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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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Withdrawal date-18/02/02

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FORM No. 4
(See Rule 42)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI.

ORDERS SHEET

APPLICATION NO.

409/2001

Applicant (S)

A. J. Singh

Respondant(S)

U.O.I. form

Advocate for the Applicant:

M. Bimal Sharma

Advocate for the Respondant:

U.O.I. form

Notes of the Registry

Date

Order of the Tribunal

This application is in form
but not in time Condonation
Petition is filed not filed vide
M. P. No. ... C. F.
for Rs. 50/- deposited vide
IPO/BD No. 74381/45
Dated 5.10.2001

By Registrar

AS
31/10/01

Notice received and sent to
D/S for work etc. Respondent
No 1 to 3 by Regd A.D. J
10/10/01

D/No 3904 W 3906
Dtd 11/10/01

① Service report are still
awaited

22/11/01

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

Issue notice as to why the application
shall not be admitted. Notice returnable by
four weeks. List on 23.11.2001 for further
orders.


Heard Mr. M. Bimal Sharma, learned
counsel for the applicant on the interim
prayer.

Issue notice as to why the interim
prayer shall not be granted suspending the
order dated 6.9.2001 relating to the transfer
of the applicant - A Jasobanta Singh from
Manipur SSA to Mizoram SSA. Returnable by four
weeks. Mr. A.K.Choudhury, learned
Addl.C.G.S.C. accepts notice on behalf of the
respondents. List on 23.11.2001 for further
orders. Meanwhile the operation of the
impugned order dated 6.9.2001 shall remain
suspended concerning the applicant -
A. Jasobanta Singh.

Member

Vice-Chairman

23.11.01 Written statement has been filed.
Application is admitted and posted for
hearing on 14.12.01 as agreed by the
parties. The applicant may file rejoinder
if any within 2 weeks.


Vice-Chairman


lm

21.12.01 Judgment delivered in open court.
kept in separate sheets. The application
is dismissed. No order as to costs.

27-11-2001

W/S Submitted
Copy the Respondents No. 1, 2^{mb}
and 3.


Member


Received copy
NR Chandra
Hodell C/S C
11/1/02

18.1.2002

Copy of the order
has been sent to the
Office for 1889
It is due to the
Applying by Part.



CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 409 of 2001.

Date of Decision 21.12.2001.

Shri A.Jasobanta Singh

Petitioner(S)

Shri Bimal Sarma

Advocate for the
Petitioner(s)

Versus-

Union of India & Ors.

Respondent(s)

Shri A.K.Choudhury, Addl.C.G.S.C.

Advocate for the
Respondent(s)

THE HON'BLE

MR K.K. SHARMA, ADMINISTRATIVE MEMBER.

THE HON'BLE

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

Judgment delivered by Hon'ble : Administrative Member.

11/12/01

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 409 of 2001.

Date of Order : This the 21st Day of December, 2001.

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

Shri A.Jasobanta Singh,
Junior Telecom Officer,
Iroisemba Mayai Leikai,
P.S. Lamphel, Imphal West District,
Manipur.

...Applicant

By Advocate Sri Bimal Sarma.

-Versus -

1. Union of India,
represented by the Secretary ,
Ministry of Communications,
Govt of India, New Delhi-1
2. Asstt. General Manager (Admn),
B.S.N.L., Office of the General Manager,
N.E.Circle-I,
Shillong-1.
3. Divisional Engineer (P&A),
Office of the General Manager,
Telecom District Imphal,
Imphal-1.

... Respondents

By Shri A.K.Choudhury, Addl.C.G.S.C.

O R D E R

K.K.SHARMA, ADMN.MEMBER,

In this application the applicant has challenged the impugned orders dated 6.9.2001 (Annexure-10) transerring the applicant from Manipur SSA to Mizoram SSA and the order of posting dated 18.9.2001 (Annexure-11).

2. The applicant was recruited in the year 1992. He joined as Junior Telecom Officer (JTO) on 20.9.96 in the

10/11/01

office of the TDM, Dimapur, Nagaland. By order dated 1.9.98 (Annexure A/6) the applicant was transferred from Imphal to Senapati in pursuance to the order of CGMT, NE Circle, Shillong. The applicant has referred two letters dated 26.7.76 and 3.11.76 issued by TDM, Nagaland, wherein it has been stated that substitutes against transferred persons should be those having the longest stay in the division. The applicant claims to be appearing at No.17 in the seniority list of JTO issued on 6.9.2001. It is stated that Smt. Monitombi Devi who is at serial No.6 has not been transferred whereas the applicant has been transferred by the impugned orders. Even JTOs appearing at serial No.10 and 11 of the seniority list have not been transferred. It is stated that in view of the fact the impugned order of transfer is mala fide. The impugned orders have been challenged on the ground that these are arbitrary and have not been applied equally to everybody. The applicant made a representation dated 19.9.2001 to the respondent No.1 which has not yet been disposed of. Mr. Bimal Sarma, learned counsel appearing for the applicant has been heard. His main contention was that as per seniority list dated 6.9.2001 a person senior to applicant has not been transferred while the applicant has been transferred and as such the transfer order is mala fide. He relied on the Gauhati High Court judgment reported in 1982(1) GLR 211 and submitted that if an order is mala fide Tribunal has the power to quash it. Mr. Sarma argued that it was not correct that ladies were not transferred. He submitted

10/10/2001

that on 8.10.2001 Mrs.Momtombi Devi, senior to him had been transferred.

3. The respondents have filed their written statement. Mr a.K.Choudhury, learned Addl.C.G.S.C argued the case of the respondents. Mr Choudhury subitted that N.E.Telecom Circle is having a number of tenure stations and as per departmental rules official working in tenure station are liable to be transferred on completion of tenure period. While transferring the official from the tenure station the department has to give reliever from other station. It is stated that as per terms and conditions of service JTOs are bound to serve in any part of N.E.Telecom Circle and in special circumstances in any part of India. The tenure stations are selected by the head of the circle to maintain the telecom services in difficult places. It has also been decided by the head of the circle that the reliever should be released in advance so that there is no delay in relieving the tenure station staff. Tenure stations are difficult stations and transfer to and from the tenure station are issued after due consideration and according to the norms and practice. Seniority is maintained at the time of issuing the transfer order for tenure posting. As to the senior of the applicant who have not been transferred it is stated that JTOs mentioned at serial No.10 and 11 are lady JTOs for whom special provisions for consideration have been made to ensure that husband and wife are posted at the same station or ensuring that the women in service stay with parents. No norms or directions of the Government have been violated in the matter of transfer and posting. The

10/11/01

applicant was released from the strength of Manipur SSA on 20.9.2001. Officers from tenure stations are to be transferred immediately on completion of their tenure. It is stated by the respondents that the applicant has not exhausted the normal channels of redressing his grievances. Mr Choudhury, learned Addl.C.G.S.C also relied on the Gauhati High Court Judgment reported in 2001(3) GLT 150 in the case of Gurnam Singh vs. Union of India & Ors. and submitted that the Court should not interfere in the matter of transfer unless the transfer is mala fide.

