/98	-00-
JASPAL SINGH	RAJ.	10/01/67	31/07/2029	SAO ANUPGARH 12/05/98	-00-
SAKLA NAND	UP	05/02/55	28/02/2015	SAO JHAGARH 10/10/97	GC SRINGR GARHWAI
CHINDER SINGH	RAJ.	13/04/52	31/04/2023	SAO JAHNAGAR 16/07/96	GC SRI GANGANGR
KRISHAN KUMAR	HARYANA	02/11/54	30/11/2014	SAO SRIGANGANGR 04/05/99	IInd BN GC D/PUR
SURHASH KUMAR	HP	04/09/70	31/09/2030	SAO RADHAPUR 20/12/96	GC SAPRI
JOGINDER SINGH	RAJ.	15/07/55	31/07/2025	SAO BAKHATRAHA 01/11/96	GC SRI GANGANGR
HER DIVISION					
GUNANANTH SINGH	HANIPUR	01/03/57	31/03/2027	HAN DIVISION 24/10/89	GC IMPHAL
K. JAYSON TANGKHUL	HANIPUR	01/03/72	31/03/2032	HAN DIVISION 12/04/91	-00-
ALSTANLIEN HMAR	HANIPUR	01/03/57	31/03/2029	HER DIVISION 14/02/91	-00-

45	ANIL KUMAR	HP	01/01/79	31/03/2030	REN DIVISION 07/07/98	GC DELHI
46	ABHIRAM DAS	WB	12/10/52	31/10/2012	REN DIVISION 26/06/99	GC FALAKATA
47	P.S. BISHI	HP	04/07/67	31/07/2029	REN DIVISION 26/05/2K	GC ALMORA
48	OH PRAKASH	HP	127/03/58	31/03/2028	REN DIVISION 15/05/2K	GC SAPRI
SHILLONG DIVISION						
49	A.S. KAWA	HP	01/07/65	01/10/2005	AO MECHALAYA 27/05/2K	GC ALMORA
50	HARINDER SINGH	HP	30/07/65	01/08/2026	AO MECHALAYA 12/11/96	GC SHAMSHI
51	TEJESHWAR BORUAH	ASSAM	03/01/56	01/03/2016	AO MECHALAYA 13/04/96	GC DEBEN- DERHAGAR
52	KAPIL TAL	HP	15/01/75	31/01/2015	DIV. HQ. SHG 09/03/2K	GC GHITORNI
53	G.N. ROY	ASSAM	01/08/53	31/07/2014	AO TEA 20/01/98	GC BONGAIGAON
54	SANTHAN CH. ROY	ASSAM	25/12/53	31/12/2028	AO TEA 11/11/98	GC IRIPURA /HAFLONG
55	RAJENDRA SINGH	UP	10/06/59	30/04/2029	AO AGARTALA 05/07/99	GC ALMORA
56	DEEPAK PRASAD	UP	11/07/58	31/07/2028	AO TEA 22/04/2K	GC CHAMHA
57	HARISH JOSHI	UP	12/12/67	21/12/2027	AO KPR 26/03/2K	GC ALMORA
58	RAJESH KUMAR	JAMMU	20/04/71	30/04/2031	AO KPR 16/11/96	GC JAMMU
59	SURESH KR. PAUL	ASSAM	31/03/69	31/03/2029	AO KPR 17/04/98	GC TRIPURA
60	S.S. RANA	UP	15/09/59	30/09/2029	AO KASHIPUR 15/05/2K	GC CHAMHA

1.	2.	3.	4.	5.	6.	7.
<u>NBS DIVISION</u>						
61	A. BOY CHOCHURY	WB	10/01/66	31/01/2026	JALPAIGURI 02/12/96	GC RANIDANGA
62	SHANBHU SHANKAR	WB	05/10/63	31/10/2023	DIV. HQ. NBS 02/12/96	-00-
63	KARBONG LEPCHA	WB	11/04/65	30/04/2025	GANGTOK 30/11/96	GC SIKKIM
64	HIMAT CHAND DAS	WB	05/10/60	31/10/2014	SAG NANCHI 17/08/98	GC MANIPUR
65	SHYAMAL CHAKRABORTY	WB	02/01/65	31/12/2025	BATHABHANGA 13/12/96	GC SIKKIM
66	T.K. ROY	WB	14/04/64	30/04/2024	KALIMPONG 02/12/96	GC RANIDANGA
67	R.S. RAWAT	UP	21/10/65	31/10/2026	SAG DARJEELING 15/07/99	GC UP DIV.
68	DIL BAHADUR TAMANG	WB	01/04/67	30/04/2024	SAG DINHATA 14/06/99	GC MANIPUR
<u>J&K DIVISION</u>						
69	SAHSAR CHAND	HP	01/07/69		AO JAMMU 02/01/94	GC SHAMSHI
70	TARSEN SINGH	J&K	01/04/69		AO JAMMU 11/04/2K	GC JAMMU
71	NARENDER SINGH	J&K	14/04/68		AO JAMMU 22/06/98	GC SUNDERBARI
72	MOHINDER SINGH	HP	11/05/55		AO LEH 12/06/2K	GC SAPRI
<u>H.P. DIVISION</u>						
73	RAJESH PARKASH	UP	27/02/65	31/03/2025	SAG KEYLONG 12/05/2K	GC CHAMHA
74	RAH LAL - II	HP	01/03/65	31/03/2025	DIV. HQ. SHIMLA 01/05/2K	GC SHAMSHI

1.	2.	3.	4.	5.	6.	7.
75	JEET PAL SINGH	HP	13/05/64	31/05/2024	CHAMBA 13/07/98	GC SRI- GANGANGR
76	BHUVNESHWAR SINGH	HP	05/10/52	31/10/2012	DALHOUSIE 09/05/2K	GC SAPRI
77	RAH LAL -J	HP	01/04/67	31/03/2027	SAD KAZA 14/08/2K	GC SHAMSHI
78	SURESH CH. SHARMA	HP	20/01/54	31/01/2014	REKONG PEO 12/05/2K	GC DELHI
	SSB DTE.					
79	RIJOK CHAND	HARAYANA	01/06/66	31/03/2026	SSB DTE. 06/99	GC SRI- GANGANGR

cc:

The concerned units are requested to verify particulars of above S.F.As(H) from the Service Book of the individuals available with them before their repatriation to Group Centers/H.A. Gwalior.

