

30/100

3

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

✓ (DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No. 38/2001

R.A/C.P No.

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P. S. A/12/17
SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: GUWAHATI. 5

ORIGINAL APPLICATION NO. 38/2001

S. B. Roy

Applicant.

Versus

Union of India & Ors Respondents.

For the Applicant(s)

K.N. Choudhury
B.C. Das
A. Bora

For the Respondents.

C.G.S.C.

NOTES OF THE REGISTRAR

DATE

ORDER

The application is in form
b. The Commission
Petition and filed vide
No. 24503666
for the purpose of vide
IPO/2/2001
Dated 29.1.2001

Dy. Registrar.

30.1.01 Present : Hon'ble Mr. Justice D.N. Chowdhury,
Vice-Chairman.
Hon'ble Mr. K.K. Sharma, Member(A).

By this application the applicant basically assailed the order of transfer and posting dated 15.12.2000 with the order No. 130/2000. Mr. K.N. Chowdhury, learned Sr. counsel basically confined his submission as to the non-adherence of the guidelines of the transfer and posting. Mr. K.N. Chowdhury, Sr. learned counsel submitted that the applicant due to some pressing need applied to the authority for modification of the order of transfer and to that effect in fact submitted representations to the authority on 8.12.2000, 20.12.2000 and also on 22.1.2001. Mr. Chowdhury also submitted that the authority considered representations some of his colleagues and by its order dated 16.1.2001 modified the transfer order Mr. Chowdhury particularly referred to the order of modification in respect of Kartik Sarker, serial No. 2 who has been kept in Agartala Range in excess of the sanctioned strength.

We have heard the learned counsel for the applicant and also Mr. B.C. Pathak, learned Addl. C.G.S.C. for the respondents. Mr. B.C. Pathak submitted that guidelines as was pointed does not per se confer any right, however guidelines have ^{to be} ~~power~~ as far as practicable adhered to since it is sort of norm and those

30.1.01 are should not be flouted unless a good reason is shown.

Considering all the aspects of the matter we are of the view when the applicant has submitted representation the authority need to consider it. Mr. Chowdhury submitted that till date his representation remain unattended.

In the circumstances we direct the respondents to consider and dispose of his representation if not already done expeditiously preferably with two weeks from the date of receipt of the certified copy of this order. In the meantime the respondents shall not give effect the impugned order of transfer dated 15.12.2000 till consideration of his representation.

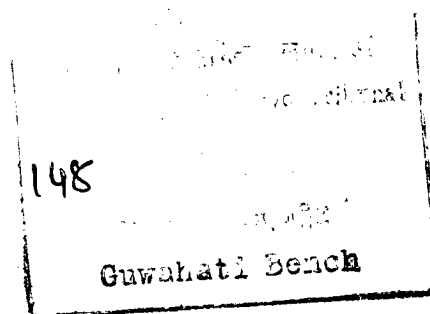
The application is disposed of. There shall, however, no order as to costs.

K. C. Sharma
Member

[Signature]
Vice-Chairman

trd

15.2.2001
Copy of the order
has been sent to the
D/Sec. for issuing a
line to the 2/advocate
for the parties.
HS



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH ::: AT GUWAHATI
(An application under Section 19 of the Administra-
tive Tribunal Act, 1985)

TITLE OF THE CASE : ORIGINAL APPLICATION NO. 38/2001

SRI SARATHI BHUSAN ROY.
... APPLICANT

-VERSUS-
UNION OF INDIA & ORS.
...RESPONDENTS

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7.	Annexure-R/5	Impugned Estt.order- 34-37 dtd 15.12.2000.
8.	Annexure-R/6	Representation dtd- 38 08.12.2000.
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10.	Annexure-R/8	Representation dtd- 40-42. 22.01.2001.

FOR USE IN TRIBUNAL'S OFFICE

1. Date of filing :
2. Date of registration :
3. Registration No. :

REGISTRAR.

Contd..... p/-

Sarathi Bhuvan Roy

केन्द्रीय प्रशासनिक वाचकण
Central Administrative Tribunal

30 JAN 2001

गुवाहाटी बेंच
Guwahati Bench

[2]

Filed by:

Bimal Chandra Jena

Advocate

30.1.2001

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI
BENCH AT GUWAHATI

ORIGINAL APPLICATION NO. 38 OF 2001

BETWEEN

Shri Sarathi Bhusan Roy,
son of Sri Nani Bhusan Roy,
permanent resident of Badarghat,
A.D.Nagar, West Tripura,
Agartala 799003.

--- APPLICANT.

-Versus-

1. Union of India
2. Commissioner of Central Excise, N.E. Region,
Shillong, Meghalaya.
3. Commissioner of Customs,
N.E. Region, Shillong, Meghalaya.

--- RESPONDENTS.

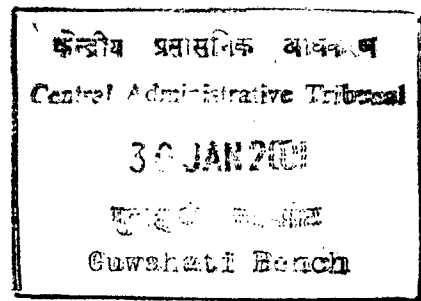
DETAILS OF THE APPLICATION :

1. Particulars of the order against which the application is made :

This application is made against the Establishment Order No. 130/2000 dated 15.12.2000 issued by the Commissioner, Central Excise, N.E. Region, Shillong, Respondent No.2, transferring the applicant from Sonamora, Customs Preventive Force (CPF) to Tinsukia-I Range under Tinsukia Central Excise Division.

Contd..... p/-

[3]



2. Jurisdiction :

The applicant declares that this Hon'ble Tribunal has got jurisdiction to adjudicate the matter in regard to which this application is made.

3. Limitation :

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

4. Facts of the case :

4.1 The applicant is presently working as Inspector in Sonamora, Customs Preventive Force (CPF) under Agartala Customs Division. The applicant is a Citizen of India and as such he is entitled to all rights and privileges available to a citizen under the Constitution of India and other laws of the land.

4.2 That the applicant states that in February, 1994 the applicant was transferred from Khowai P.F & Sector to Dholaihat LSC. In May, 1996 the applicant was transferred to Divisional Headquarters (Preventive), Agartala. After working for about 11 months at Divisional Headquarters, the applicant was again transferred to Silchar Range-II in

Contd..... p/-

Sarathi Bhushan Roy

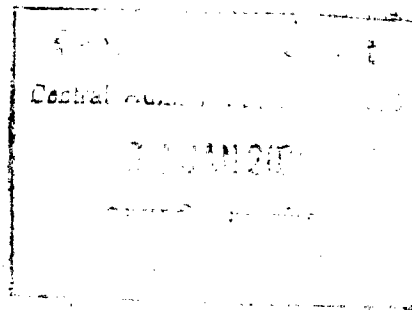
3-11-1997
गुवाहाटी बेंच
Guwahati Bench

[4]

April, 1997. In partial modification of the order issued in April, 1997, transferring the applicant to Silchar Range-II, by another order issued in April, 1997 the applicant was transferred to Agartala Airport (Preventive). Thereafter in April, 1999, the applicant was transferred to Sonamora CPF, where the applicant is presently working. However, before completion of the normal tenure posting and in violation of other transfer norms, the applicant is now sought to be transferred to Tinsukia, which is situated at a distance of more than 1000 kms. by the impugned order dated 15.12.2000.

4.3 That the applicant states that the authority vide C. No.II(26) 20/ET-III/ 95 dated 21.09.99 has issued a circular governing Annual General Transfer of Superintendents/ Inspectors Grade 'C'. As per the said Circular, an Inspector who have been posted continuously in the Divisional Office, Ranges, LSC/ Preventive Posts for a period of 6 years and above, three years and two years respectively will be due for transfer. That apart, a meeting was held on 30.10.95 in the Chamber of the Commissioner, Central excise to formulate transfer policy in the Grade of Inspector of the Commissionerate of Central Excise and Customs. The meeting was attended amongst others, by Commission-

Contd..... p/-



[5]

er of Customs and Central Excise and the representatives of Grade 'C' Executive Officers' Association. In the meeting it was decided that certain guidelines will be followed in the matter of transfer and posting in the Grade of Inspector. Amongst others it was decided that normal period of stay at LSC/ PP will be two years. It was also decided that General Transfer should be done annually in the month of December. It was also decided that options will be called before general transfer each year.