4. I have carefully considered the submissions on behalf of the applicant and have also perused the record. The applicant's case is that his transfer is mala fide on the ground that his seniors have not been transferred. The instances given are JTOs appearing at serial No. 10, 11 and 16. All these cases are of lady JTOs. As stated by the respondents the lady JTO cases are considered as per instructions issued by the Ministry of Personnel and Public Grievances. Learned counsel for the applicant also referred to the case of Smt. Monitombi Devi, JTO who had been transferred from Imphal to Delhi to support his arguments that lady JTOs are also transferred. The respondents have stated that the transfer of Smt Monitombi Devi to Delhi was at her own request.

5. After hearing the parties I am of the opinion that the transfer of the applicant is not in any way mala fide or in violation of any rules or regulation. This Tribunal

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Contd..

normally does not interfere with the transfer order unless the transfer is shown to be mala fide. No mala fide can be inferred from the documents filed alongwith the O.A. and also from the submission made by the learned counsel for the applicant.

The application is accordingly dismissed. There shall, however, be no order as to costs.

Interim order dated 9.10.2001 is vacated.

K.K. Sharma
(K.K.SHARMA)

ADMINISTRATIVE MEMBER

8 OCT 2001

गुवाहाटी न्यायपीठ
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI :

Presented on. 21.10.01
by:-
(M. Binod Sharma)
ADVOCATE

GUWAHATI CASE O.A. NO. 409 OF 2001

Shri A. Jasobanta Singh Applicant

Vrs.

The Union of India and ors ... Respondents

I N D E X

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4.	Annexure A/2 (Recommendation dt. 11-7-96)	17 - -
5.	Annexure A/3 (Representation dt. 23-3-98)	18 - 19
6.	Annexure A/4 (Medical atten- dence registrar).	20 - 30
7.	Annexure A/5 (Transfer order dt. 4-6-98)	31 - 33
8.	Annexure A/6 (Joining & posting order dt. 1-9-98)	34 - -
9.	Annexure A/7 (Ruling dt. 26/7/76)	35 - 36
10.	Annexure A/8 (Ruling dt. 3-11-76)	37 - 38
11.	Annexure A/9 (Seniority List dt. 6-9-2001)	39 - 41
12.	Annexure A/10 (Transfer order dt. 6-9-01)	42 - 43
13.	Annexure A/11 (Follow of trans- fer order dt. 13-09-01)	44 - -
14.	Annexure A/12 (Transfer order dt. 25/8/95)	45 - -
15.	Annexure A/13 (Tribunal Order dt. 29-8-96)	46 - 48
16.	Annexure A/14 (Representation with forwarding letter dt. 26-09-2001)	49 - 50

BY :


Advocate

Signature of the Petitioner


Shyamsam Jasobanta Singh.

Presented on 21/10/2021
by:-
(M. Bimal Sharma)
ADVOCATE

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

GUWAHATI CASE O.A. NO. OF 2001

IN THE MATTER OF -

Application under section 19 of the
Administrative Tribunal Act, 1985 read
with Rule 4 of the Central Administra-
tive (Procedure) Rule, 1987.

AND

IN THE MATTER OF -

Shri Ayekpam Jasobanta Singh,
Junior Telecom Officer (Senapati),
Office of the General Manager Telecom
District, Manipur, Imphal - 795 001,
Bharat Sanchar Nigam Ltd.

.... APPLICANT

-Versus-

1. The Union of India, represented
by the Secretary, Ministry of
Communications, Govt. of India,
New Delhi - 11 001.
2. Asstt. General Manager (Admn),
Bharat Sanchar Nigam Ltd., Office of
the Chief General Manager, N.E.
Telecom Circle - I, Shillong, 793 001.

.... 3. Divisional

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-(2):-

3. Divisional Engineer (P & A),
Bharat Sanchar Nigam Ltd., Office
of the General Manager Telecom
District, Imphal - 795 001.

.... RESPONDENTS

In the matter of an application on
behalf of the applicant for redressal
of his grievance or for quashing Order
No. STB/ES-3/Tenure/XII, dated at Shillong,
the 6th Sept. 2001 (Annexure A/10) and
Order No. EST-2/JTO/TFR, Dtd. at Imphal,
19/09/01 (Annexure A/11).

Most respectfully Sheweth :

1. PARTICULARS OF THE APPLICANT :

- (i) Name of the applicant : Shri A. Jasobanta Singh
- (ii) Name of Father : Shri A. Babu Singh
- (iii) Designation and particulars of office (name and station) in which employed before ceasing to be in service : Junior Telecom Officer (Senapati) Imphal, Deptt. of Telecommunication, Bharat Sanchar Ltd.,
- (iv) Office Address : Office of the General Manager Telecom District, Imphal - 795 001
Bharat Sanchar Nigam Ltd.
- (v) Address for service : The above address described in item No. 1(iv) OR at A. Jasobanta Singh, Iroisenba Mayai Leikai, P.S. Lamphel, Imphal West District, Manipur.

.... 2. PARTICULARS OF

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2. PARTICULARS OF RESPONDENTS :

- (a) The Union of India, represented by the Secretary, Ministry of Communications, Govt. of India, New Delhi - 110 001.
- (b) Asstt. General Manager (Admn), Bharat Sanchar Nigam Ltd., Office of the Chief General Manager, N.E. Circle -I, Shillong - 793 001.
- (c) Divisional Engineer (P & A), Bharat Sanchar Nigam Ltd., Office of the General Manager Telecom District, Imphal - 795 001.

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

The application is against the following orders :

- i) Order Nos. : (1) NO. STB/ES-3/Tenure/XII, and
(2) NO. EST-2/JTO/TFR.
- ii) Dates : Shillong, the 6th Sept. 2001 & Imphal, the 18-09-01 respectively
- iii) Passed : Asstt. General Manager (Admn) (Respondent No. 2) and Divisional Engineer (P&A) (Respondent No. 3) respectively
- iv) Subject in brief : Transfer the applicant holding the post of Junior Telecom Officer, (Senapati), Imphal Office of the General Manager Telecom District Imphal (Manipur) to Mizoram Division.

4. That the applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal.

5. That the applicant further declares that the application is within the limitation prescribed in section 21 of the Administrative Tribunal Act, 1985.

...6. FACTS OF THE

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6. FACTS OF THE CASE :

The facts of the case are given
below :

(1) That the applicant is a permanent resident of Iroisemba Mayai Leikai, Imphal West District, Manipur and he has passed Bachelor of Engineering (Electronics and Communication). The applicant was recruited in the Department in the year 1992 and undergone training at Kalyani (West Bengal) from 19-12-1994. The training of the applicant was disrupted or having gap because the applicant made an accident while undergoing training resulting serious Head-Injury and as such his appointment order was issued only on 4-4-1996 under Memo or Appointment Order No. STB-I/APTT/JTO of the Dy. General Manager Telecom (A), office of the Chief General Manager N.E. Telecom Circle, Shillong - 793 001. He joined the service at JTO ~~xxxxxx~~ (Junior Telecom Officer) on 20-9-1996 at the Office of the TDM/Dimapur (Nagaland State).