Attested
SSA

64
56-

13

Annexure-7

No. NGE/E-26/2001/143
Government of India,
Ministry of Home Affairs,
Office of the Divisional Organiser,
SSB, A.P. Division, Itanagar

Dated : Itanagar the 12th July/2001

DRAFT

In pursuance to Director general sSB, New-Delhi Memo No. 4/SSB/A-4/2001 (2)-1982-2032 dated 5th July/2001, the following SFA(Homeo), who were appointed to the post on transfer basis from amongst the Constable (GD)/FAs etc., have been transferred back to their parent units/cadres as shown against each with immediate effect, not later than 31st July, 2001 in view of rendered surplus due to abolition of the Hoemopathy Cadre.

Sl. No.	Name & Designation	Present place of posting	Unit to where transferred	Remark
1	S.K.Roy, SFA (H)	Divl.Hq A.P. Itanagar	G.C. Haflong	
2	A.C.Kalita -do-	SAO office Bomdila	G.C.Bongaigaon	
3	Ramesh Chand -do-	SAO Office Seppa	G.C. Dharampur	
4	Virendra Singh -do-	SAO office Zero	G.C. Chamma	
5	Rabindar Joshi	SAO Office Palin	G.C. Almora	
6	Sanjiv Singh -do	SAO Office Along	G.C. Sapri	
7	A.K. Nirala -do-	SAO Office Yingkiong	G.C. Basar	
8	K.P. Powdel -do-	AO Office Tezu	G.C. Basar	
9	Ashwani Kumar -do-	SAO Office Khonsa	G.C. Shamshi	
10	S.Biswas -do-	SAO Office Miao	G.C. Ranidanga	
11	V.S.Rawat -do-	Divl.Hq. AP,Itanagar	G.C.Srinagar	
12	Dinanath Sarma -do-	SAO, Roing	G.C. Ghitorni	
13	Jeevan Lal -do-	SAO office Longding	G.C. Sapri	
14	Mast Ram -do-	SAO office Jang	G.C.Shamshi	
15	Khom Chand -do-	SAO office CHowkham	G.C. Dharmapur	
16	Ranjeet Singh -do-	SAO office Daporijo	G.C.Dharmapur	
17	Hemant Kumar -do-	SAO Office Passighat	G.C.Dharmapur	

Sd/- Illegible
AREA ORGANISER
DIVL. HQ. SSB, ITANAGAR

Attested
[Signature]

Distribution

1. The Inspector General (pers), SSB, HQ, New Delhi for kind formation.
2. The Director of accounts, Cab. Sett., New Delhi-110066.
3. The Comdts., G.C.S, SSB, Haflong/Bongaigaon, Dharampur, Chamma, Almora.
4. The Area organisers, SSB, Bomdila/Ziro/Along/Tezu/Khonsa for information and necessary action.
5. The Medical Officer (Homeo), Divl., Hq. Itanagar for information and N/A.
6. The Accounts Officer, Divl. Hq, Itanagar -do-.
7. Personnel concerned, 8, PA to AO(s) & Personal file.

Attest
SA
A. V.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

Application No. 274 of 2001

Applicant(s) : Golakeshwar Sarma & Ors.

Respondent(s) Union of India & Others

Advocate for Applicant(s) : Mr. A. Roy, Sr. Advocate

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

Notes of The Registry	Date	Order of the Tribunal
	25.7.2001	<p>Heard Mr. A. Roy, learned counsel for the applicant.</p> <p>The application is admitted, call for the records.</p> <p>Issue notice on the respondents to show cause as to why the interim order, as prayed for, shall not be granted. Returnable by two weeks.</p> <p>Meanwhile the status quo will be maintained till the returnable date.</p> <p>List on 20.8.2001 for order.</p>

Attus
27/7/01

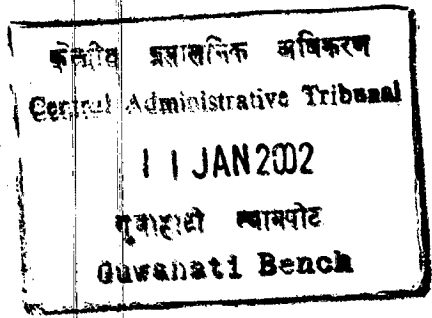
Sd/- VICE-CHAIRMAN
Sd/- MEMBER (Admn)

-59-

66
Filed by
11/1/02
(B. C. Pathak)
Addl. Central Govt. Standing Counsel
Central Administrative Tribunal
Guwahati Bench : Guwahati

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH : GUWAHATI



O.A. No. 312 of 2001

Shri L.G. Singh & Others
..... Applicants

Union of India & Others
..... Respondents

In the matter of

Written statement submitted

by respondents

(Written statement for and on behalf of the 1,2,3 and 4)

The written statements of the above noted respondents are as follows :-

1. That a copy of the OA No. 312/2001 (referred to as the "application") has been served on the respondents. The respondents have gone through the same and understood the contents thereof. The interest of all the respondents being similar, common written statements is filed for all of them.
2. That the statement made in the application which are not specifically admitted are hereby denied by me .

3. That with regard to the statements made in Para 1 of the application, the answering respondents state that the entire Homoeopathy Cadre has been surrendered by the Govt. under 10% cut vide Cabinet Secretariat order No.A-11011/17/97-DO-I-448 dated 20/05/1999 (copy placed at R-I). As the incumbents of the post of SFA (Homoeo) were appointed from the combatised GD cadre/FAs, the Director General, SSB has taken a policy decision to utilise the surplus SFAs(Homoeo) by re-transfer to SSB Battalions/ Units giving them all financial benefits as mentioned in the Memo. Dated 5/7/01 in the interest of the Govt. (Copy placed as R-II).
4. That with regard to the statements made in para 2,3,4.1 to 4.3 , the respondents state that they have no comments to offer as these are all matter of records.
5. That with regard to the statements made in Para 4.4 to 4.7, the respondents state that the petitioners were Constables/Field Assistants and had undergone Homoeopathy course for a duration of one month organised by SSB and were appointed as Senior Field Assistants

(Homoeo) on transfer basis. The entire Homoeopathy Cadre in SSB was surrendered by the competent authority in view of 10% cut imposed by the Govt.. The Central Government abolished all the posts of Homoeopathy Cadre in SSB belonging to various cadres. In order to utilise the services of these Senior Field Assistants (Homoeo) in SSB and to protect their service interests by not declaring them as surplus, the competent authority has decided their re-merger in SSB Group Centres from where they were taken initially for appointment to the post of Senior Field Assistants (Homoeo) on transfer basis. The petitioners were basically trained Constables/L/NKs prior to their appointment as Senior Field Assistants. The decision for re-merger of these Senior Field Assistants (Homoeo) has been taken in larger public interest to utilise their services in SSB Group Centres. The petitioners were allowed to maintain their original seniority in the Group Centres above their immediate juniors and their pay and allowances have also been protected. After the re-transfer the petitioners will have same promotional avenues in the GD cadre as were available to them before joining the post of Senior Field Assistants (Homoeo).