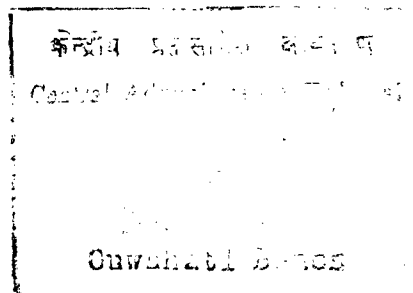
Copies of the Circular dated 21.09.1999 and the Minutes of meeting dated 30.10.95 are annexed hereto and marked as ANNEXURES- R/1 & R/2 respectively.

4.4 That the applicant states that in terms of the transfer policy, the applicant exercised his option on 21.09.2000 in the prescribed proforma. It may be pointed out herein that the applicant opted for Agartala Range under Silchar Division. It was specifically pointed out that he opted for Agartala Range because other than Agartala Range the nearest Range Dharmanagar is 200 Kms. The applicant had to exercise option because of his pressing family problems.

Contd..... p/-

Sarathi Bhusan Roy

[6]



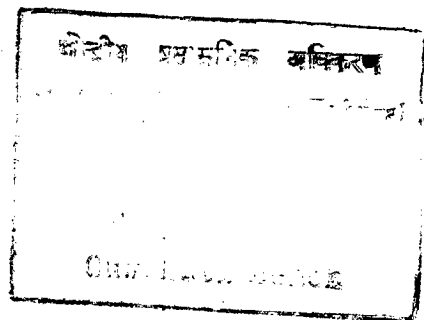
A copy of the Transfer Proforma (Option) is annexed hereto and marked as ANNEXURE-R/3.

4.5 That the applicant states that the Executive Officers' Association (Grade 'C') of which your applicant is a member, by virtue of being an Inspector Grade 'C', submitted a Memorandum to the Respondent No.2 and 3 highlighting their grievance in the matter of Annual General Transfer. Amongst others, it was suggested that in case States like Tripura and Manipur where there is problem of insurgency, the number of vacancies arising in Central Excise side of those States may only be filled up by picking equal number of Inspectors who have the longest tenure of service in the Customs Formation in those States. In this connection it would be pertinent to state that the Office Council Meeting held on 12.11.99 in the Chamber of the Commissioner of Central Excise considered the suggestion of the Association and agreed that at the time of Annual General Transfer the home town of the officers specially in the case of States like Tripura, Mizoram, Nagaland and Manipur be one of the factors to be considered among other usual factors.

Contd..... p/-

Sarathi Bhushan Roy

[7]



A copy of the Minutes of the Office Council meeting held on 12.11.99 is annexed hereto and marked as ANNEX-URE -R/4.

4.6 That the applicant states that there was a consensus arrived at between the Department and the employees to the effect that in case of officers belonging to States of Manipur, Mizoram, Nagaland and Tripura home town of the officers should be taken note of in affecting Annual General Transfer, keeping in view the insurgency problems. The suggestion of the Association that in case of formation-wise transfer from Customs to Central Excise and vice versa vacancies should filled up by Inspectors who have longest service in those States *were also agreed upon.*

4.7 That while the matter rested at thus, the applicant was shocked and surprised to come across the impugned transfer order No.130/2000 dated 15.12.2000 by which the applicant has been purportedly transferred from Sonamura CPF *to* Tinsukia Central Excise Division. Prior to that the service of the applicant was placed at the disposal of the Commissioner, Central Excise, Shillong by order No. 19/2000 dated 15.12.2000 issued by the Commissioner of Customs, the Respondent No.3.

Contd..... p/-

Sarathi Bhutan Roy

[8]

A copy of the impugned establishment order No.130/2000 dated 15.12.2000 is annexed hereto and marked as ANNEXURE- R/5.

4.8 That it is made clear that the order No. 19/2000 dated 15.12.2000 by which the service of the applicant has been placed at the disposal of Central Excise formation is not under challenge. The present application has been filed being aggrieved by the impugned establishment order No. 130/2000 dated 15.12.2000.

4.9 That the applicant states that the applicant was due for transfer to Central Excise formation in the Annual General Transfer exercise which took place in December, 2000 as the applicant completed his tenure in Customs formation by then. Therefore, the applicant vide his representation dated 08.12.2000 prayed for a posting at Agartala Range in the Central Excise formation.

A copy of the said representation dated 08.12.2000 is annexed hereto and marked as ANNEXURE-R/6.

Contd..... p/-

Sarathi Bhupen Roy

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[9]

4.10 That the applicant states that the authority vide establishment order No. 4/2001 dated was pleased to modify the impugned Annual General Transfer Order No. 130/2000 dated 15.12.2000 to the extent indicated in the order dated 16.01.2001. It is evident that one Sri Kartik Sarkar, who was also transferred vide order dated 15.12.2000 submitted representation and the authority considered his representation, by posting him at Agartala Range under Silchar Central Excise Division. *by exceeding the sanctioned strength of 6 (Six) Inspectors.*

A copy of the said order dated 16.01.2001 is annexed hereto and marked as ANNEXURE-R/7.

4.11 That the applicant states that after coming to know about the modified order dated 16.01.2001 by which the case of said Sri Kartik Sarkar, who was similarly placed as that of the applicant, was considered, the applicant submitted a representation before the Respondent No. 2 on 22.01.2001 praying for recalling of his order of transfer on the grounds stated in the said representation. Out of 6(six) Inspectors of Customs who were released from the Customs formation, the applicant and Shri Kartik Sarkar were transferred and posted to Central Excise Division, Tinsukia. But for some inexplicable reason the representation

Contd..... p/-

Sarathi Bhuvan Roy

of said Sri Kartik Sarkar has been considered while that of the applicant has not been considered. In the process the applicant has been subjected to hostile discrimination. Amongst others, all these points were urged in the representation dated 22.01.2001. The points taken in the representation dated 22.01.2001 may be taken as a part of pleadings of this application.

A copy of the representation dated 22.01.2001 is annexed hereto and marked as ANNEXURE-R/8.

4.12 That the applicant states that the authority has been actuated by arbitrariness and malafide in purporting to transfer the petitioner by the impugned order. It is evident that transfer order has been issued in gross violation of the transfer policy, minutes of the meeting held on 30.10.95, minutes of the Office Council meeting held on 12.11.99 and the professed norms. In the option exercised by the applicant vide Annexure-R/3 it was specifically pointed out as to why the applicant opted for Agartala Range under Silchar Division of Central Excise, inasmuch as, the applicant being the only son of the parents have to look after his aged parents. Therefore, the impugned

Contd..... p/-

Saratni Bhushan Roy

[11]

order which is arbitrary, is violative of Article 14 of the Constitution of India.

4.13 That the applicant states that it was the bounden duty of the Respondents to dispose of the representations filed by the applicant having regard to the guidelines/ professed norms governing annual general transfer. As held by the Apex court, if a representation is filed by a Government servant against the transfer order, it is incumbent upon the Government to dispose of the said representation having regard to the transfer as well as administrative exigency. The cause of action for the instant proceedings has arisen because of non-disposal of the said representation.

4.14 That the applicant states that it is true that basically it is for the authority to look into the grievance of the Government servants in matters of transfer having regard to statutory rules, transfer policy/guidelines etc. and it is not for the Court/ Tribunal to go into these aspects of the matter ~~in~~ exercise of power of judicial review. But, if the Government/authority fails to discharge its duties/obligation then it is open to the Government servant to approach the Court/ Tribunal ventilating their grievances. In the instant case the authority by refusing to dispose

Contd..... p/-

Sarathi Bhushan Roy

of the representation of the applicant in terms of the transfer policy have acted unreasonably and arbitrarily. The authority ought to have disposed of the representation by a speaking order. Therefore, the applicant has become entitled to a direction to be issued to the Respondents to consider the case of the applicant as pleaded in the representations having regard to the transfer policy.

4.14 That although the transfer order ~~was~~ issued on 15.12.2000, to the best of the knowledge of the applicant he may not have been released. In any case, presently the applicant is on leave. But the fact that the case of Sri Kartik Sarkar has been considered, there is no reason as to why the claim of the applicant could not have been considered. Therefore, to meet the ends of justice this Hon'ble Tribunal may be pleased to pass appropriate interim order.

4.16. That the applicant states that as per the Decision No.2(II) contained in the Minutes of meeting dated 30.10.95 normal tenure for posting in a Range situated outside the Divisional Office shall be 3 years, but the same may be extended by another term if the officer posted there is interested to continue and others are not interested. In

Contd..... p/-

Sarathi Bhuvan Roy

[13]

the instant case, as pointed out above, the applicant on completion of his tenure under Customs formation exercised his option for posting at Agartala Range where normal tenure posting is 3 years. But for some inexplicable reason the authority has permitted one Shri D.K.Bhowmik to stay at Agartala Range even after completion of three years and although the applicant exercised option ~~for~~ Agartala Range. Nothing more is required to show the oblique motive of the authorities in purporting to transfer the applicant by the impugned order.