Annexure A/1 is the copy of the appointment order dt. 4-4-96.

(2) That before joining as JTO at Dimapur, the applicant developed some abnormal person^{al}/physical problem because of the said accident. In this respect some reports were also sent from the Training Centre i.e. RTTC/Kalyani and as a result, the applicant could not joined the duty after completion of the training. The TDM/Nagaland wrote a letter to the Dy. General Manager (Admn), O/o CGMT, NE Telecom circle, Shillong - 793 001 proposing to post the applicant at his home town at Imphal on humanitarian ground on the

.... ground that

[Signature]

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--:(5):--

ground that the applicant is suffering from some personal/physical problems and to overcome such problems, the applicant may be posted at his home town Imphal vide his letter No. E-13/RECTT-JTO/139, dated at Dimapur 11-7-96.

Annexure A/2 is the copy of the proposal letter dt. 11-7-96.

(3) That while the applicant was at Kohima under TDM/~~Dimapur~~ under Nagaland Division, the father of the applicant made a representation to the Chief General Manager Telecom, N.E. Circle, Shillong as a Reminder Representation dated 23rd March, 1998 from Kohima stating that because of the accident which resulted head injury the applicant developed some Psychiatric problem and he is facing strange problems like different people, different language, different circumstances etc. and as such it created many unseen problems before he fully recovered and requested to transfer at Imphal his hometown because he was under treatment.

Annexure A/3 is the copy of the reminder representation dt. 23-3-98.

(4) That in fact the applicant is still under treatment attending every now and then at the Hospital and his last attendance was on 4-10-01 advising to come or attend again on 15-10-01.

Annexure A/4 is the copy of the attendance registrar.

(5) That the Respondent No. 2 by his order No. STB-ES-3/Tenure/XI/1, dated at Shillong the 4th June, 1998, the applicant has been transferred from Nagaland Division to Imphal Division and joined at JTO (Senapati) on 19-8-98. In this respect the Asst. Director Telecom, Imphal, Manipur issued an order under No. EST/JTO-1/Rectt-Trg/113, dated
..... at Imphal,

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JK

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at Imphal, 1-9-98.

Annexure A/5 is the copy of the transfer order dt. 4-6-98; and

Annexure A/6 is the joining ~~order~~ and posting order dt. 1-9-98.

(6). That the Director Telecom (S), N.E. Circle, Shillong vide his two orders/directives viz., (i) No. STBX-84/Rlgs, dated Shillong, the 26/7-76 and (ii) NO. STBX-84/Rlgs, dated Shillong, the 3-11-76 which known as 'Rulings', made the procedure in connection with the transfer of officials within the division from tenure stations such as :

"The substitutes against such officials would be from the officials having longest stay in the division. While calculating the stay in the division, the period of service in a tenure station in the division, should not be counted."

Annexure A/7 is the copy of the Rulings dt. 26-7-76; and

Annexure A/8 is the copy of the Rulings dt. 3-11-76.

(7) That the Department proposed for transfer of JTOs. under N.E. Circle who are working at different divisions as tenure. For this proposal seniority list were called for from the Divisions under the North East Circle. The S.D.E. (Admn), Office of the General Manager Telecom District, Imphal vide his letter No. EST/JTO-2/Transfer/72, Dtd. 6-9-2001 submitted the list of seniority. In the said list the name of the applicant appears at Sl. No. 17. The JTOs. should be counted from Sl. No. 6 and as such the applicant is at 12th number amongst the JTOs.

Annexure A/9 is the seniority list given on 6-9-2001 showing the name of the applicant at Sl. No. 17.

....(8) That under

-:(7):-

(8) That under the order of the Respondent No. 2 vide No. STB/ES/Tenure/XII Dated at Shillong, the 6th September, 2001, 25 (twentyfive) JTOs. who have been serving in different divisions under the N.E. Circle have been transferred to different divisions. The name of the applicant is shown as the reliever of one ~~Shri~~ Md. M.A. Hakim appearing at Sl. No. 11 who is working as JTO at Mizoram Division and as a result the applicant has been transferred at Mizoram. As a follow of action, the Respondent No. 3 issued another order Dtd. at Imphal, 18/09/01 under No. EST-2/JTO/TFR stating that as per the order stated above the JTOs working under Manipur SSA (Secondary Switching Area) are hereby transferred and posted to the SSA's noted against them with immediate effect.

Annexure A/10 is the copy of the order dt. 6-9-01; and

Annexure A/11 is the copy of the order dt. 18-9-01.

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(9) That the present transfer order at Annexure A/10 is violative the rulings or order at Annexure A/7 and A/8 to the extent that the reliever of the tenure transfer of JTO should be relieved by the longest stay JTO in the Division. For those JTOs. at Sl. No. 3, 6 and 12, it is clearly stated at Annexure A/10 that "1st, 2nd and 3rd station seniormost JTOs of Tripura SSA are transferred to Mizoram against Sl. No. 3, 6 and 12 as indicated above."

However, in the case of the applicant even though there are three JTOs appearing at Sl. No. 10, 11 and 16 viz., Ireni Mungrei, A. Renubala Devi and M. Manitombi Devi

...respectively,

-(8):-

respectively, the impugned order at Annexure A/10 has been issued by name in violation of the norms and directives or otherwise rulings and as such the transfer order is purely a mala-fide one and as a result it affects the applicant's position of right to stay at Imphal till his turn comes. Had the respondent follow the rulings or norms and directives at Annexure A/7 and A/8, the applicant would have not been affected by the impugned order at Annexure A/10 on transfer as a reliever of the transferee. In the earlier cases, in the event of any transfer, the longest and seniormost JTOs of the division were the relievers. But in the present case it is directed to the applicant to accomodate some one and it amounts a punishment without fault and without any enquiry whatsoever.

It is submitted that the executive instructions/ rulings like Annexure A/7 and A/8 is a law vide Shanti Kumar Ganguli V. State of Tripura, Reported in (1982) 1 Gauhati Law Reports at page 211.

(10). That it is submitted that the transfer and reliever have been following as per the rulings at Annexure A/7 and A/8. The instances may be stated one in Annexure A/5 and another may be mentioned that while issuing the transfer order bearing No. STB/ES-3/Tenure/XI, Dated at Shillong, the 25-8-95.

Annexure A/12 is the copy of order dated 25-8-95.