6.

That with regard to the statements made in Para 5.8 (perhaps should be 4.8), the respondents state that in view of the position stated in para 1 & 4.4 to 4.7 above, allegations of illegal, arbitrary & malafide are denied. As there are no equivalent posts available of Civil side to accommodate 79 surplus Senior Field Assistants (Homoeo), it was decided in larger public interest to re-transfer them to the posts of Constable(GD)/Field Assistants which they were holding immediately before their appointment on transfer basis as Senior Field Assistant (Homoeo) with all service benefits as stated in order dated 05/07/2001.

7.

That with regard to the statements made in Para 5.9 (should have been 4.9) and 4.10 the respondents state that the implementation of order dated 05/07/2001 has already been held in abeyance till further order.

8.

That with regard to the statements made in Para 5.1 to 5.9, the respondents state that under the facts and circumstances of the case and the provisions of law, the grounds shown cannot sustain in law. Hence the application is liable to be dismissed with cost as per Cabinet Secretariat order No.A-

11011/17/97-DO-I-448 dated 20/05/99, it is not only the Para Homoeo Cadre, but the posts of other Cadres have also been surrendered under 10% cut imposed by the Central Government. Moreover, creation and abolition of post is executive prerogatives in exercising their discretionary power as a policy decision of the Government.

9.

That the answering respondents have no comments to offer to the statements made in para 6 & 7 of the application.

10.

That with regard to the statements made in para 8.1 to 8.5 and 9.1, the answering respondents state that under the facts and circumstances of the case and the provisions of law, the applicants are not entitled to any relief whatsoever as prayed for and therefore, the application is liable to be dismissed with cost as devoid of any merit. The interim order so granted is also liable to be vacated forthwith.

In the premises aforesaid, it is therefore, prayed that your Lordships would be pleased to hear the parties, peruse the records and after hearing the parties and perusing the records shall further be pleased to dismiss the application with cost.

6

-64- 71

VERIFICATION

I, T. N. Shanoo, presently working as Divisional Organiser, SSB, Manipur & Nagaland Division Imphal being competent and duly authorised to sign this verification, do hereby solemnly affirm and state that the statements made in para 1,4,5,6,7,8,9,10 are true to my knowledge and belief, those made in para 2,3,4.1 to 4.3 being matter of records are true to my information derived there from and the rest are my humble submission before this Hon'ble Tribunal. I have not suppressed any material fact. And I sign this verification in this 12th day of December, 2001 at Guwahati.

Identified by me

ADVOCATE


DEPONENT

Divisional Organiser SSB/VVF
Manipur & Nagaland Division
Imphal

Solemnly affirmed and signed before me by the deponent who is identified by Shri B.C. Pathak, Advocate on this 12th day of December, 2001 at Guwahati.

MAGISTRATE/ADVOCATE

209
7
No. 38/SSB/A-4/98(1)-2670-272
Directorate General of Security
Office of the Director, SSB, (188)
Block-5, (East), R.K. Puram,
New Delhi-110066.

Dated the May, 1999

1-6 PP.

65

MEMORANDUM

Subject: 10% CUT IN THE STAFF STRENGTH OF SSB.

Please refer to SSB Directorate memorandum No. 38/SSB/A-4/98(1)-875-91, dated 4th March, 1999 on above subject.

2. A copy of Cabinet Sectt. order No. A.11011/17/97-DO-I-448 dated 20th May, 1999 containing approval of the Govt. to the abolition of 590 posts in SSB as indicated in Annexure-I is sent herewith for information and further action.

3. 103 posts as shown under Col. 6 of the Annexure-I are abolished with immediate effect and remaining 487 posts shown under Col. 5 of the Annexure-I, which are at present filled up will be abolished automatically on their falling vacant due to promotion, transfer, retirement, death etc. of the incumbents holding the post.

4. Please take action accordingly.

Encl: As above.

S. Bora
(S.S. BORA)

JOINT DEPUTY DIRECTOR(EA)

To,

1. DOS : HP/UP/AP/NBS/SB/NA/Shillong/R&G/J&K/M&N
2. DISG : TC Haflong/Sarahan/FA Gwaldam/TC Salonibari
Jammu/Kumarsain.

3. The Comdt. : TC Faridabad.

4. Comdts WATS Jammu/Ranidanga/Kashipur./CSO & Bha...

5. The Asstt. Comdts, CSO Bhopal/Sarsawa/Salonibari.
6. The Assistant Director(Coord), DGS New Delhi.

No. 38/SSB/A-4/98(1)-

Dated the May, 1999

Copy alongwith a copy of Cab. Sectt. order No. A-11011/17/97-DO-I-448 dated 20.5.99 is forwarded to:-

1. The DIG(Trg), SSB Dte., New Delhi.
2. The Comdt(R), SSB Dte., New Delhi.
3. The Comdt(EB), SSB Dte., New Delhi.
4. The Accounts Officer, SSB Dte., New Delhi.
5. The SOs A-1/A-2 branches, SSB Dte., New Delhi.
6. S/Shri B.R. Sahni, Asstt., US Yadav, UDC, A-4 Branch, SSB Dte.
7. Guard File.

JOINT DEPUTY DIRECTOR(EA)

SHANJAI ROAD
NEW DELHI, THE 20 MAY 1999

ORDER

In terms of Government directive for 10% cut in the sanctioned strength of posts of SSB (Excluding battalion side) and SFF, President is pleased to abolish 590 posts in SSB as indicated in Annexure-I and 370 posts in SFF as shown in Annexure-II.

2. So far abolition of posts in SSB is concerned, total number of 103 posts as shown under Col. 6 of the Annexure-I are abolished with immediate effect. The posts shown under Col. 5 of the Annexure (total 487 posts) which are at present filled up will be abolished automatically on their falling vacant due to promotion, transfer, retirement, death etc. of the incumbent holding the post.

3. As regards abolition of posts in SFF, 35 posts have already been abolished vide order No. A. 49011/36/94-DO-I, dated 11.08.97. Therefore, actual 835 posts as indicated under Col. 6 against S.No. 1 to 5 in the Annexure-II shall be abolished with immediate effect.

4. This issues with the concurrence of Ministry of Finance (Expenditure) vide UO No. 7(7)/E.Coord/92, dated 22.04.99.

Sd/-

(Mukul Chatterjee)

Deputy Secretary to the Govt. of India

Copy to :-

1. Director, SSB.
2. IG, SFF.
3. Joint Director (PAC), Coord. Cell.
4. Deputy Secretary (F/S).
5. DO-II(B) through Director (SI).
6. Guard file.