4.17 That under the facts and circumstances stated above, it is respectfully submitted that this Hon'ble Tribunal may be pleased to set aside the impugned order of transfer dated 15.12.2000 insofar as the applicant is concerned.

4.18 That this application has been filed bonafide and for the ends of justice.

5. Grounds for relief with legal provisions :

5.1 For that the applicant has acquired legal and valuable right to complete his tenure posting of 2 years at the station i.e. Sonamura CPF in view of the transfer policy indicated above. The

Contd..... p/-

Sarat Rai Bhuyan Roy

[14]

same having been flouted, the impugned order of transfer is legally not sustainable.

5.2 For that the transfer order is legally not sustainable as the same has been issued in violation of the transfer policy, minutes of meetings dated 30.10.95, 12.11.99 and the professed norms governing transfer.

5.3 For that the applicant has been subjected to hostile discrimination in violation of Article 14 as admittedly the representation of Shri Kartik Sarkar, who was also transferred to Tinsukia Central Excise Division has been considered while the representation filed by the applicant has not been disposed of causing prejudice to the applicant.

5.4 For that it is incumbent upon the authority to consider the representation filed by the applicant having regard to transfer policy. Failure on the part of the respondents to consider and dispose of the representations submitted by the applicant, amounts to denial of equality of opportunity and reasonableness in administrative action. It is needless to say that in disposing of such

Contd..... p/-

Sonathi Bhuvan Roy

representations the authority is bound to take note of the policy/guidelines governing transfer.

5.5 For that the authority miserably failed to take note of the hardship that would be caused to the children and aged parents of the applicant, if he is to be transferred to Tinsukia which is situated at a distance of more than 1200 Kms. This is a relevant consideration which the authority has failed to take note of.

5.6 For that the respondents have violated the administrative fair play and has displayed abject arbitrariness in passing the impugned order of transfer.

6. Details of remedies exhausted :

The applicant begs to state that he has exhausted all remedies available to him and there is no other alternative remedy than to approach this Hon'ble Tribunal by way of filing this application.

Contd..... p/-

Sarat Bhushan Roy

[16]

7. Matter not previously filed or pending before any other Court :

The applicant further begs to declare that he has not previously filed any writ petition, application or suit before any court or authority or any other Bench of the Hon'ble Tribunal regarding the grievance for which this application has been made nor they are pending before any one of them.

8. Relief sought for :

Under the fact and circumstances, the applicant prays that the instant application be admitted, records be called for and after hearing the parties on cause or causes that may be shown and/or perusal of the records be further pleased to grant following reliefs :

8.1 To set aside and quash the impugned order No. 130/2000 dated 15.12.2000 issued by the Commissioner of Central Excise, N.E. Region, Shillong, the Respondent No.2 as far as the applicant is concerned.

Contd..... p/-

Sarathi Bhushan Roy

[17]

8.2 To direct the Respondent to consider the option exercised by the applicant in terms of the transfer policy.

8.3 To direct the respondent to consider and dispose of the representations submitted by the applicant having regard to the transfer policy.

8.4 Cost of the application.

8.5 Any other relief /reliefs to which the applicant is entitled to under the facts and circumstances of the case and as may be deemed fit and proper.

9. Interim order prayed for :

Pending disposal of this application, the applicant prays that the impugned order No. 130/2000 dated 15.12.2000 issued by the Respondent No.2 be suspended insofar as the applicant is concerned.

10. Application is filed through Advocate :

Contd..... p/-

Saratni Bhushan Roy

[18]

11. Particulars of IPO :

(i) I.P.O. No.	- 26 503666
(ii) Date of issue	- 29.1.2001
(iii) issued from	- Guwahati.
(iv) Payable at	- Guwahati.

12. List of Annexures : As stated in Index.

Verification

Contd..... p/-

Sanatni Bhutan Ray

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

I, Shri Sarathi Bhusan Roy, son of Shri Nani Bhusan Roy, aged about 38 years, permanent resident of North Badarghat, AD Nagar, West Tripura, Agartala -799003, do hereby solemnly affirm and verify that the statements made in paragraphs 4.1, 4.6, 4.8, 4.12, 4.13, 4.14, 4.15, 4.16 and 4.18 are true to my knowledge, those made in paragraphs 4.2, 4.3, 4.4, 4.5, 4.7, 4.9, 4.10 and 4.11 being matters of record are true to my information derived therefrom and the rest are my humble submissions before this Hon'ble Tribunal and I have not suppressed any material facts of the case.

And I sign this verification on this the 30th day of January, 2001 at Guwahati.

Sarathi Bhusan Roy

A P P L I C A N T

Annexure- 1 .

Customs & Central Excise :: Shillong.

C. NO. II(26)20/EF-III/95/

Dated : 21.9.99 .

To,

The Assistant Commissioner() Cus./C-Ex.
Hqrs. Office, Shilling.

The Assistant Commissioner of Cus . _____ (All)

The Assistant Commissioner of C.Ex. _____ (All)

The Superintendent () _____.

Sub: Option for Annual General Transfer of
Superintendent/Inspector Grade-C/Reg.

Action is being initiated for the Annual
General Transfer of Superintendents and Inspectors
posted in Customs and Central Excise Commissionerates,
Shillong.

Superintendents who have been posted
in the same station, section/office and in Customs &
Central Excise for continuous period of 4 to 6 years,
2 years and 4 years respectively will be due for
transfer.

Similarly, Inspectors who have been
posted continuously in the Divisional Office, Ranges
(out-side Divisional office) D.C.S./P.P.s, Customs
formations and in /office of the Commissioner of
Central Excise/Customs Hqrs. office, Shillong for a
period of 6 years and above 3 years, 2 years, 4
years and 6(six) years to 8 years respectively will

Contd...2.

Verified to be
true copy
B. L. Don
Advocate.

- 2 -

RECEIVED 11/11/99

also be due for transfer.

It is, therefore, requested to forward the options of officers for posting in Customs & Central Excise in order of preference for next posting indicating the reasons there for options in the Prescribed proforma (enclosed) should reach this office on or before 31.10.99. Options received after 31.10.99 will not be taken into consideration for Annual General Transfer of 1999. It is, therefore, requested to take personal initiative to send the options to this office on or before 31.10.99 while forwarding the proforma, it may be ensured that the same is duly verified by the Head of Office.

Please acknowledge receipt.

Sd/-

(B. Thamar)

Joint Commissioner (P&V)
Customs & Central Excise
Shillong.

Verified to be
true copy
B. C. Dm
Advocate.

CUSTOMS AND CENTRAL EXCISE: SHILLONGMINUTES OF THE MEETING DATED 30.10.95

A meeting was held today i.e. on 30.10.95 in the presence of the Commissioner of Central Excise, to formulate the transfer policy in the grade of Inspector of the Commissionerates of Central Excise and Customs. The meeting was attended by the Commissioner of Central Excise, Commissioner of Customs Preventive, Adml. Commissioner (P&V), Administrative Officer (Estt.) and the representatives of Gr. 'C' Executive Officers' Association.

In the meeting it was decided that following will be the guidelines for transfer and posting in the grade of Inspector

1. REPRESENTATION CASES :

- i) These will be given priority.
- ii) Administration will have the right to accept or reject the representation.
- iii) The representations must be cross checked with Association's list before consideration.
- iv) Serial number must be maintained and it should be on the basis of first come first serve basis, except on very-very genuine/exceptional grounds.
- v) Representations whether accepted or rejected should be communicated to the representees and the Association as far as possible.

2. PERIOD OF STAY :i) At Divisional Hqrs. Office:

Normal period of stay will be 6 (six) years. Transfers may be made earlier if administrative requirements or compassionate grounds so necessitate.

ii) At Range Office:

The Ranges that are situated outside the Divisional office i.e. not in the same station, the normal period of stay will be 3 (three) years, but the same may be extended by another term if the officer posted there is interested to continue and if others are not interested.

iii) At LCS/PP:

Normal period of stay will be two years.

iv) At Commissionerate Hqrs. Office:

The period of stay will be 6 (six) to 8 (eight) years.

3. OPTIONS:

- i) General transfer should be done annually in the month of December. Issuing of piecemeal order should be avoided except on compassionate ground and for administrative convenience. If the officer is found to be exceptionally good or bad, this should be reflected in his Service Book/ACR.

Contd... 2

CERTIFIED
TO BE TRUE COPY
A. Barua
ADMCATE

- ii) Options will be called before the General Transfer each year.
- iii) Table to table and field to field posting should be avoided. At least two years interval should be given before such postings.