(11). That in the case of Annexure A/12, the authorities at Manipur Division (TDM/Imphal) released on Shri M. Samarendra Singh who was not the longest stay JTO at

.... Manipur Division

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-:(9):-

Manipur Division was release and affected. Shri Samarendra ~~contested~~ preferred a case before this Hon'ble Tribunal which registered as Tribunal O.A. No. 184 of 1996 and this Hon'ble Tribunal passed an order dated 29-8-96 to the extend that the reliever Shri M. Samarendra Singh of Manipur Division of the transferee one Rashid Ahamed of Nagaland Division is not the longest stay JTO of Imphal Division and as such passed the interim order that the impugned order kept abeyance till the final disposal of the O.A. The said O.A. also finally disposed off in favour of the applicant of that case late on.


Annexure A/13 is the copy of the
said interim order dt. 29-8-96.

(12) : That the Apex Court held and observed which reported in AIR 1986 Supreme Court 1955 that :

"5. It is doubt true that if the power of transfer is abused, the exercise of power is vitiated. But it is thing to say that an order of transfer which is not made in public interest but for collateral purposes and an altogether different thing to say that such an order per se made in the exigencies of service, express or implied to the disadvantage of the concerned Government Servant."

The Government is the best judge to decide how to distribute and utilize the services of its employees. However, this power must be exercised honestly, bona-fide and reasonably. It should be exercised in public
7 interest. If the exercise of power is based on extraneous considerations or for achieving an alien purpose or an oblique motive it would amount to mala-fide and colourable exercise of power. Frequent transfers, without sufficient reasons to justify such transfers cannot but be held as mala-fide.

..... A transfer



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-:(10):-

A transfer is mala-fide when it is made not for professed purpose, such as in normal course or in public or administrative interest or in the exigencies of service but for other purpose than to accomodate another person for undisclosed reasons. It is the basic principle of rule of law and good administration, that even administrative action should be just and fair."

"6. One cannot but deprecate that frequent, unschedule and unreasonable transfers can uproot a family cause irreparable harm to a Government servant and drive him to desperation. It disrupts the education of his children and leads to numerous other complications and problems and result in hardship and demoralisation. It therefore follows that the policy of transfer should be reasonable and fair and should apply to every body equally."

(13) That it is submitted that the order is arbitrary and does not follow reasonable and fair and cannot apply equally to everybody inasmuch the transfer do not effect the three senior JTOs as stated above. It is done on the arbitrary act of the Respondents and it is just a punishment without any fault of the applicant.

(14) That the applicant submitted a representation to the Respondent No. 1 through proper channel on 19-9-01 and the same was forwarded by the SDE (Admn), O/o GMT District Manipur, Imphal vide forwarding letter No. EST-2/JTO/TFR/78, Dtd. at Imphal, 26-09-2001.

Annexure A/14 is the forwarding letter 26-09-2001 along with the representation dt. 19-9-01.

(15) That Respondents has/have not yet disposed off the representation of the applicant and so far the applicant is,

.... not yet

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-:(11):-

not yet handed over the charges assigned to him and as such status quo of the applicant is necessary to maintain.

(16). That being aggrieved by the order at Annexures A/10 and A/11 aforesaid, the applicant begs to file this application under section 19 of the Administrative Tribunal Act, 1985 for redressal of his grievance.

(17) That the applicant declares that he has availed of all the remedies available to him under the relevant service rules. ~~the~~

The applicant declares that he has no other remedy except the one applied for herein.

8. That the applicant further declares that he had not previously filed any application, Writ Petition or suit regarding the matter in respect of which this application has been made, before any court of law or any other authority or any other Bench of the Tribunal and nor any such application, Writ Petition or suit is pending before any of them, ~~the above mentioned~~ except the present one.

R

9. That in view of the facts mentioned in para 6 above the applicant prays for following relief(s);-

- (a) to admit the application,
- (b) to call for the records,
- (c) to issue notice on the respondents
why the transfer order at Annexure
A/10 and A/11 should not be set aside
by this Hon'ble Tribunal,

... (d) upon

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--:(12):-

- (d) upon hearing the parties to set aside the impugned order (Annexure A/10 and A/11) on amongst other grounds given below, and
- (e) cost of the application or case.

G R O U N D S

- (I) FOR THAT transfer of the applicant to a distance place who is low paid employee the power seems to be meant to be sparingly exercised under some compelling exigencies of particular situation and not as a matter of routine. If it were literally exercise, it will create tremendous problems and difficulties in the way of the applicant who is getting small pay;
- (II) FOR THAT the transfer affects to a lowly paid employee and also without his consent and mala-fide intentions;
- (III) FOR THAT the transfer order is arbitrary, mala-fide and passed with ulterior motive against the directives or rulings Annexure A/7 and A/8 and also without any reasonable excuse and it cannot be treated equally;
- (IV) FOR THAT there are still three longest stay and senior JTOs above the applicant;
- (V) FOR THAT if the transfer is affected, the physical health and mental problem of the applicant shall be deteriorated.

10. That pending final decision of the application, the applicant seeks issue of the following interim order :

TO STAY the operation of the order at Annexure A/10 and A/11 with a direction to maintain STATUS QUO and if the operation of the impugned order is not stayed as prayed for the applicant shall suffer an irreparable loss which cannot be adequately compensated in money.

.... 11. That the

SL

27
-:(13):-

11. That the applicant is enclosing an Indian Postal Order of Rs. 50/- (Rupees fifty) only with this application under Rule No. 7 of the Central Administrative Tribunal (Procedure) Rules, 1987, issued by the Post Office in favour of the Registrar/Deputy Registrar, Central Administrative Tribunal, Guwahati Bench, Guwahati payable at the Post Office at Guwahati.

Signature of the applicant

Ayekpam Jasobanta Singh

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

I, Shri Ayekpam Jasobanta Singh, son of A. Babu Singh, aged about 35 years, working as JTO in the Office of the GMT/Manipur Division, do hereby verify that the contents of para No. 1 to 8 and 11 are true to my personal knowledge as well as from records and para No. 9 and 10 are believe to be true on legal advice and that I have no suppressed any material fact.

Dated, 5-10-2001

Place : Imphal

Drafted and settled by

[Signature]
Advocate

Signature of the applicant

Ayekpam Jasobanta Singh
not following rules

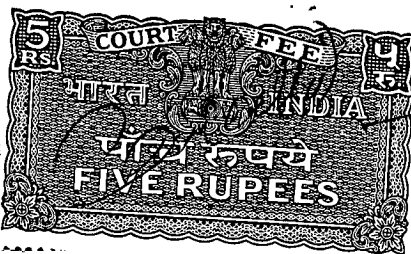
To Shri. Semonity - mola file -
The Registrar,
Central Administrative Tribunal,
Guwahati Bench, Guwahati.