RSB/28/5/

1. Total sanctioned strength of Area-side 5,900 posts
(Gazetted & Non-Gazetted)

Posts proposed for surrender under
10% cut in sanctioned strength 590 posts

DETAILS OF POSTS PROPOSED FOR SURRENDER

Sl No	Name of the post.	Name of units of SSB From which sanctioned	No. of posts		
			S	P	V
1.	2.	3.	4.	5.	6.
1.	DIG(Publicity)	SSB Dte.	1	-	1
2.	Dy. Director(Accts)	SSB Dte.	1	-	1
3.	AG/Comdt.	WATS Jammu	1	1	-
4.	S/O/Coy. Comdr.	WATS J&K, Kashipur & Ranidanga	3	3	-
5.	CO/Inspector	WATS J&K, Kashipur & Ranidanga	3	3	-
6.	S.M.O.	WATS Ranidanga	1	1	-
7.	M.O.	WATS J&K & Kashipur	2	1	1
8.	Accountants	WATS J&K, Kashipur & Ranidanga	3	1	2
9.	Assistant	WATS Jammu	1	-	1
10.	U.D.Cs.	2 WATS Jammu, 1 Ranidanga & 1 WATS Kashipur	4	3	1
11.	L.D.Cs.	2 WATS Jammu, 1 Ranidanga & 1 WATS Kashipur	4	4	-
12.	Steno Grd-III	2 WATS Jammu, 1 Ranidanga & 1 WATS Kashipur	4	2	2
13.	F.A. (Lady)	4 WATS Jammu, 1 Ranidanga & 1 WATS Kashipur	6	3	-
14.	Drivers	4 WATS Jammu, 2 Ranidanga & 2 WATS Kashipur	8	6	-
15.	Sweeper/Safaiwala	2 WATS Jammu, 2 Ranidanga & 2 WATS Kashipur	6	6	-
			43	39	9

10

- 2 -

1.	2.	3.	4.	5.	6.
16.	AFO(M) (WM)	WATS Jammu, Ranidanga & Kashipur	48	39	9
17.	SFA(M) (WM)	WATS Jammu, Ranidanga & Kashipur	3	3	-
18.	DFO(Instructor) (WI)	2 WATS Jammu, 1 Ranidanga & 1 Kashipur	3	3	-
19.	AFO(Instructor) (WI)	4 WATS Jammu, 2 Ranidanga & 2 Kashipur	4	4	-
20.	SFA(Instructor) (WI)	5 WATS Jammu, 3 Ranidanga & 3 Kashipur	3	5	3
21.	Naik Cook	2 WATS Ranidanga	11	11	-
22.	Cooks	3 WATS Jammu & 2 Kashipur	2	2	-
23.	Maid Servants	2 WATS Jammu, 2 Ranidanga & 1 Kashipur	5	5	-
24.	Waterman	2 WATS Jammu, 1 Ranidanga & 2 Kashipur	5	5	-
25.	Washerman	1 WATS Jammu, Ranidanga & Kashipur	3	3	-
26.	Lab. Tech.	Wats Jammu, Ranidanga, & Kashipur	3	3	-
27.	Pharmacist	Wats Jammu, Ranidanga & Kashipur	3	2	1
28.	AFO(Armourer)	Wats Ranidanga & Kashipur	2	2	-
29.	MT Cleaners	WATS Ranidanga	1	1	-
30.	Storekeeper	WATS Jammu	1	1	-
31.	S.M.O. (Homeo)	SSB Dte.	1	1	-
32.	M.C. (Homeo)	HP, UP, AP, NA, NB, Shillong, Manipur, J&K and REG 1 in each Div. Hqrs.	9	9	-
			<u>118</u>	<u>104</u>	<u>14</u>

Contd. ...3/-

-69-~~80~~ -65-~~81~~ -62-45-
 --- 3 ---

1.	2.	3.	4.	5.	6.
33.	DFO (Horseo)		EF113 10	104 -	14 10
34.	AFO (Horseo)	Entire Units of SSB.	43	-	43
35.	SFA (Horseo)		89	81	8
36.	Peons	8 WATS Ranidanga, 3 Nashipur, 12 each in Div. HQrs, UP, HP & NAD	47	47	-
37.	Chowkidars	Entire Units of SSB.	128	128	2
38.	Mali	3 TC Faridabad	3	3	-
39.	Group Leaders	43 in A.P. Division	43	32	11
40.	SFA (FF)	Entire cadre of Fire Fighting sanctioned for TC Sarahan, Nafiong and CS&W Shopai	17	17	-
41.	FA (FF)		68	33	2
42.	FA (FF) Drivers		17	11	6
43.	S (Black-Smith)	SSB Dte.	1	-	1
44.	FA (Black-Smith)	SSB Dte.	1	-	1
Total :			590	457	103

RSD/28/5/

12
204
-70-
No. 4/SSB/A-4/2001(2) - 1982-2032

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
OFFICE OF THE D.G., SSB
EAST BLOCK - V, R.K. PURAM
NEW DELHI - 110066.

DATED THE, 5-7-01

Memorandum

Subject:- Adjustment of Surplus Para-Homoeopathy Staff
in thier parent units.

AS you are aware, the entire Homoeopathy Cadre has been abolished by the Cabinet Secretariat vide their order No. A-11011/17/97-DO-I-448 dated 20/05/1999 under 10% cut with the direction that filled up posts will be abolished automatically on their falling vacant due to promotion, transfer, reitirement, death etc. of the incumbents holding the posts.

2. The matter regarding adjustment of the 79 SFAs(Homoeo) who have been rendered surplus due to abolition of the Homeopathy cadre has been considered. The SFAs(Homoeo) were appointed to the post on transfer basis from amongst the Constables(GD)/FAs etc. who had done Homeopathy Course. It is observed that almost all the incumbents of the post of SFA(Homoeo) have on an average 15 to 25 years of service left till the age of superannuation. As such, in the larger public interest, it has been decided to transfer them back to their parent units/Cadre. In order to impement the decision, D.G.,SSB has issued the following instructions:-

i) On their re-transfer to their parent Cadre, as Constables/FAs as the case may be, the SFAs(H) will regain their seniority above their immediate juniors with consequential benefits. They will be held against the vacancies of Constables/FAs. If vacancies are not available, they may be adjusted against other vacant posts under GFR-77. If their immediate juniors have been already promoted to the higher rank(s) these officials will be put through the required training course(s) so that they are promoted to the relevant rank(s) against available vacancies adjusted under GFR-77.

ii) The pay drawn by the SFAs(Homoeo) immediately before their re-transfer to their parent Units/Cadre, shall be protected and adjusted against the future increments. If required by issue of specific orders.

Contd...2/-

iii) In view of (ii) above if any one of these 79 SFAs(Homeo) happen to draw salary more than his immediate senior(s), the latter cannot claim parity with him.