4. CUSTOMS TO CENTRAL EXCISE AND VICE-VERSA:

Tenure of posting in Customs Preventive will normally be four years except in exceptional cases. The grounds of retention or removal may be reflected in the Service Books.

5. ROTATION:

Rotation should be done as per the order No.131/89 dated 30.06.89 by the Assistant Commissioners. The Assistant Commissioners should obtain approval from Hqs. If the approval from Hqs. is not received within 30(thirty) days of proposal or 15(Fifteen) days of receipt, the concerned Assistant Commissioners may consider the proposal as approved.

6. POSTING OF HUSBAND AND WIFE:

The husband and wife should be posted in the same station as far as possible and practicable.

7. EXCEPTIONS:

In all the perculiar and exceptional cases, administration will do the needful.

Sd/-

(L. R. MITHRAN)
COMMISSIONER OF CENTRAL EXCISE

C.NO.II(7)5/ET.III/88/

20705(A) Dated:- 26 NOV 1995

Copy forwarded to the General Secretary, Gr.'C' Exe. Officers Assn. Customs & Central Excise, Shillong.

(J. L. NGILNEIA)
ADDITIONAL COMMISSIONER (P&V)
CUSTOMS & CENTRAL EXCISE: SHILLONG

A. Barua

TRANSFER PROFORMA.

1. Name of the officer with designation :- SARATHI BHUSAN ROY
(in block letters)
2. Date of apptt. in the deptt. & grade :- 15-03-1989
3. Name of home town & state :- Agartala, TRIPURA-WEST)
4. History of posting since entry:-

SL.	Name of the Division	Name of the Unit	post held	From	To
①	Customs & Central Excise, Agartala DIV	Khenrai P. P. & Khenrai Section	Insp.	March 89	Feb 94
②	Agartala DIV.	Shalabhadra	Insp.	Feb 94	May 96
③	Agartala DIV.	STP, Agartala DIV.	Insp.	May 96	April 97
④	Agartala DIV.	Airport P. P.	Insp.	April 97	April 99
⑤	Agartala DIV.	Sonamura CCF.	Insp.	April 99	Till date

5. Indicate your choice of posting in order of preference:-

CENTRAL EXCISEBRIEF REASON.

1. Agartala Range. (Under Silchar DIV)
2. —
3. —

Because other than Agartala Range the nearest Range Chamanagar is 200 K.M. apart from my home town due to family problem I want to stay at my home town at Agartala.

CUSTOMSBRIEF REASON.

1. option not preferred to
2. —
3. —

As tenure of 2 yrs as per Policy not completed at my Present Place of posting at SONAMURA CCF.

Note :- The choice of posting does not necessarily imply that the officer will be given a posting of his choice. Officers are liable to be transferred before completion of full term in the exigencies of service.

Station :- Agartala.

Sarathi Bhushan Roy
Signature of official with designation.

Date :- 21/9/2000.

Forwarding officer's Comments.

- i) The particulars given above are verified and found to be correct.
- ii)

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Signatures name & designation of the forwarding Authority.

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE ::::: SHILLONG.

MINUTES OF THE OFFICE COUNCIL MEETING HELD ON 12.11.99 AT 1500 HRS.
AT THE CHAMBER OF THE COMMISSIONER OF CENTRAL EXCISE, SHILLONG.

The following were present in the meeting :

OFFICIAL SIDE

- | | |
|----------------------------------------------------------------------------------------|------------|
| 1. Shri Z. Tochhawng, Commissioner,
Central Excise, Shillong. | : Chairman |
| 2. Shri K.K. Das, Commissioner,
Customs, N.E.R., Shillong. | : Member |
| 3. Shri B. Thamar, Joint Commissioner (P&V)
Customs & Central Excise, Shillong. | : Convenor |
| 4. Smt. D. Choudhury, Chief Accounts Officer,
Customs & Central Excise, Shillong. | : Member |
| 5. Smt. M.L. Jyrwa, Administrative Officer (ET)
Customs & Central Excise, Shillong. | : Member |

STAFF SIDEGroup 'C' Executive Officers' Association

- | | |
|--------------------------|----------------|
| 1. Shri B. Bhattacharjee | : President |
| 2. Shri K.N. Sharma, | : General Secy |

Group 'C' Ministerial Officers' Association

- | | |
|------------------|-----------------|
| 1. Shri S. Dutta | : General Secy. |
|------------------|-----------------|

Group 'D' Executive Officers' Association

- | | |
|--------------------|--------------------------------|
| 1. Shri R.K. Singh | : General Secy. |
| 2. Shri M. Baruah | : Asstt. General
Secretary. |

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-: 2 :-

Agenda Points of Group 'C' Executive Officers Association as submitted vide letter no. EXOA/OCM/95-99 dated 12.11.99.

Point No. 1. Compassionate Appointment of widows - cases of
a) Late K. Singson and b) Late Babal Das, Inspector.

Comments : The Chairman assured the members present that the compassionate Appointment will be finalised by the end of November and necessary orders will be issued to the selected candidates to fill up the vacancies available under compassionate appointment.

Action to be taken : Administrative Officer (Estt.)

Point No. 2 Guest House Accommodation in Shillong for Inspectors.

Comments : The Commissioner of Customs agreed to earmark atleast one room in the Guest House of Customs Commissionerate for the Gr. 'C' Executive officers for lodging purpose. He also clarified that since there is no appointment of Cook in the Guest House, provision of meal may not be possible, which has been accepted by the member of the Association. The Chairman further added that in the Central Excise Guest House there should be no problem to accommodate any officer if the rooms are not booked or occupied. He also stated that efforts are being made to provide Guest House specially for Gr. 'C' and Gr. 'D' officers on tour to Hqrs. Office, Shillong.

Action to be taken : Superintendent (Hqrs.)/C.C.'s Cell

Point No. 3 Creation of Dhubri Customs Division and Golaghat Central Excise Division.

Comments : The Golaghat Central Excise Division was a proposal mooted by D.O.M.S., New Delhi without corresponding proposal for enhancement of officers and staff to be deployed in the proposed Division. The Chairman stated that the issue may be re-examined in view of the changing scenario of notification No. 32/99 and 33/99 as per which certain Units and products are eligible for refund of Central Excise Duty.

However, as per reorganisation of the Commissionerates all over India, the revised sanctioned strength of Assistant Commissioners/Deputy Commissioners for Shillong Commissionerate has been reduced to 12, which effectively means 9 officers for field formations and 3 for Hqrs. Office. Till such time there is a revised sanctioned strength of Assistant Commissioners/Deputy Commissioners for this Commissionerate, it may not be feasible to immediately create new Division in Golaghat. Regarding the shifting of Dhubri Central Excise Division to Bongaigaon and creation of new Customs Division at Dhubri, the Chairman clarified that the matter was not pursued due to law and order problems at Bongaigaon.

Action to be taken : Administrative Officer (Estt.).

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-: 3 :-

Point No. 4 D.D.O. Power

Comments : The D.D.O. Power has since been restored to Assistant Commissioner, Central Excise, Guwahati.

No Action.

Point No. 5 Gross Anomalies in Transfers and Postings.

Comments : The Chairman agreed that as far as possible the Transfer Policy would be adhered to, and cases referred to by the Association will also be considered favourably on humanitarian grounds.

Action to be taken : Administrative Officers (Estt.)/Supdt.CC's Cell

Point No. 6 Withdrawal of Inspectors from Non-sanctioned Posts.

Comments : The Chairman noted that if proper deployment were done such a situation would not arise. Special cases will be examined and corrective action will be taken .

Action to be taken : Administrative Officer (Estt.)/Supdt.CC's Cell

Point No. 7 Transfer on Administrative Grounds.

Comments : The practice of serving S.C.N. to the affected officer has not been a practice anywhere in India and it may not be practicable to implement.

No Action.

Point No. 8 Payment of Salary by Cheques.

Comments : It is a welcome suggestion in view of the security scenario in the city. However, this matter may be referred to the P.A.O., the concerned authority responsible for issuing cheques, to examine and take necessary action. This suggestion is all the more welcome in view of the last instruction as per which UDCs are not eligible for special pay and also in view of the fact that no options are received for posting as cashiers in field formations and in Hqrs. Office.

Action to be taken : P.A.O./C.A.O.

Point No. 9 Sanction of more posts as a result of re-imposition of duty of Tea.

Comments : The Chairman informed that the proposal sent to Ministry would be pursued personally by him.

Action to be taken : Administrative Officer (Estt.)

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-: 4 :-

Point No. 10 Release of Inspectors to join at Audit Branch of Central Excise, deputation to other agencies and inter-commissionerate transfers.

Comments : The Chairman stated that since posting at Audit Branch is a special pay post based on selection, officers should not be denied the opportunity to work in Audit Branch in case the D.P.C. has selected such officers.