A 7-35
A 8-36
Semonity - 41 -

4.6.98 - Dimapur to Imphal 31
6.9.01 Imphal to Mizoram 42

19.8.2 - I G L R - 211

[Signature]



Signature
5.10.2001

A F F I D A V I T

I, Shri Ayekpam Jasobanta Singh, aged about 35 years, son of A. Babu Singh, occupation employee of Bharat Sanchar Nigam Ltd., Department of Telecommunication, resident of Iroisenba Mayai Leikai, P.S. Lamphel, Imphal West District, Manipur, do hereby solemnly affirm and say as follows :

1. That I am the applicant in the accompanying petition and as such I am fully acquainted myself with the facts of the case. This is true to my knowledge.
2. That the statements in paragraph Nos. 1 to except the legal points of the accompanying petition are true to my knowledge and true to the records and the legal points are my humble submissions. The Annexures A/1 to A/ are from my personnel records and official records received in my official records received in my official capacity and also from official records. This is true to my knowledge.

Verified that the contents of para No. 1 and 2 above are true to my knowledge and believe and humble submissions.

Imphal, the
5th October, 2001

Signature of the deponent

By :

Advocate

Identified by :

Advocate

Solemnly affirm before me on... 5.10.2001
at... 11 AM... at the... premises
by the Deponent who is identified
by H. Bim Chana, A.M. 1/2
The Deponent seems to understand
the contents fully well on the
being read over and explained to him.

5.10.2001
Oath Commissioner
Manipur

-15-
DEPARTMENT OF TELECOMMUNICATIONS

OFFICE OF THE CHIEF GENERAL MANAGER N.E. TELECOM CIRCLE

SHILLONG - 793001

ANNEXURE A/1

No. STB-I/APTT/JTO,

Dated at Shillong, the 4.4.96.

The Deputy General Manager, (Admn.) N.E. Telecom Circle, Shillong is pleased to appoint temporarily the following trainees on satisfactory completion of initial training of sixteen weeks in basic Telecommunications Phase-I in the post of Junior Telecom Officer with effect from the date of their join for field training in the scale of Rs 1640-60-2600-EB-75-2900/- plus other allowances admissible as laid down in rules and orders governing the grant of such allowances from time to time.

Sl. No.	Name of JTOs	Station of posting
1.	Sri Gopika Ranjan Dey	TDM/Shillong
2.	Sri A. Jasobanta Singh	TDM/Dimapur

The terms of appointment are as follows:-

They will be eligible for increment in their basic pay only on successful completion of Phase-II training in the respective specialised field.

The post is temporary but is likely to become permanent. In the event of its permanency, permanent absorption will be considered in accordance with the rules in force.

The appointment is purely provisional pending the issue of the eligibility certificate in the candidates favour and shall stand cancelled in the event of such certificates being refused.

The appointment may be terminated at any time by a month's notice given by the appointing authority without assigning any reasons. The appointing authority, however, reserves the right of terminating the service of the appointee forthwith or before expiry of the stipulated period of notice by making payment to him/her of a sum equivalent of notice or the un-expired portion thereof.

The appointment carries with it the liability to serve in any part of N.E. Telecom Circle and in special circumstances in any part of India. The appointee shall be liable for field service within India in times of war and National Emergency. Other condition of service will be governed by the relevant rules and orders in force and as amended from time to time.

Necessary charge report may be sent to all concerned.

(A.R. PATRA)

Dy. General Manager Telecom (A)
% the Chief General Manager N.E. Telecom Circle, Shillong - 793001.

--contd--2--

TRUE COPY

Advocate

Copy for favour of information and necessary action to

1. The General Manager, Telecom (Dev.) C.O. Shillong.
2. T.M. - Aizawl/Dimapur/Imphal/Shillong.
3. AGM(PlgO C.O. Shillong.
4. Principal RTTC, Kalyani, Nadia District, West Bengal 741235.
5. Principal CTTC, Nongthymmai, Shillong - 793014.
6. CGM Task Force Guwahati.
7. GM Mtee. ETR, Shillong.
8. DET Acceptance Testing, Guwahati.
9. A.O. (A&P) C.O. Shillong.
10. A.O. (TA) C.O. Shillong.
11. ADT(Estt.) C.O. Shillong.
12. Hindi Translator, C.O. Shillong for necessary action.
13. P/F of appointees.
14. Concerned appointees.

For Chief General Manager N.E. Telecom Circle, Shillong - 793001.

Service with the N.E. Telecom Circle. The appointees shall be liable for the period of notice as provided in the relevant rules and regulations.

TRUE COPY
Advocate

By: [Signature]
The Chief General Manager N.E. Telecom Circle, Shillong - 793001.

INDIAN TELECOMMUNICATIONS DEPARTMENT
OFFICE OF THE TELECOM DISTRICT MANAGER, NAGALAND, DIMAPUR

No. E-13/RECTT-JTO/139

Dated at Dimapur 11-7-96

To

The Dy. General Manager (Admn)
O/O CGMT, N.E. Telecom Circle
Shillong-793001

Subj:- Joining/Posting of Sri A. Jasobanta Singh, JTO Trainee.

Ref:- This office letter of even No. dtd. 8-7-96.

In continuation to this letter cited above, it is intimated that as per instruction from the Director RTTC/Kalyani and subsequent verbal instruction from you & AGM(Admn), we have tried to accommodate the above mentioned trainee in this SSA, but his problem appears to be quite peculiar which could not be understood.

From the reports received from the RTTC/Kalyani, which was also signed by the trainee, it would be seen that the trainee is suffering from some personal/physical problems. To overcome such problems, it is proposed for you for further consideration that the trainee may kindly be posted to his home town at Imphal under TDM/Imphal on humanitarian ground.

The reports received from the Training Centre i.e. RTTC/Kalyani is enclosed herewith for favour of your further disposal please.

Encl:- As above

Telecom District Manager
Nagaland: Dimapur-797112

Signature: [Signature]
[Stamp] 11-7-96
Telecom District Manager
Nagaland: Dimapur-797112

Copy to:-

1. ☒ Confidential file.

2. Sri A. Jasobanta Singh, J.T.O. Trainee.

TRUE COPY

[Signature]
Advocate

ANNEXURE A/2

To

The Chief General Manager Telecom,
N.E.-Circle, Shillong, Meghalaya,
Department of Telecommunication,
Government of India.

Through :

Dr.E., E-10B,
Kohima, Nagaland.

Kohima, the 23rd March, 1998

Reminder Representationist :-

Shri Ayempam Babu Singh, son
of late Sanajao Singh, resident
of Iroisemba Mayai Leikai,
Imphal, Manipur.

Sir,

I, the father of Shri Ayekpam Jasobanta Singh,
J.T.O. under T.D.M./Dimapur who is now posted as a J.T.O./
Kohima, have the honour to remind you and to state the
followings for your kind and sympathetic consideration so
that my son may be transferred from Nagaland Division to
Manipur Division :

1. That I made a representation dated 2-11-1996 and the
was received by your office on 19-11-1996 for transfer of my
son Shri Jasobanta Singh, JTO/Kohima, Nagaland State to
Imphal on the grounds that because of his accident which
resulted head injury which is under treatment he has having
some Psychiatric or any other problem and as such he is facing
strange problems like different people, different language,
different circumstances etc. and as such it creates many unseen
problem before he fully recovered. For your kind perusal and

.... reference

True Copy
Glen
Wine

-(2):-

reference I enclosed the said representation dated 02-11-1996 and it speaks the details.