3. Is case an S.F.As(Homeo) desires to opt for voluntary retirement, in the event of his having rendered the qualifying service for pension etc, he should tender 3 months irrevocable notice for voluntary retirement immediately and allowed to proceed on voluntary retirement from the rank of S.F.As(Homeo).

4. A list containing names and other relevant particulars of the 79 SFAs(Homeo) is enclosed.

5. The DG,SSB, has desired that follow up action on the above lines should be taken by the concerned Commandants by 31st July,2001. positively. The D.Os/D.Is.G will send information to this Hqs. about the action taken, by 15.08.2001.

6. This has the approval of D.G., SSB.

Encl: As above.

(N.C. Joshi)

Inspector General(Pers)

To

1. The D.Os : HP/UP/AP/SB/NB&S/J&K/R&G/M&N/NA and Shillong Division.
2. The D.Is.G: TC Sarahan/Haflong/ Kumarsain/ Jammu/Salonibari/FA Gwaldam.
3. Commandant: Dharampur/Shamshi/Sapri/Delhi/Almora /Srinagar/Chamma/Tezu/Basar/Dirang/ Raiganj/Krishnanagar/Barasat/Ranidanga/Falakata/Sikkim/Jammu/Sunderboni/Leh/Jaisalmer/Jamnagar/Bhuj/ Sriganganagar/Kohima/Imphal/Mokokchung/Bongaigaon/Debendernagar/ Aizwal/Lunglei/Tripura/Haflong.
4. D.I.G.(EB), SSB Directorate, New Delhi.
5. Joint Director(Medical),SSB Dte. for necessary action in r/o Sh.Trilok Chand,SFA(Homeo),SSB Dte.New Delhi.

LIST OF SENIOR FIELD ASSISTANTS(HOMOEOPATHY)

14

72

29

1.	2.	3.	4.	5.	6.	7.
NAME OF OFFICIAL S/SHRT	STATE TO WHICH BELONGS	DATE OF BIRTH	DATE OF SUPERA- NUATION	PRESENT PLACE OF POSTING WITH DATE	PARENT UNIT TO WHICH BELONGS	
<u>A.P. DIVISION</u>						
1.	S.K. ROY	ASSAM	01/11/57	31/10/2017	ITANAGAR 27/02/97	GC HAFLONG
2.	A.C. KALITA	ASSAM	01/09/53	31/08/2013	BOHDILA 11/04/94	GC BONGAIGAON
3.	RAMESH CHAND	HP	16/07/63	31/07/2023	SEPPA 10/01/97	GC DHARAMPUR
4.	VIRENDRA SINGH	UP	12/10/68	31/10/2028	ZIRO 16/12/96	GC CHAMMA
5.	RABINDER JOSHI	UP	17/05/68	31/05/2028	PALIN 18/05/98	GC ALHORA
6.	SANJIB SINGH	HP	19/11/64	30/11/2024	ALONG 26/06/97	GC SAPRI
7.	A.K. NIRALA	ASSAM	13/12/63	31/12/2023	YINGKIONG 11/02/97	GC BASAR
8.	K.P. POWDEL	ASSAM	02/11/66	31/11/2026	TEZU 01/09/2K	GC BASAR
9.	ASHWARI KUMAR	HP	15/10/55	31/10/2015	KHONSA 03/02/97	GC SHAMSHI
10.	S. BISWAS	W.BENGAL	09/01/63	31/01/2023	MIAO 30/04/98	GC RANIDANGA
11.	V.S. RAWAT	UP	18/12/55	31/12/2015	DIV. HQR 17/05/2K	GC SRINAGAR
12.	BINANATH SHARMA	HP	07/01/54	31/01/2014	ROING 15/05/2K	GC GHITORNI
13.	JEEVAN LAL	HP	14/12/62	31/12/2022	LONGDING 15/05/2K	GC SAPRI
14.	MAST RAM	HP	23/04/68	30/04/2028	JANG 15/05/2K	GC SHAMSHI

2.	3.	4.	5.	6.	7.
KHEM CHAND	HP	19/07/70	31/07/2030	CHOWKHAM 25/05/2K	GC DHARAMPUR
16. RANJEET SINGH	HP	25/01/64	31/01/2024	DAPORIJO 15/05/2K	--DC--
17. HEHANT KUMAR	HP	14/02/68	29/02/2028	PASSIGHAT 27/05/2K	--DO--
U.A. DIVISION <i>Corrected as Reported by Do NAD vide letter dt P-42/c</i>					
18. G.N. BHARALI	ASSAM	01/01/57	^{31.12.2016} 31/12/2017	AG N/KAMRUP 11/03/94 1.9.99	GC TEZU
19. P.K. GARKAR	ASSAM	13/10/49	31/10/2009	KOKRAJHAR 01/09/99 13.9.99	GC BONGAIGAON
20. G.C. BARMAN	ASSAM	^{1.2.58} 01/02/55	^{31.12.2018} 31/01/2015	BONGAIGAON 01/12/96- 2.2.96	-DO-
21. R.K. SARMAH	ASSAM	01/02/56	31/01/2016	N/LAKHIMPUR 01/12/96 6.12.96	-DO-
22. B.L. BHAGAT	ASSAM	^{15.8.66} 15/08/64	^{31.8.2024} 31/05/2024	DO TEZPUR 02/09/97 16.9.97	<i>Sunderbani</i> GC JAMMU
23. SANESWAR SHARMA	ASSAM	01/11/56	31/10/2016	SAO M/DOU 02/12/96	GC BONGAIGAON
24. R.B. SAHA	ASSAM	02/04/58	30/04/2018	SAO TINSUKIA 21/11/96 30.11.96	GC DEBEN- DERNAGAR
25. B.K. DAS	ASSAM	02/04/69	30/04/2029	SAO DIBRUGARH 02/11/96 11.11.96	GC HAFLONG
16. G. SARMA	ASSAM	01/08/57	31/07/2017	AO TEZPUR 01/07/99 13.7.99	GC BONGAIGAON
17. JAGMOHAN SINGH	^{UP} ASSAM	20/06/73	30/06/2033	CHANGSARI 14/12/96	GC CHAMMA
U.P. DIVISION					
8. K.S. NEGI	U.P.	19/04/56	30/04/2016	AO UTTARKASHI 21/08/97	GC SRI NAGAR
9. U.S. CHAUHAN	U.P.	14/12/71	31/12/2031	AO UTTARKASHI 01/12/96	GC CHAMMA