Action to be taken : Administrative Officer (ET)/C.C.'s Cell

Point No. 11 Release of Officers from Customs to Central Excise and vice-versa.

Comments : The suggestion of the Association is taken note in the right perspective and spirit. The Chairman agreed that at the time of the A.G.T. the hometown of the officers specially in the case of states like Manipur, Mizoram, Nagaland and Tripura be one of the factors to be considered among other usual factors. The Association was also informed that in many cases the point raised by them has been taken note of at the time of A.G.T. in the past.

Action to be taken : Supdt.C.C.'s Cell/Administrative Officer (E)

Agenda Points of Group 'C' Ministerial Officers Association

Point No. 1 Diversion of various supervisory Ministerial Post at random in the recent past.

Comments : The Ministerial posts are diverted not as a matter of routine, but due to some exigencies like representations by the concerned officers. Such diversions, however, are very few and purely temporary. The Chairman stated that the Status-quo-ante in this regard should be restored at the appropriate time.

Action to be taken : Administrative Officer (Estt.)

Point No. 2 Full time Ministerial Officer's posting i.o., O.S./D.O.S. in administrative branches.

Comments : O.S./D.O.S. are posted in administrative branches as per the sanctioned strength and as per the available number of officers in the grade. The present vacant posts of DOS will be filled up as and when Ministerial Officers promoted to the grade of FOS accept their promotions.

Action to be taken : Administrative Officer (Estt.)

Point No. 3 Framing of time schedule for holding DPC for Ministerial Officers.

Comments : The Chairman informed the Association that since the P.R. Quota in the grade of Gr.'C' Executive Officer is in excess to the extent of 55 officers, no D.P.C. for promotion to Inspector's grade can be held till such time the excess posts are brought to the correct ratio of 25% of total posts. There is no scope to further increase the number of posts of P.R. Officers unless relevant orders are received from the Ministry.

Action to be taken : Admn. Officer (ET)/ Office Supdt. Confidential

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ADVOCATE

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Point No. 4 Acceptance of promotions in the higher grade within a limited period.

Comments : The Chairman has suggested that to obviate this problem of officers not accepting the promotion in time nor surrendering promotion in time, the ET Branch will specify the last date by which the officers should be relieved to join their new place of posting. The Chairman suggested that the time limit of 30 months from the date of promotion order would be extended to the concerned officer to remain in his/her present post before he/she is relieved.

Action to be taken : Administrative Officer (Estt.).

Point No. 5 Sanction of more O.S. posts owing to increase of work in lower formations.

Comments : The existing instructions are for retaining the Office Superintendent in the Hqrs. Office. The Ministry will have to increase the sanctioned strength of O.S. level posts to the Commissionerate, if the lower formations are to be sanctioned posts of O.S.

No Action.

Point No. 6 Rotation of Ministerial Officers in Hqrs. Office.

Comments : The Chairman referred to the rotation done in the month of June, '99 and he stated that in view of this fact the next rotation may be taken up during the next financial year so that continuity of work does not suffer.

Action to be taken : Administrative Officer (Estt.).

Point No. 7 Non-issuance of Seniority list since 1996.

Comments : Seniority list in respect of Ministerial Officers has already been issued.

No Action.

Point No. 8 Special pay posts of UDC's in our Commissionerate to be identified and filled-up immediately.

Comments : The promotion to the level of DOS-II (granted by upgradation of the pay scale of 10% points of UDC's) will be done by first fortnight of December, '99 by which time the clarification from Ministry would be received.

Action to be taken : Admn. Officer (ET)/Office Supdt. Confidential.

Point No. 9 Compassionate appointment against two deceased person of this Association viz. Gyanendra Chettri, and P.C. Mahanta are long pending.

Comments : The Chairman assured the members present that the compassionate Appointment will be finalised by the end of November and necessary orders will be issued to the selected candidates to fill up the vacancies available under compassionate appointment.

Action to be taken : Administrative Officer (Estt.).

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Agenda Points of Group 'D' Executive Officers Association
as submitted vide letter dated 22.06.98 and 09.11.99.

Point No. 1 Implementation of decisions of O.C.M.

Comments : The Chairman stated that in future besides circulating the minutes of the O.C.M. meeting to all branches, necessary action will be taken to obtain compliance report from the concerned Branches.

Action to be taken : Administrative Officer (Estt.).

Point No. 2 Appointment on Compassionate ground.

Comments : The Chairman assured the members present that the Compassionate Appointment will be finalised by the end of November and necessary orders will be issued to the selected candidates to fill up the vacancies available under compassionate appointment.

Action to be taken : Administrative Officer (Estt.).

point No. 3 Denial of benefits to the casual workers under
Temporary status.

Comments : The Chairman informed the Association that in view of the Supreme Court orders which lays down condition of initial employment through Employment Exchange as a valid condition for appointment to the level of Temporary Status, it is unlikely that this condition will be relaxed by the Ministry. However, he directed the Establishment Branch to refer the matter to the Ministry and request for one time relaxation to enable the present Casual Workers to get the benefit under the scheme of Temporary Status Appointment.

Action to be taken : Administrative Officer (Estt.).

Point No. 4 Grant of power for DDO at Guwahati.

Comments : The D.D.O. Power has since been restored to Asstt. Commissioner, Central Excise, Guwahati.

No Action.

Point No. 5 Enhancement of special pay for assistant in cash
section to the Group 'D' staff.

Comments : The Chairman clarified that getting revised special pay for assistance in Cash Section does not require prior approval and it should be automatic once the orders are received from the Ministry.

Action to be taken : All Divisions and Accounts Branch.

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Point No. 6 Issuance of proper Identity Cards to Gr.'D' staff.

Comments : The Chairman informed the members of the Association that reference will be made to the Commissionerates who have already adopted the system of appropriate endorsement in the I.D. Card. Necessary action will be taken on similar lines. The Chairman directed that reference should be made to Customs House at Calcutta, Jaipur, Kanpur and Chennai for early clarification.

Action to be taken : Administrative Officer (Estt.).

Point No. 7 Uniform Articles.

Comments : As per Ministry's Instruction circulated under F.No. N-12014/98-Ad.IIA dated 09.07.98 cash allowance for uniform is given to Gr.'D' staff like other categories of Gr.'B' and 'C' Executive staff.

Since Gr.'B' and Gr.'C' Executive Officers give a certificate for maintenance of uniform for drawal of uniform allowance, it appears that Gr.'D' staff must also follow the same procedure being followed for Gr.'B' and 'C' Executive Officers, considering the fact that they get cash allowance for uniform like Officer/Staff of other categories.

Action to be taken : C.A.O./Admn. Officer (Hqrs.).

Point No.8 Rationalisation of pay scale in the grade of Seamen.

Comments : The recommendation of the 5th Central Pay Commission was not clear regarding the pay scale of Seamen appointed in Customs Commissionerates. Moreover, no specific instruction in this regards has been received from the Ministry.

The Chairman in this context assured the Association that the matter is going to be re-examined and necessary references will be made with Customs Commissionerates at Calcutta, Chennai and Tiruchirappalli. The Chief Accounts Officer will make necessary references and issue clarification to the concerned Divisions.

Action to be taken : Chief Accounts Officer.

Point No. 9 Filling of vacant posts of Group'D' Cadre.

Comments : The Chairman informed that the vacant posts that are earmarked for compassionate appointments will be filled up once selected candidates accept the appointments. Regarding the remaining vacant posts that are to be filled up by regularisation of casual workers under Temporary status, necessary direction will be given to Establishment Branch to initiate the process afresh.

Action to be taken : Administrative Officer (Estt.).

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Point No. 10 Sitting Arrangement.

Comments : The Chairman informed that necessary directions will be given to concerned Assistant Commissioners to resolve the problems faced by the members of the Association as regards the sitting arrangements in the Divisional offices.

Action to be taken : Dy. Commissioner/Asstt. Commrs., all Divisions.

Point No. 11 General Telephone in Control Room of all Divisional Offices.

Comments : The Chairman opined that this is a welcome suggestion and is advisable considering the fact that during emergency situation it is necessary to have access to a telephone as it serves the purpose of an important channel of communication. Necessary steps in this regard will be taken and the matter will be referred to the Assistant Commissioners of all Divisions for necessary action.

Action to be taken : Dy. Commissioner/Asstt. Commrs., all Divisions.

Point No. 12 Deployment of Vehicles.

Comments : The Chairman in this context informed the members of the Association that at present the Gr.'D' staff engaged in late hour duty and night duty are picked up and dropped off by Official vehicles. Furthermore, the vehicles are parked in the Hqrs. Premises and keys are kept in the key-board of Hqrs. Office Control Room at the end of duty.