3. That since my representation dated 02-11-1996 has not so far been considered my son remain at his posting place at Kohima only facing many problems. As my son is not yet fully recovered, every now and then has to come Imphal for his treatment, however, since his posting place at Kohima which is another state, taking leave for his proceeding Imphal for his treatment is also very difficult as he has to obtain station leave permission as well as others and so his treatment could not be proceeded and even he has treated and at the verse of recovery he has to go at Kohima again and again he meet the same problem and as such his disorder remain as it is. If he is not transfer at Imphal as requested in the said representation dated 02-11-1996, his condition will be deteriorated and he will be forced to resign the service though he does not like to do so. If so his life and other family members depending upon him shall be at period and ruined, and as such kindly to consider my request favourably and to transfer my son from Kohima (Nagaland Division) to Imphal (Manipur Division) so that proper Medical treatment can be given. For your kind reference and perusal I enclosed Medical Certificate of his latest condition.

Under such circumstances stated above you would be pleased to consider my earlier representation dated 02-11-1996 and this reminder favourably and my son may be transferred as prayed for in the interest of all concerned.

TRUE COPY

[Signature]
Advocate

Yours faithfully,

[Signature]
(Ayekpam Babu Singh)
Iroisemba Mayai Leikai, Imphal,
Imphal.

30
Pay No: - 10529 - 20-

A. Jashobanta 33/4.

Jhal Suba

ANN KURE A/4

H. No. 29/99

DR S. G. SHARMA
MONDAY-WEDNESDAY-FRIDAY
নিম্নোক্ত - কলকাতা - ইরান

TRUE COPY


Advocate

18/12/2k

R

① T. Tapreth CR (300mg)

12 — 0 — 2

② T. Trinorm (5mg)

12 — 0 — 1

③ T. Prolin (2mg) ~~2mg 2 times daily~~

12 — 0 — 1

④ Dysicon V Elixir (1ml)

2mg 2 times daily before meals

18/12/2k

hms

11/12/2k

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal

TRUE COPY


Advocate

10/1/2001

16. 20. 2001

① T. Oliza (10mg)

1 tab at bed time

② T. Tagretol CR (300mg)

1 — 0 — 2

③ T. Pacitan (2mg)

1 — 0 — 0

④ T. Zolfresh (10mg)

0 — 0 — 1

Check up 17/1/2001

Dr. R.K. Lenin Singh
10/1/2001

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.

17/01/2001

Alone

Supervised

29. 3. 01

① T. Oliza (10mg)

1 tab at bed time

② T. Tagretol CR (300mg)

1 — 0 — 2

③ T. Pacitan (2mg)

1 — 0 — 0

④ T. Zolfresh (10mg)

0 — 0 — 1/2

Check up 29/1/2001

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.

TRUE COPY

Signature

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.

31/01/2001

No E.P.S.

Alone
Improved
tendency towards dep

R_x

① T. Tapretal CR (300mg)

1 — 0 — 2

② T. Oliza (7.5mg)

0 — 0 — 1

③ T. Pacitane (2mg)

1 — 0 — 0

④ T. Zolfresh (10mg)

0 — 0 — 1/2

Check up 14/2/2001

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS Imphal.

14/2/2001

Improvement continued

R₆

① T. Tapretal CR (300mg)

1 — 0 — 2

② T. Oliza (7.5mg)

0 — 0 — 1

③ T. Pacitane (2mg)

1 — 0 — 0

④ T. Zolfresh (10mg)

0 — 0 — 1/2

Check up 28/2/2001

TRUE COPY

Advocate

Signature

14/2/2001

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.

4/3/2001

240200 7083701

R

① T. Masetal (200mg)
2 — 0 — 2

② T. Oliza (5mg)
0 — 0 — 1

③ T. Paritane (2mg)
1 — 0 — 0

④ T. Zoljesh (10mg)
0 — 0 — 1/2

Check up
11/4/2001

Dr
4/3/2001

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.

24/2/2001 to 10/4/2001

15/04/2001

Improved

Obsessive, compulsive symptoms +
feminine thought
Everything depends on 70

2H = 81 kg

Bp = $\frac{110}{80}$ mm Hg

R

① T. Masetal (200mg)
2 — 0 — 2

② T. Telfresh / Nidrest (10mg)
0 — 0 — 1/2

③ Viner hr - 1pk
2mg 2in daily after meals

Check up
12/5/2001

DR. R.K. LENIN SINGH 5/04/2001
Asstt. Prof. Psychiatry
RIMS, Imphal.

TRUE COPY
Advocate

21/6/01

Loss of appetite 2 mths

Bp $\frac{130}{92}$ mm Hg

Wt = 57 kg

Rx

① T. Mepital (200mg)
2 — 0 — 2② Div R. Lox
2hz 2tn daily before meals
= — — =Blood R.E.③ pH4 / Solacid O Gel
3hz 3tn dailyDay 121/6/01DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS26/6/01

Proxy father.

[Alcohol
[Khamir
by27/6/01

Self

Rx

① T. Mepital. CR (200mg)
2 — 0 — 2② T. Trinorm (5mg)
0 — 0 — 1③ T. Proline (2mg)
0 — 0 — 1④ Zimovir 2m
2hz 2tn daily after mealsStrictly no
nicotineDR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.27/6/01

TRUE COPY

Advocate

30/6/01

Alone
hypomanic

Bf. $\frac{124}{94}$

R

① T. Tapretal SR (200mg)
2 — 0 — 2

② Liv R
2mg — 2mg

- 27 -

not taken

③ T. Shicalon plus (Sup)
0 — 0 — 1

④ T. Prolin (2mg)
0 — 0 — 1

check up only

du
30/6/01

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.

7/7/01

R

① T. Tapretal CR (200mg)
2 tabs 2tn daily.

② T. Shicalon plus (Sup)
0 — 0 — 1

③ Liv R - 1Rn
2mg 2tn daily before meal

13/7/01

R

④ Continue same treatment

du
20/7/01

TRUE COPY

Advocate

du
7/7/01

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.

23/8/01

Alone

Improved

2

52 kg

110
90 mm Hg

Gch a son 23/7/01

① T. Mazeta SR (200mg)
1 — 0 — 2

② T. Shicalin plus 5
0 — 0 — 1

③ B-Glen SR
2mg — 2mg

dm
25/7/01

DR. R.K. LENIN SINGH
Asstt. Prof Psychiatry
RIMS, Imphal.