131, 16270

-74-

	3.	4.	5.	6.	7.
30.	P.D. BHATT	U.P.	20/08/55	31/08/2015	SAC DIDI HAT 06/98 GC ALMORA
31.	MANGAL SINGH	U.P.	15/02/69	28/02/2029	AO PITHORAGARH 05/97 GC SRI NAGAR
32.	S.N. SHARMA	U.P.	22/10/54	31/10/2014	AO CHAMOLI 10/07/99 GC GWALDAM
33.	RAJPAL SINGH	U.P.	30/07/70	31/07/2030	AO CHAMOLI 02/12/96 GC SRINAGAR
	RAG DIVISION				
34.	SAHAB RAM	RAJ.	30/10/66	31/10/2026	AO JAISALMER 16/120/96 GC SRI GANGANGR
35.	DAULAT RAM	RAJ.	10/07/68	31/07/2028	AO JAISALMER 01/06/98 -DO-
36.	JASPAL SINGH	RAJ.	10/07/69	31/07/2029	SAC ANUPGARH 12/06/98 -DO-
37.	SAKLA NAND	UP	05/02/55	28/02/2015	SAC JUNAGARH 10/10/97 GC SRINGR GARHWAL
38.	CHHINDER SINGH	RAJ.	13/04/63	31/04/2023	SAC JAMNAGAR 16/07/98 GC SRI GANGANGR
39.	KRISHAN KUMAR	HARYANA	02/11/54	30/11/2014	SAC SRIGANGANGR 04/06/99 IInd BN GC D/PUR GC DLI P-75/C
40.	SUBHASH KUMAR	HP	04/08/70	31/08/2030	SAC RADHANPUR 20/12/96 GC SAPRI
41.	JOGINDER SINGH	RAJ.	15/07/65	31/07/2025	SAC NAKHATRANA 01/11/96 GC SRI GANGANGR
	M&N DIVISION				
42.	I. GUNAMANI SINGH	MANIPUR	01/03/67	31/03/2027	M&N DIVISION 24/10/89 GC IMPHAL
43.	K. JOYSON TANGKHUL	MANIPUR	01/03/72	31/03/2032	M&N DIVISION 12/04/91 -DO-
44.	LALSTANLIEN HMAR	MANIPUR	01/03/69	31/03/2029	M&N DIVISION 14/02/91 -DO-

17 - 199 -

-75-

	3.	4.	5.	6.	7.
ANIL KUMAR	HP	07/01/70	31/01/2030	M&N DIVISION 07/07/98	GC DELHI
ABHIRAM DAS	WB	12/10/52	31/10/2012	M&N DIVISION 26/06/99	GC FALAKATA
47 K.S. BISHT	HP	04/07/69	31/07/2029	M&N DIVISION 26/05/2K	GC ALMORA
48 OM PRAKASH	HP	27/03/68	31/03/2028	M&N DIVISION 15/05/2K	GC SAPRI
SHILLONG DIVISION					
49 A.S. RAWAT	HP	07/09/65	01/10/2005	AO MEGHALAYA 27/05/2K	GC ALMORA
50 MAHINDER SINGH	HP	30/07/66	01/08/2026	AO MEGHALAYA 12/11/96	GC SHAMSHI
51 THANESHWAR BORUAH	ASSAM	03/07/56	01/08/2016	AO MEGHALAYA 13/04/98	GC DEBEN- DERNAGAR
52 NAND LAL	HP	15/01/55	31/01/2015	DIV.HQ. SHG 09/03/2K	GC GHITORNI
53 G.K. ROY	ASSAM	01/08/54	31/07/2014	AO TRA 20/01/98	GC BONGAIGAON
54 SAMIRAN CH. ROY	ASSAM	25/12/58	31/12/2028	AO TRA 11/11/93	GC TRIPURA /HAFLONG
5 RAJENDRA SINGH	UP	10/04/69	30/04/2029	AO AGARTALA 05/07/99	GC ALMORA
5 DINESH PRASAD	UP	11/07/68	31/07/2028	AO TRA 22/04/2K	GC CHAMMA
7 HARISH JOSHI	UP	12/12/67	21/12/2027	AO KPR 26/03/2K	GC ALMORA
RAJESH KUMAR	JAMMU	20/04/71	30/04/2031	AO KPR 16/11/96	GC JAMMU
SURESH KR. PAUL	ASSAM	31/03/69	31/03/2029	AO KPR 17/04/98	GC TRIPURA
8 RANA	UP	15/09/69	30/09/2029	AO KASHIPUR 15/05/2K	GC CHAMMA

18-198-

89

76-

151

	3.	4.	5.	6.	7.
<u>E&S DIVISION</u>					
A. ROY CHOUDHURY	WB	19/01/66	31/01/2026	JALPAIGURI 07/12/96	GC RANIDANGA
SHAMBHU SHANKAR	WB	05/10/63	31/10/2023	DIV. HQ. NBS 02/12/96	-DO-
KARBONG LEPCHA	WB	11/04/65	30/04/2025	GANGTOK 30/11/96	GC SIKKIM
NIMAI CHAND DAS	WB	06/10/54	31/10/2014	SAO NAMCHI 17/08/98	GC MANIPUR
SHYAMAL CHAKRABORTY	WB	02/01/65	31/12/2025	MATHABHANGA 13/12/96	GC SIKKIM
T.K. ROY	WB	14/04/64	30/04/2024	KALIMPONG 02/12/96	GC RANIDANGA
R.S. RAWAT	UP	21/10/66	31/10/2026	SAO DARJEELING 15/07/99	GC UP DIV.
DIL BAHADUR TAMANG	WB	07/04/64	30/04/2024	SAO DINHATA 14/06/99	GC MANIPUR
<u>J&K DIVISION</u>					
SANSAR CHAND	HP	10/07/59		AO JAMMU 02/01/94	GC SHAMSHI
TARSEM SINGH	J&K	01/04/69		AO JAMMU 11/04/2K	GC JAMMU
NARENDER SINGH	J&K	19/04/68		AO JAMMU 22/06/98	GC SUNDERBANI
MOHINDER SINGH	HP	11/05/55		AO LEH 12/06/2K	GC SAPRI
<u>U.P. DIVISION</u>					
RAJESH PARKASH	UP	27/08/65	31/08/2025	SAO KEYLONG 12/05/2K	GC CHAMMA
RAM LAI - II	HP	01/03/65	31/03/2025	DIV. HQR. SHIMLA 01/05/2K	GC SHAMSHI

19 - 197 -

161

-77-24

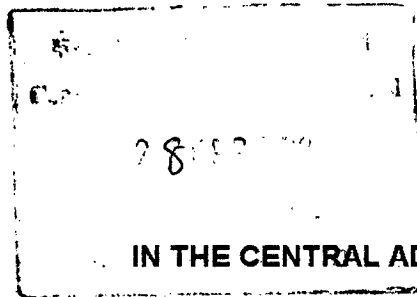
Control by
B.O.I.P.GC SRI-
(Gangangr)

2.	3.	4.	5.	6.	7.
JEET PAL SINGH	HP	13/05/64	31/03/2024	CHAMBA 13/07/98	GC SRI- GANGANGR
76 BHUVNESHVAR SINGH	HP	05/10/52	31/10/2012	DALHOUSIE 09/05/2K	GC SAPRI
77 RAM LAL-I	HP	01/04/67	31/03/2027	SAO KAZA 14/08/2K	GC SHAMSHI
78 SURESH CH. SHARMA	HP	20/01/54	31/01/2014	REKONG PEO 12/05/2K	GC DELHI
SSB DTE.					
TRILOK CHAND	HARAYANA	01/04/66	31/03/2026	SSB DTE. 06/99	GC SRI- GANGANGR

Note:-

The concerned units are requested to verify particulars of above S.F.As(H) from the Service Book of the individuals available with them before their repatriation to Group Centres/F.A. Gwaldam.





IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

In the matter of :

O.A. No. 312 of 2001

(Signature)

14.12.2002
Shri Laiphrakpam Gunamani Singh & Ors.

-VS-

Union of India & Ors.

And

In the matter of :

Submission of Additional statement in support of the contention raised in the Original Application by the applicants in the above mentioned Original Application.

The applicant above named most humbly and respectfully begs to state as under :

1. That it is stated that being highly aggrieved by the order of reversion to the cadre constable, the applicants approached this Hon'ble Tribunal through Original application No. 312 of 2001 and the same is pending before this Hon'ble Tribunal for hearing. It is relevant to mention here that similar cases were also pending this Hon'ble Tribunal, namely O.A. No. 274/2001 (Golekeswar Sarma & Ors Vs. Union of India & Ors.), O.A. No. 282/2001 (Abhiram Das & Ors vs. Union of India & Ors.) O.A. No. 285/2001 (D.N.Sarma & Ors. Vs. Union of India & Ors.) and all the aforesaid came up for hearing before the Hon'ble Tribunal on 11.2.2002 and after hearing the parties the Hon'ble Tribunal was pleased to dismiss the same.

-78- 25

*Filed by the applicant
through advocate Sri
G. N. Chakraborty
28-12-02.*

2. That your applicants beg to state that the similar issues pertaining to reversion from the post of SFA (Homeo) to the cadre of Constable of the employees of SSB, came up for decision before the Hon'ble Central Administrative Tribunal, Chandigarh Bench on 5.12.2001 in O.A. No. 640-HP-2001 and the Hon'ble Chandigarh Bench after hearing the parties was pleased to set aside the order of reversion and also granted declaration of continuity in service to the post of SFA (Homeo).

A photocopy of the judgment and order referred to above is annexed herewith as **Annexure-A** for perusal of the Hon'ble Tribunal.

3. That this application is made bona fide and for the cause of justice.

3

- 80 - 8

V E R I F I C A T I O N

I, Shri Laiphrakpam Gunamani Singh, , Son of late Nityalal Singh, aged about 35 years, at present working as Senior Field Assistant (H), in the department of SSB, under the Divisional Organiser, Manipur & Nagaland Division, Imphal (now posted at Lamphelpat Division, Headquarter), one of the applicants in this Original Application and I have been authorised by the other applicants to sign this verification on behalf of them accordingly I do hereby verify and declare that the statements made in paragraphs 1 to are true to my knowledge and I have not suppressed any material fact.

And I sign this verification on this the 27th day of February, 2002.

L. Gunamani Singh

Annexure-A

(2) 4

CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH.

Office of the Secretary (Legal) to
the Central Administrative Tribunal
(Punjab Bench) at Chandigarh.
(Woodstock) K. 1000
(CAMP AT SHIMLA)

-31-

O.A.NO. 640-HP-2001

December 5, 2001.

1. Suresh Chand Sharma, son of Late Shri Shankar Lal Sharma, Senior Field Assistant (Homeopathy), Office of Area Organiser, Special Security Bureau, Sub Area Office, Kinnour, Himachal Pradesh.
2. Bhuvneshwar Singh son of Late Sh. Unkar Singh Jamwal, Senior Field Assistant (Homeopathy), Office of Area Organiser, Special Security Bureau, Sub Area Office, Ualnouli, Himachal Pradesh.
3. Ram Lal-I son of Shri Sh. Singh, Senior Field Assistant (Homeopathy), Office of Area Organiser, Special Security Bureau, Sub Area Office, Kaza, Kinnour, Himachal Pradesh.
4. Ram Lal-II son of Shri Paljor, Senior Field Assistant (Homeopathy), Office of Divisional Organiser, Special Security Bureau, Fichill, Shimla-4.
5. Sansar Chand son of Late Shri Saran Dass, Senior Field Assistant (Homeopathy), Office of Area Organiser, Special Security Bureau, Rail Head Complex, Panama Chowk Jammu at Sub Area Office Miranagar Distt. Kathua (J&K).

Applicants

by : Mr. Raj Kumar Sharma, Advocate.

VERSUS

1. Union of India through the Secretary to Government of India, Ministry of Home Affairs, New Delhi.
 2. Director General, Special Security Bureau, East Block-V, R.K. Puram, New Delhi.
 3. Divisional Organiser, Special Security Bureau, Divisional Headquarters, Fichill, Shimla-4.
 4. Divisional Organiser, Special Security Bureau, Divisional Headquarters, Rail Head Complex, Panama Chowk, Jammu.
 5. Secy. Govt. of India, M/U PPU & Pensions, N. Delhi.
- by : Mr. Lokender Thakur, Advocate.

CORAM : HON'BLE MR. JASBIR S. DHALIWAL, MEMBER (JUDL.) &
HON'BLE MR. J. L. NEGI, MEMBER (ADM.)
ORDER (JUDL.)