Action to be taken : Superintendent (Hqrs.).

Point No. 13 Supply of Raincoat and Umbrella.

Comments : It was informed to the members of the Association that Gr.'D' staff are supplied with waterproof coats/umbrellas as per the guidelines of the Ministry issued vide circular no. 149/90 and endorsed by F.No. 12/81/90-COORD-dated 24.08.90., which states that a pool of waterproof coats and umbrellas is to be formed on the basis of one umbrella and waterproof coat for every three Peons, messengers etc. out of the entire Gr.'D' staff employed on out door duties. Umbrellas and waterproof coats are to be issued from the pool as and when needed and are to be promptly returned to the pool when the need is over. The Chairman also pointed out that the Ministry's guidelines automatically overrides the decision taken in the earlier Office Council meeting held on 5th August 1985 in this regard.

Action to be taken : A.O. (Hqrs.)/Subst. (Hqrs.)/Superintendent (Hqrs.).

The meeting came to a close at 12.30 hours.

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A. B. B. B.
ADVOCATE

(B. THEMAR)
JOINT COMMUNICATIONS
OFFICE & GENERAL SECRETARY
SHILLONG

-: 9 :-

C.No. I(2)2/ET.IV/95/69411-479

Dated: 2/12/99

Copy forwarded for information and necessary action to : -

1. Joint Commissioner (Tech.), Central Excise, Shillong.
2. Deputy Commissioner (Tech.), Central Excise, Shillong.
3. Assistant Commissioner, Customs/Central Excise Division (All).
4. The C.A.O./P.A.O., Customs & Central Excise, Shillong.
5. Administrative Officer (Estt./Hqrs.), Central Excise Hqrs. Office, Shillong.
6. Superintendent (Hqrs.), Central Excise/Superintendent (CC's Cell),/ O.S. Confdl., Hqrs. Office, Shillong.
7. P.A. to Commissioner, Customs (NER),/Central Excise, Shillong.
8. General Secretary, Gr.'C' Executive Officers Assn./Gr.'C' Ministerial Officers Assn./Gr.'D' Executive Officers Assn., Customs & Central Excise, Shillong.
9. The Zonal Secretary, Gr.'C' Executive Officers Assn./Gr.'C' Ministerial Officers Assn./Gr.'D' Executive Officers Assn., Apartala Division, Customs/Central Excise.

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ADVOCATE

(B. THAMAR)
JOINT COMMISSIONER (P&V)
CUSTOMS & CENTRAL EXCISE
SHILLONG.

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE, SHILLONG

C.No. II(3)27/ET.III/2000

Dated:

ESTABLISHMENT ORDER NO. 130 /2000

DATED, SHILLONG THE 15th DECEMBER, 2000

Subject: Establishment Annual General Transfer posting and adjustment in the grade of Inspector - Order regarding.

The following transfer, posting and adjustment in the grade of Inspectors are hereby ordered with immediate effect and until further orders.

Sl.No.	Name	From	To
01.	S.K. Saha	Anti Smuggling Unit Guwahati Customs Divn.	Nagaon Range Guwahati C.Ex. Divn.
02.	S. Mahanta	Hallidayganj P.P. Guwahati Customs Divn.	Nagaon Range Guwahati C.Ex. Divn.
03.	H. Goswami	Tezpur C.P.F. Guwahati Customs Divn.	Divisional Office Tezpur C.Ex. Divn.
04.	N. Bhattacharjee	ICD, Amingaon Guwahati Customs Divn.	Silchar - I Range Silchar C.Ex. Divn.
05.	S. Goswami	Disposal Unit Guwahati Customs Divn.	Hqrs. Anti Evasion Guwahati
06.	R.C. Sharma	Law Branch Guwahati Customs Divn.	Jagiroad Range Guwahati C.Ex. Divn.
07.	Arun Choudhury	Anti Smuggling Unit Agartala Customs Divn.	Agartala Range Silchar C.Ex. Divn.
08.	G.C. Deb Barma	Agartala Airport P.P. Agartala Customs Divn.	Agartala Range Silchar C.Ex. Divn.
09.	A.K. Chakraborty	Law Branch Agartala Customs Divn.	Agartala Range Silchar C. Ex. Divn.
10.	Kartik Sarkar	Anti Smuggling Unit Agartala Customs Divn.	Tinsukia Divnl. Office, Tinsukia C.Ex. Divn.
11.	Swapan Kr. Debnath	Agartala Airport P.P. Agartala Customs Divn.	Agartala Range Silchar C.Ex. Divn.
12.	S.B. Roy	Sonamura CPF Agartala Customs Divn.	Tinsukia - I Range Tinsukia C.Ex. Divn.
13.	Alokesh Dey	Dharmanagar CPF Karinganaj Customs Divn.	Dharmanagar Range Silchar C.Ex. Divn.
14.	P. Borbora	Badarpur CPF Karinganaj Customs Divn.	Sibsagar Range Silchar C.Ex. Divn.
15.	S.K. Choudhury	Silchar CPF Karinganaj customs Divn.	Aizawl Range Silchar C.Ex. Divn.
16.	H.P. Roy	Tech/STS/Adj. Br. Karinganaj Customs Divn.	Tinsukia - III Range Tinsukia C.Ex. Divn.
17.	R.K. Das	Silchar CPF Karinganaj Customs Divn.	Badarpur Range Silchar C.Ex. Divn.
18.	J. Majumder	Anti Smuggling Unit Karinganaj Customs Divn.	Karinganaj Range Silchar C.Ex. Divn.
19.	J.G. Paul	Badarpur CPF Karinganaj Customs Divn.	Jorhat Range Jorhat C.Ex. Divn.
20.	R. Chakraborty	Anti Smuggling Unit Karinganaj Customs divn.	C/o the Commr. (Appeals) Guwahati

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	L. Krela	Anti Smuggling Unit Dimapur Customs Divn.	Dimapur Range Jorhat C.Ex. Divn.
	A.K. Das	Law/Disposal Dimapur Customs Divn.	Mariani Range Jorhat C.Ex. Divn.
3.	K.C. Bordoloi	STS/Adj./Tech. Br. Dimapur Customs Divn.	Anguri Range Jorhat C.Ex. Divn.
24.	L.N. Khuan	Anti Smuggling Unit Imphal Customs Divn.	Margherita Range - II Digoai C.Ex. Divn.
25.	C. Zomlingiana	Churachandpur P.P. Imphal Customs Divn.	Dimapur Range Jorhat C.Ex. Divn.
26.	A.K. Chakraborty	Moreh CPF Imphal Customs Divn.	Hqrs. Law Branch Guwahati
27.	D.K. Sharma	Moreh LCS Imphal Customs Divn.	Rangapara Range Tezpur C.Ex. Divn.
28.	A. Bhattacharjee	Anti Smuggling Unit Shillong Customs Divn.	Appeal Branch C.Ex. Hqrs. Office, Shillong.
29.	Laltawnliana	Khazawl CPF Aizawl Customs Divn.	Jagiroad Range Guwahati C.Ex. Divn.
30.	J. Purkayastha	Law/Appeal Br. Customs Hqrs. Office, Shillong.	Appeal Branch C. Ex. Hqrs. Office, Shillong.
31.	Bikash Chakraborty	Narcotics Cell Shillong Customs Divn.	Divnl. Anti Evasion Guwahati C.Ex. Divn.
32.	U.K. Dey	Technical Branch Customs Hqrs. Office, Shillong	APRO C.Ex. Hqrs. Office, Shillong
33.	P. Banerjee	Statistics Branch Customs Hqrs. Office, Shillong	Hqrs. Anti Evasion C.Ex. Hqrs. Office, Shillong.
34.	S.K. Roy	Technical Branch Customs Hqrs. Office, Shillong.	Divisional Office Silchar C.Ex., Divn.
35.	G. Ghosh	Statistics Br. Customs Hqrs. Office, Shillong.	Statistics Br. C.Ex., Hqrs. Office, Shillong.
36.	R.M. Chyne	Statistics Br. C.Ex. Hqrs. Office, Shillong	Hqrs. Anti Evasion C.Ex., Hqrs. Office, Shillong.
37.	K.D. Wallang	Hqrs. Anti Evasion C.Ex. Hqrs. Office, Shillong	Shillong C.Ex., Divn.
38.	Abhijeet Dey	Hqrs. Anti Evasion C.Ex. Hqrs. Office, Shillong	IOC sub Range Tinsukia C.Ex., Divn.
39.	H.K. Das	APRO C.Ex., Hqrs. Office, Shillong.	Technical Branch C.Ex. Hqrs. Office, Shillong.
40.	Ms. A. Nongbri	APRO C.Ex. Hqrs. Office, Shillong	Inspection Cell C.Ex. Hqrs. Office, Shillong.
41.	Ms. I Myrthong	Accounts Br. C.Ex. Hqrs. Office, Shillong (w/o of transfer to Appeal Br. C.Ex. Hqrs. Office, Shillong)	APRO C.Ex. Hqrs. Office, Shillong.
42.	V.B. Diengdoh	Shillong C.Ex., Divn.	APRO C.Ex. Hqrs. Office, Shillong.
43.	T.C. Gayan	O/o the Commr. (Appeals) Guwahati	RBC Range Guwahati C.Ex. Divn.
44.	R.K. Kalita	O/o the Commr. (Appeals) Guwahati	RBC Range Guwahati C.Ex. Divn.
45.	Prabal Chakraborty	RBC Range Guwahati C.Ex. Divn.	NOR Range Guwahati C.Ex., Divn.
46.	J.P. Borah	RBC Range	Untd. Service Tax Cell
47.	Hem Ch. Sharma	Nagaon Range Guwahati C.Ex. Divn.	Rangapara Range Tezpur C.Ex. Divn.