3/8/01

Improved

Insight - present

Commenting voices

2

① T. Mazeta SR (200mg)
1 — 0 — 2

② T. Norealan plus / Shicalin plus 5
1 — 0 — 1

③ Betadexin SR - 16h
2mg 2tw. daily after meal

Check up 19/8/01

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.
COPY
Advocate

68
19/8/01

Improved

Lack of motivation

① T. Neocalm plus Smp
1 tab at bed time
0 — 0 — 1

② T. Mazetol SR (200mg)
1 — 0 — 2

③ Vitazip dr - 1Rb
2mg 2 times daily after meals
— — —

check up 9/9/01
16/9/01

Sept. Exam.

Sept 2001

Bf: $\frac{122}{88}$ mmHg
wt = 60kg

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.

21/9/01

Transferred to. Mizoram.

R

① T. Neocalm plus (Smp)
1 tab 2 times daily

② T. Mazetol SR (200mg)
2 tabs 2 times daily

③ T. Alprax SR (0.5mg)
1 tab 2 times daily.

④ Sunvit 2n - 1ph
2mg 2 times daily after meals.

MC for 3 weeks
wound
check up 1Rb

21/9/01

DR. R.K. LENIN SINGH
Asstt. Prof. Psychiatry
RIMS, Imphal.

TRUE COPY

Advocate

4/10/01

Bf. $\frac{120}{92}$ mmHg

Status quo.

R

TRUE COPY
Advocate

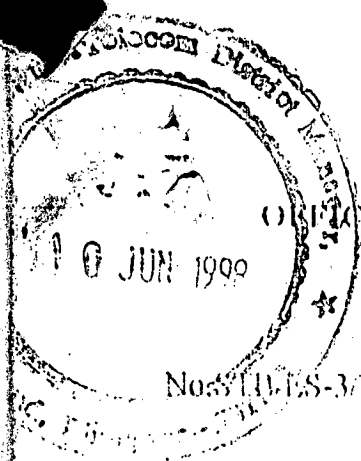
- ① T. Neotelm phr (500)
1 tab after dinner
- ② T. Megetol SR (200mg)
2 — 0 — 2
or
T. Zen Betand (400mg)
1 — 0 — 1
- ③ T. Alprax (0.5mg)
1 — 0 — 1
- ④ Lufit 250 - 1ph
2mg 2tm daily after meals

Check up
on 15/10/01

DR. R.K. LENIN SINGH/
Asstt. Prof. Psychiatry
RIMS, Imphal.
4/10/01

-30-

up



DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE CHIEF GENERAL MANAGER N.E. TELECOM CIRCLE
SHILLONG - 793 001

ANNEXURE A/5

No. ST/LS-3/Tenure/XI/L

Dated at Shillong the 4th June 1998

The following orders of posting and transfer are issued in the cadre of JTO with immediate effect.

1. Sri S.Patgiri, JTO under TDM, Itanagar is transferred and posted under TDM, Shillong vice Sri P.Dhekkial transferred.
2. Sri Promod Dhekkial JTO under TDM, Shillong is transferred and posted under TDM, Itanagar vice Sri S.Patgiri transferred.
3. Sri Brief Lee Lyngkhai JTO under TDM, Aizawl is transferred and posted under TDM, Shillong vice Sri Daimari JTO under TDM, Shillong transferred. This is in partial modification of this office memo of even No. Dated 29.10.97.
4. Sri S.Daimari JTO under TDM, Shillong is transferred and posted under TDM, Aizawl vice Sri Brief Lee Lyngkhai transferred under TDM, Shillong.
5. Sri Subash Paul JTO under TDM, Aizawl is transferred and posted under TDM, Shillong vice Sri U.K. Endow JTO transferred.
6. Sri U.K. Endow JTO under TDM, Shillong is transferred and posted under TDM, Aizawl vice Sri Subash Paul Transferred.
7. Sri L.Sashikanta Singh JTO under TDM, Dimapur is transferred and posted under TDM, Imphal vice the first longest stay JTO under TDM, Imphal transferred.
8. The first longest stay JTO under TDM, Imphal is transferred and posted under TDM, Dimapur vice Sri L.Sashikanta Singh transferred.
9. Sri Ayeckpam Jaso Banta Singh JTO under TDM, Dimapur is transferred and posted under TDM, Imphal vice the second longest stay JTO under TDM, Imphal transferred.
10. The second longest stay JTO under TDM, Imphal is transferred and posted under TDM, Dimapur vice Sri Ayeckpam Jasobanta Singh transferred.

Contd...2-

Let's go

TRUE COPY

[Signature]
Director

11. Sri Rabindra Bhattacharya JTO under TDM, Itanagar is transferred and posted under TDM, Shillong vice Sri Ratan Chandra Paul JTO transferred under TDM, Itanagar.
12. Sri Ratan Chandra Paul JTO under TDM, Shillong is transferred and posted as JTO under TDM, Itanagar vice Sri Rabindra Bhattacharya JTO transferred under TDM, Shillong.
13. Sri R.K. Baruah JTO under TDM, Aizawl is transferred and posted as JTO under TDM, Itanagar vice the first longest stay JTO under TDM, Itanagar transferred under TDM, Aizawl.
14. The first longest stay JTO under TDM, Itanagar is transferred and posted under TDM, Aizawl vice Sri R.K. Baruah JTO transferred.
15. Sri A. Purkayastha JTO under TDM, Aizawl is transferred and posted under TDM, Shillong vice Sri A. Bhattacharjee JTO transferred.
16. Sri A. Bhattacharjee JTO under TDM, Shillong is transferred and posted under TDM, Aizawl vice Sri A. Purkayastha JTO transferred.
17. Sri R.K. Das JTO under TDM, Aizawl is transferred and posted under D.F. (TSD) Guwahati vice Shri Abdul Munyem promoted to TBS Group "B" on local officiating arrangement.
18. Sri P.S. Bhattacharya JTO under TDM, Aizawl is transferred under TDM, Agartala vice Sri Kishore Ranjan Dey JTO transferred.
19. Sri Kishore Ranjan Dey JTO under TDM, Agartala is transferred and posted under TDM, Aizawl vice Sri P.S. Bhattacharya JTO transferred.

Official from non tenure stations should be relieved first. Tenure station officials will be relieved on joining of this reliever.

Copy of release order may be sent to this office for record.




(G.E. CHYNE)

Asstt. General Manager (Admin)
For Chief General Manager
B.E. Telecom Circle, Shillong-1

TRUE COPY

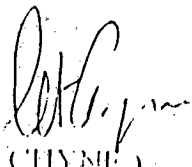
Advocate

-33-

(3)

Copy for information and necessary action to :-

1. TDM- Shillong/Agartala/Imphal/Dimapur/Itanagar.
2. TDM-Aizawl. He is requested to relieve Sri R.K. Das JTO for CTSD Guwahati immediately
3. DE, CTSD (NE), Begbaruah Road, Guwahati.
4. CAO, o/o TDM- Shillong/Agartala/Imphal/Dimapur/Itanagar
5. Circle Secretary, JTOA I, N.E. Circle, Shillong.