JASBIR S. DHALIWAL, JM

Five applicants have joined in this U.A. pleading that they initially joined Special Security Bureau (SSB)

Placed
Jasbir
Advocate

for

3

under the then Cabinet Secretariat, New Delhi as Constables (General Duty) on various dates from 1974 to 1986, as per Annexure A-3/A. There is another cadre of Senior Field Assistant (Homeopathy) for which applicants were called for by the respondents for making appointment in the said cadre by way of transfer on the basis of interview and selection as per the merit, in the year 1993. After selection, applicants were given appointment to the said post, on transfer basis, after rendering technical resignation. After acceptance of their resignations, they were relieved to join new assignment. They were put on probation for a period of two years which they completed successfully. Claim that after this, they are deemed to be confirmed, as is apparent from seniority list dated 9.2.1998, as on 20.1.1998, Annexure A-9. Claim that they are performing duties of para-medical staff (Homeopathy) from the date they were appointed by way of transfer as Senior Field Assistant (Homeopathy) and they have severed their lien from Constabulary. In 1990, respondents called for options from applicants as to whether they would like to be repatriated to their parent group Centre or would continue in Homeopathy cadre. Applicants opted for continuing as SFAs and showed unwillingness for their re-transfer back to Group Centres. However, without their willingness, the respondents sought to revert the applicants to their parent post of Constables and applicants were asked to join their parent group Centres as a Constable in the lower pay scale and lower status. Pay scale of SFA is Rs. 3200-4900 and that of Constable (GD) Rs. 3050-4950, vide Annexures A-1 to A-3. Applicants have prayed for quashing the impugned orders Annexures A-1 to A-3 with a further prayer to direct the respondents 1 to 4 to allow them to continue in their present post of

Attended
Jain
Advocate

6
83
20
reproduced below :-

"In terms of Government directive for 10% cut in the sanctioned strength of posts of SSB (excluding Battalion side) and SFF, President is pleased to abolish 590 posts in SSB as indicated in Annexure-I and 870 posts in SFF as shown in Annexure-II.

2. So far abolition of posts in SSB is concerned, total number of 103 posts as shown under Col.6 of the Annexure-I are abolished with immediate effect. The posts shown under Col.5 of the Annexure (total 487 posts) which are at present filled up will be abolished automatically on their falling vacant due to promotion, transfer, retirement, death etc. of the incumbent holding the post.

3. As regards abolition of posts in SFF, 35 posts have already been abolished vide order No.A.49011/36/94-00-1, dated 11.08.97. Therefore, actual 835 posts as indicated under Col.6 against S.No.1 to 5 in the Annexure-II shall be abolished with immediate effect.

4. This issues with the concurrence of Ministry of Finance (Expenditure) vide UU No.7(7)/L.Coord/22, dated 22.04.99."

In deference to this decision of Government of India, details of posts proposed for surrender were prepared which are Annexure I with Annexure A-1 and with the decision mentioned above, it has given the break-up of SFA (Homeo) i.e. category of applicants indicating that 80 were total sanctioned strength of those categories while 81 of them were filled and 8 were lying vacant. Total posts which were to be surrendered, as per decision reproduced above, are mentioned as 487 which tallies with the total given under the category of posts already manned and it includes 81 posts of category of applicants.

4. The decision of the Ministry is quite clear that these posts were not to be abolished immediately which has been done in fact by passing of order at Annexure A-1. Thus, Annexure A-1 is liable to be quashed.

5. There are other reasons for quashing the order at Annexure A-1 as well which are that the case of the applicants is that once they had applied for

Jr

Petition
Law
Admission

Senior Field Assistant with all the consequential benefits.

2. Respondents have filed written statement contesting the case of the applicants on the grounds that since the entire Homeopathy cause has been surrendered under 10% cut vide Cabinet Secretariat order dated 20.5.99, Annexure A-1, the competent authority has taken a decision to re-transfer all the SFA(H)s to their parent cadre/units in larger public interest and in the interest of the individuals. There is no vacant post available in the equivalent rank to accommodate these SFA(H). The competent authority has decided to retransfer them who are basically trained Constable/Field Assistants, to utilise their services in the SSG Group Centres/Units in public interest by giving them all financial benefits increments, promotion etc. Applicants were appointed on transfer basis. The order dated 5.7.2001 has not been implemented by 31.7.2001 and kept in abeyance till further orders. As there is no post of equivalent status available in the organisation, the applicants have rightly been re-transferred. As no equivalent post to adjust the surplus 79 Senior Field Assistants (H) is available, it has been decided to utilise their services by re-transferring them and giving them seniority over the persons who were their immediate junior before they were appointed as SFA(H). No rejoinder has been filed. We have heard learned counsel for the parties and perused the material on the file.

3. We find that order at Annexure A-1 has been passed by Respondent No.2, patently in contradiction of the decision of Respondents' Ministry as conveyed through Annexure A-1 dated 1.6.1999 and particularly decision conveyed by Government of India through letter dated 20th May, 1999. Same being relevant is being

*Attested
Learn
Advocate*

appointment to the post of SFA from their earlier posts of Constables (CU) through proper channel, after their selection under the respondents, they had submitted technical resignations and thus effectively had severed their relationship of servant and master with the respondents. It would be a very strange situation where an officer is retransferred to the post from which he already stands severed his lien in view of having rendered technical resignation. We are quite doubtful about the authority of signatory of order at Annexure A-1 for laying down their conditions of service in the Department to which he purports them to transfer — which includes that on their re-transfer, their pay shall be protected and adjusted against the future increments and also instructions regarding their seniority after their re-transfer, as to how can he order such conditions of service without consultation with respondent no.1. That part of the order would be not only illegal but without jurisdiction.

5. It is true that respondent no.1 is at liberty to take any decision about ~~xxxx~~ status or the tenure of service of my Government servant working under them. That decision having already been taken and conveyed through letter dated 20th May, 1999, we hold the order at Annexure A-1 is not only in violation of the decision of Government of India but is illegal as it has no authority behind it, the same having been not passed after consultation with the respondent no.1.

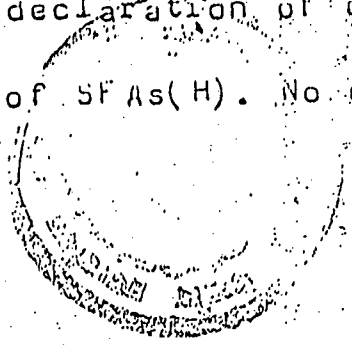
6. It has been brought to our notice that even though interim orders initially were not passed in the present case but up to stay granted by a bench of C.A.T. Guwahati, persons like applicants were not disturbed and they have continued working on the same posts of SFAs(M), Vice

*Accepted
Advocate*

86

orders dated 30th July, 2001 passed on M. A. No. 878/2001, in the present case also, respondents were directed to maintain status quo qua the applicants which order has continued to be in operation till today. Applicants are thus still working on the same posts under the respondents.

7. In view of our discussions above, this U.A. is allowed. Order at Annexure A-1 qua the applicants is hereby quashed. Consequential orders at Annexures A-2 and A-3, qua the applicants are quashed. They are granted declaration of continuity of their service on the post of SFAs(H). No costs.



(JASJIT S. DHALIWAL) JM

(J. L. NEGI) JM

Shimla, December 5, 2001.

HC*

Certified True Copy/प्रमाणित सत्य प्रतिलिपि

(Signature) 1-1-02

जुष्टिस ऑफिस (JM) / Section Officer (Judl)

Central Administrative Tribunal
Chandigarh Bench
CHANDIGARH.

Selected for Advocate