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49.	Parag Kanti Das	C.Ex. Hqrs. Office, Shillong	Divnl. Office Silchar C.Ex. Divn.
50.	P.K. Saikia	Nagaon Range Guwahati C.Ex. Divn.	Divnl. Anti Evasion Guwahati C.Ex. Divn.
51.	S. Ahmed	Divnl. Anti Evasion Guwahati C.Ex. Divn.	Nagaon Range Guwahati C.Ex. Divn.
52.	Utpal Das	C.Ex. Hqrs. Office, Shillong	Divnl. Office, Guwahati C.Ex. Divn.
53.	Ms. Noni Borah	Mongoldoi Range Tezpur C.Ex. Divn.	Divnl. Office, Guwahati C.Ex. Divn.
54.	Hitesh Sharma	Adjudication Branch C.Ex. Hqrs. Office, Shillong	Anti Evasion Unit Tezpur C.Ex. Divn.
55.	B.R. Boro	Chapaguri Anti Evasion Dhubri C.Ex. Divn.	BRPL - I Range Dhubri C.Ex. Divn.
56.	B.C. Nath	Chapaguri Anti Evasion Dhubri C.Ex. Divn.	Divnl. Office, Dhubri C.Ex. Divn.
57.	T.C. Mazumder	Chapaguri Anti Evasion Dhubri C.Ex. Divn.	Divnl. Office, Dhubri C.Ex. Divn.
58.	D.C. Bania	Hqrs. Anti Evasion Unit Guwahati	Technical Branch Guwahati C.Ex. Divn.
59.	Ms. K.M. Symlich	CIU-cum-VIG Br. C.Ex. Hqrs. Office, Shillong	Law Branch C.Ex. Hqrs. Office, Shillong.
60.	G.C. Sharma	Technical Branch Guwahati C.Ex. Divn.	Dibrugarh - II Range Dibrugarh C.Ex. Divn.
61.	G.K. Bhuyan	Hqrs. Law Br. Guwahati	Divnl. Office Dibrugarh C.Ex. Divn.
62.	Gobinda Kalita	NOR Range Guwahati C.Ex. Divn.	Margherita - II Range Digboi C.Ex. Divn.
63.	S. Das Choudhury	Amingaon Range Guwahati C.Ex. Divn.	O/O the commissioner (Appeals), Guwahati
64.	T.T.N. Bhutia	APRO C.Ex. Hqrs. Office, Shillong	Appeal Branch C.Ex. Hqrs. Office, Shillong.
65.	B.M. Das	Divnl. Anti Evasion Guwahati C.Ex. Divn.	Divnl. Audit Guwahati C.Ex. Divn.
66.	N.K. Nandi	Divnl. Audit Guwahati C.Ex. Divn.	Divnl. Anti Evasion Guwahati C.Ex. Divn.

CERTIFIED
TO BE TRUE COPY
A. Barua
ADVOCATE

(B. THAMAR)
15.12.2000
ADDITIONAL COMMISSIONER (P&V)
CUSTOMS & CENTRAL EXCISE
SHILLONG.

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(10)

The following Inspectors are hereby placed at the disposal of Commissioner, Customs NER, Shillong for posting.

Sl.No.	Name	Present Place of Posting
01	C.K. Chanda	Dhubri C.Ex. Divnl. Office.
02	H.P. Sharma	Dibrugarh C.Ex. Divnl. Office.
03	N. Nandi	Jagiroad Rg., Guwahati C.Ex. Divn.
04	P.L. Sinha	Nagaon Range, Guwahati C.Ex. Divn.
05	Tarun Ch. Mahanta	Jorhat Range, Jorhat C.Ex. Divn.
06	D.M. Das	BRPL-I Range, Dhubri C.Ex. Divn.
07	K.R. Nath	Dhubri C.Ex. Divnl. Office.
08	N.C. Dutta	Dibrugarh A/E, Dibrugarh C.Ex. Divn.
09	P.K. Chakraborty	Tinsukia C.Ex. Divnl. Office.
10	Salil Bhattacharjee	Tinsukia-I Range, Tinsukia C.Ex. Divnl. Office.
11	Swapan Roy	Tsk IOC sub-Range, Tinsukia C.Ex. Divnl. Office.
12	H. Elasmatary	Dhubri Range, Dhubri C.Ex. Divn.
13	Uttam Kr. Dey	Margherita Range-II, Digboi C.Ex. Divn.
14	Tapash Bhattacharjee	Internal audit, C.Ex. Hqrs. Office, Shillong.
15	Ajit Borah	Margherita Range-II, Digboi C.Ex. Divn.
16	D.P. Borah	Golaghat-I Range, Jorhat C.Ex. Divn.
17	Md. K. Ali Ahmed	Dibrugarh -II Range, Dibrugarh C.Ex. Divn.
18	L. Paite	Tsk-III Range, Tinsukia C.Ex. Divn.
19	Tuanzakhup	Dinapur Range, Jorhat C.Ex. Divn.
20	Sadumanda Gohain	Ambari Range, Jorhat C.Ex. Divn.
21	Madan Barua	Nagaon Range, Guwahati C.Ex. Divn.
22	A.K. Chanda	Inspection Cell C.Ex. Hqrs. Office, Shillong.
23	Kalyan Goswami	Audit Br. C.Ex. Hqrs. Office, Shillong.
24	S. Pulamte	Law Br. C.Ex. Hqrs. Office, Shillong.
25	Babul Mazumdar	Hqrs. Law Cell, Guwahati.
26	D.P. Singh	Statistics Br. C.Ex. Hqrs. Office Shillong.
27	Prabir Kr. Das	Appeal Br. C.Ex. Hqrs. Office, Shillong.
28	T. Tonsing	Appeal Br. C.Ex. Hqrs. Office, Shillong.
29	Vileto Angami	Appeal Br. C.Ex. Hqrs. Office, Shillong.
30	Amir Lama	Adj. Br. C.Ex. Hqrs. Office, Shillong.
31	S.K. Chakraborty	Agartala Range, Silchar C.Ex. Divn.
32	J.K. Guite	Aizawl range, Silchar C.Ex. Divn.
33	Manabendra Banik	Agartala Range, Silchar C.Ex. Divn.
34	A.T. Livingstone	Agartala Range, Silchar C.Ex. Divn.
35	S.K. Mazumder	Agartala Range, Silchar C.Ex. Divn.

CERTIFIED
TO BE TRUE COPY
A. Barua
ADVOCATE

Date : 08/12/2000

To

The Commissioner of Central Excise
North Eastern Region
Shillong.

(Through Proper Channel)

Sub : Representation of Sri B.B. Roy, Inspector,
Sonamura CPF (under Customs Division, Agartala)
for posting at Agartala Range (under Silchar
Central Excise Division) if releved in the
Central Excise formation - submission of.

Sir,

With due respect and humble submission may I
place before your judicious honour the following for
consideration of my prayer captioned above.

That Sir, I have already completed the tenure
in Customs formation. So there is every possibility that
my name be place in the Central Excise formation in the
ensuing Annual General Transfer which is due in December
2000. I served in the Khowai and Kamalpur Customs unit for
long (seven) years which are most terrorist prone area in
the state of Tripura. I am the only one son of my old aged
parents and there is no one except myself to look after
them.

So my posting in Central Excise formation may
be considered at AGARTALA RANGE (under Silchar Central Excise
Division).

For this act of y kindness, I shall remain ever
grateful to you,

Yours faithfully,

Enclo : Xerox copy of
Transfer proforma
submitted on 21.10.2000

Sarathi Bhushan Roy

(SARATHI BHUSAN ROY)
Inspector
Sonamura CPF
(Agartala Customs Division)

CERTIFIED
TO BE TRUE COPY
A. Barua
ADVOCATE

To
The Commissioner of Central Excise,
North Eastern Region,
Shillong.

(Through proper Channel)

Sub :- Representation of Sri S. B. Roy, Inspector
Sonamura C.P.F (under order of transfer to
Tinsukia Range - I vide order No.130/2000,
Dtd. 15/12/2000) for considering transfer
at Agartala Range- Submission of.

Sir,

With due respect & humble submission may I place
before your judicious honour the following for consider-
ation of my prayer captioned above.

That Sir, vide estb. order No.130/2000 Dt.15/12/2000
my name was placed in TINSUKIA RANGE - I which is more
than 1000 Km. far from my home town Agartala. I have
two school going children and old aged parents. I have
already served in KHOWAI and KAMALPUR customs unit under
Agartala customs Division for long 7(Seven) years which
are most terrorst prone area in the State of Tripura.
At present stage it is not practically possible to shift
my family and patents at TINSUKIA with me.

So, you kindly modify my place of posting at
AGARTALA RANGE (under Silchar Central Excise Divn.)
or allow me to continue my service at my present place
of posting at Sonamura C.P.F as the tenure at Sonamura
C.P.F (2 (Two years) not yet completed.

For this act of kindness I shall remain ever ~~gan~~
grateful to you.

Dated,

The 20/12/2000.

Yours faithfully,

Sarathi Bhisan Roy

(S. B. Roy)

Inspector,

Sonamura C.P.F.

Under Agartala Customs Division.

ANNEXURE - R.T

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE, SHILLONG

ESTABLISHMENT ORDER NO. - 4/2000
DATED, SHILLONG THE 16TH JANUARY, 2000

Subject : Estt. transfer posting and adjustment in the grade of Inspector - order regarding.

The following transfer posting and adjustment in the grade of Inspector are hereby ordered with immediate effect and until further orders.

Sl. No.	Name	Present place of posting	Place represented for
01.	S.K. Saha	Anti Smuggling Unit, Guwahati Cus. Div. (U/o transfer to Nagaon Range, Guwahati C.Ex. Divn. Vide Estt. order No. 130/2000 dated 15.12.2000)	Amirgaon Range, Guwahati C.Ex. Divn.
02.	Kartik Sarkar	DPF Unit, Agartala Cus. Divn. (U/o transfer to Tinsukia C.Ex. Divnl. Office Vide Estt. order No. 130/2000 dated 15.12.2000)	Agartala Range, Silchar C.Ex. Divn. ✓
03.	S.C. Sharma	Tech. Br. Guwahati C.Ex. Divn. (U/o transfer to DIB-II Range, Dibrugarh C.Ex. Divn. Vide Estt. order No. 130/2000 dated 15.12.2000)	Statistics Branch Guwahati C.Ex. Divn.
04.	S. Ahmed	Divnl. A/E Unit, Guwahati C.Ex. Divn. (U/o transfer to Nagaon Range, Guwahati C.Ex. Divn. Vide Estt. order No. 130/2000 dated 15.12.2000)	Hqrs. Law Unit, Guwahati
05.	J.N. Kham	A/S Unit, Imphal Cus. Divn. (U/o transfer to MRG-II Range, Digboi C.Ex. Divn. Vide Estt. order No. 130/2000 dated 15.12.2000)	Statistics Br. Central Excise Hqrs. Office, Shillong.
06.	S. Paul Choudhury	ivangmoud - I Range, Dibrugarh C.Ex. Divn.	Dibrugarh-II Range, Dibrugarh C.Ex. Divn. →
07.	Anil Saikia	Dibrugarh C.Ex. Divnl. Office (U/o transfer to Naharkatia-II Range, Dibrugarh C.Ex. Divn. vide Estt. order No. 57/2000 dated 11.5.2000)	Retained at the C.Ex. Divnl. Office, Dibrugarh.
08.	N. Mahanta	C.Ex. Hqrs. Office, Shillong	Jorhat C.Ex. Divnl. Office.

All the officers transferred vide this order and vide Estt. order No. 130/2000 dated 15.12.2000 are to be relieved positively by 31.01.2001. Compliance reports should also be submitted on or before 9.02.2001.

CERTIFIED
TO BE TRUE COPY
A. Barua
ADVC CATE(B. TILAMAR)
ADDITIONAL COMMISSIONER (P&V)
CUSTOMS & CENTRAL EXCISE
SHILLONG.

To
The Commissioner of Central Excise,
North Eastern Region,
SHILLONG.

SUB :- Representation of Sri S.B.Roy, Inspector, Sonamura
CPF (under Order of Transfer to Tinsukia Range I
vide Order No.130/2000 dt. 15.12.2000) for consider-
ing transfer at AGARTALA RANGE - submission of .

Sir,

Most respectfully, I beg to submit the following
representation for favour of your kind and sympathetic con-
sideration.

Annexure-I
2. That vide Order No.19/2000 dt. 15.12.2000 of the
Commissioner of Customs NER Shillong, I have been released
to Central Excise formation along with other officers in
the said order within a period of 2(two) years as I had
been transferred to Sonamura CPF earlier vide Order No.
04/99 dt. 9.4.1999 issued by CCP, Shillong. The tenure of
Annexure-II
a minimum of two years was not considered in my case. A
photocopy of Order No.19/2000 dt. 15.12.2000 and 04/99
dt. 9.4.2000 is annexed hereto as ANNEXURE-I & ANNEXURE-II
respectively.

3. I have been released to Central Excise formation
on 15.12.2000. I had worked as Sector Officer at Khowai
Sector (Central Excise formation) during the period 22.1.1991
to 29.10.1991. I have already served in Khowai & Kamalpur
Customs Unit which are most terrorist prone area in the
state of Tripura.

Annexure-III
4. That on being relieved from customs, Agartala Customs
Division to Central Excise, I have been transferred to
Tinsukia Range I (under Central Excise Division Tinsukia)
vide Order No.130/2000 dt. 15.12.2000 of the Commissioner
of Central Excise, Shillong. A photocopy of which is annexed
hereto as Annexure-III.

Contd...P/2.

M. Barua

5. That I submitted a representation to the Commissioner of Central Excise, Shillong, seeking modification in the transfer order and prayed for posting in Central Excise Range Agartala or for allowing me to work at my present place of posting at Sonamura CPF in view of the immense difficulties in my family. A photo copy of which is annexed hereto as Annexure-IV.

Annexure-IV

6. That, I & Sri Kartik Sarkar, Inspector among the Six(6) Inspectors released from customs, Agartala Division, have been transferred & posted to Central Excise Division Tinsukia at a place which is almost 1200 KM(One thousand two hundred KM) away from my home town Agartala and other 4(four) Inspector have been posted to Central Excise Range Agartala (as in the Annexure-III).

7. That we both Sri Kartik Sarkar, Inspector & my self represented for consideration of our posting to Agartala Range on the ground of our family affairs but in the revised order No.04/2001 dt. 16.1.2001 of the Additional Commissioner (P&V) Customs & Central Excise, Shillong, Sri Kartik Sarkar, Inspector has been posted in Agartala Range (under Silchar C.Ex.Div) with remarks that place represented for . A photocopy of which is annexed hereto as Annexure-V.

Annexure-V

8. That by considering the representation of Sri Kartik Sarkar, Inspector(under order of transfer to Tinsukia) and posting him at Agartala Range as place represented by him vide Order No.04/2001 dt. 16.1.2001, myself has been singled out for transfer to Tinsukia Range-I putting me in serious hardship alongwith my family members.

9. That in the minutes of O.C.M held on 12.11.1999 the Chairman of the O.C.M. vide point No.11 that at the time of Annual General Transfer, home town of the officers especially that the case states like Manipur , Mizoram, Nagaland & Tripura will be one of the factors to be considered for transfer and posting. This norms has been considered in

Contd...P/3.

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A. Barua
ADVOCATE

all the cases of the incumbents of this Division transferred in the respective orders of both the Commissioners. But only in my case I am subjected to be transferred in a place in which this norms has not been considered.

Under this circumstance I pray again to your honour to consider my case sympathetically and pass necessary order so that I may get my posting at Agartala Range and oblige thereby.

Dated, Agartala,
the 22nd Jan' 2001.

Enclo : As above.

Yours faithfully,

Sarathi Bhusan Roy

(SARATHI BHUSAN ROY)
INSPECTOR,
SONAMURA C.P.F.
CUSTOMS DIVISION, AGARTALA.
(ON LEAVE)

CERTIFIED
TO BE TRUE COPY
A. Barua
ADVOCATE