(GEN. C. H. NYE)

Asst. General Manager (Admin)
For Chief General Manager
N.E. Telecom Circle, Shillong-1

TRUE COPY


Advocate

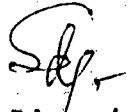
Department of Telecommunications
Office of the Telecom District Manager, Imphal

No. EST/JTO-1/Rectt-Trg/113

Dated at Imphal, 1-9-98.

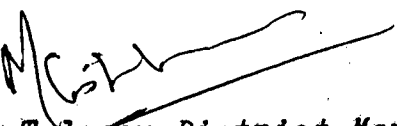
In pursuance of the CGMT, NE Telecom Circle, Shillong letter No. STB/ES-3/Tenure/XI/L dt. 4-6-98 Shri A. Jasobanta Singh, JTO who joined in the office of TDM, Imphal on the F/N of 19-8-98 on transfer from Kohima is hereby posted as J.T.O., Senapati under the S.D.O. Telegraphs, Senapati with immediate effect.

Necessary charge reports may be sent to all concerned.

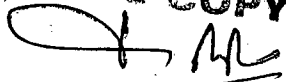

Asstt. Director Telecom
for Telecom District Manager
Imphal - 795001.

Copy to:

- 1) The Asstt. General Manager(Adm)
O/o CGMT, NE Circle, Shillong.
- 2) The Telecom District Manager, Dimapur, Nagaland.
- 3-4) The DE, E-10B/SBP, Imphal.
- 5) The SDO Telegraphs, Senapati- for information
and necessary action.
- 6) The Accounts Officer(Cash), O/o TDM, Imphal.
- ✓ 7) Shri A. Jasobanta Singh, JTO.
- 8) P/File copy.
- 9) Pay Bill Section.
- 10) O/Copy.


for Telecom District Manager
Imphal - 795001.

TRUE COPY


Advocate

ANNEXURE A/7

1686
1.2.86

4

INDIAN POSTS AND TELEGRAPHS DEPARTMENT
OFFICE OF THE GENERAL MANAGER : N.E. TELECOMMUNICATIONS : CIRCLE.
SHILLONG-793001.

No. STBX-84/Rlgs

Dt. Shillong, the 26/7/76.

In continuation of this office order No. STBX/84/Rlgs dt. 13.4.76, regarding tenure station in this circle, the following procedure should be followed in connection with the transfer of officials within the division from tenure station.

Officials desirous of transfer within the division on completion of their prescribed stay at a tenure station should indicate the names of places of their choice in order of preference to the respective heads of divisions.

The substitutes against such officials would be from the officials having the longest stay in the division. While calculating the stay in the division, the period of service in a tenure station in the division, should not be counted.

Sd/-
(A.N. Prasad)
Director of Telecom. (S)
N.E. Circle, Shillong.

- 21 -

TRUE COPY

[Signature]
Advocate

= 2 =

Copy to:

All D.E.s. In N.E.Circle.

S.E.Ts in N.E.Circle.

ADTT/C.O.Shillong.

All Shares, Staff Section C.O.Shillong.

CS, CTO, - Gauhati.

for guidance.

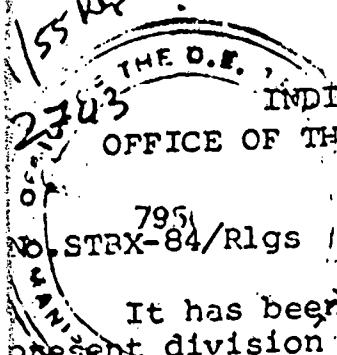
[Signature]
(B.Bhattacharjee)
Asstt.Director Telecom.(S&E)
For General Manager:N.E.Telecom.
Circle,Shillong.

TRUE COPY

[Signature]
Advocate

ANNEXURE A/8

155 Rv
2303



8

INDIAN POSTS AND TELEGRAPHS DEPARTMENT
OFFICE OF THE GENERAL MANAGER: N.E. TELECOMMUNICATIONS: CIRCLE.
SHILLONG-793001.

Dt. Shillong, the 3-11-76.

It has been decided that officials seeking transfer out of the present division on completion of their prescribed stay at a tenure station should indicate names of 3 (three) divisions in order of preference.

2) while every efforts will be made to post them in the places of their choice, they will be liable to be posted elsewhere in the exigency of service.

3) The substitute against such transfers would be from the officials having longest stay in the division where they are transferred. While calculating the stay in the division in respect of the substitute the period of service, if any, in a tenure station in his present division should not be counted.

copy sent to
SP-C.T. dt.

sd/-
(A.N. Prasad)
Director of Telecom. (S)
N.E. Telecom. Circle, Shillong.

-2/-

TRUE COPY

Advocate

2 =

for information and necessary action to:-

1. All D.Es N.E.Telecom.Circle. They are requested to kindly
2. All S.T.T -do- bring the contents of para 1 and 2
3. CS.CTO Gauhati. of this letter to the notice of all concerned.
4. ADTT C.O.SH.
5. CAO.C.O.SH.
6. All shares, STAFF Sec.Shillong.

(B.Phattacharjee)
Asstt. Director Telecom. (S&E)
For G.M.N.E.Telecom.Circle, Shillong.

TRUE COPY

ML
Advocate

Bharat Sanchar Nigam Ltd.
Office of the General Manager Telecom Dist.
Imphal- 795001

No. EST/JTO-2/Transfer/72 Dtd. 6. 9. 2001

To

The Asst. General Manager (A) **ANNEXURE A/9**
O/o Chief General Manager,
N. E. Telecom Circle, - I
Shillong- 795001

Sub: Seniority list of JTOs in Manipur SSA.

Please find enclosed herewith the seniority
list of JTOs in Manipur SSA for transfer and posting
purposes. (Tenure) for taking further necessary action

SDE (Admn.)
O/o General Manager Telecom
District, Imphal

TRUE COPY

Advocate

-40-

JTO	Present Stn. where posted	Date from which wkg in present station	Whether present stn. is tenure	Whether any deptl. Qtr. provided in present stn.	Name of the stn. from where posted in present stn. stn.	Whether earlier served in any tenure station	
						Name of Stn.	Period with date
1	2	3	4	5	6	7	
1. P. Brajabidnu Singh	Oftg. SDE Senapati	2.3.83	Yes	No	AE (Phones) SH	AE (P) SH	31.8.82 to 1.3.83
2. M. Samarendra Singh	Oftg. SDE Thoubal	28.10.85	Yes	No	No	No	No
3. M. Deba Singh	Oftg. CO	29.1.90	Yes	No	No	No	No
4. M. Humashwar Singh	Oftg. SDE MARR/IP	4.8.90	Yes	No	No	No	No
5. Kenneth Chingakhom	Oftg. SDE/H & CC	15.12.92	Yes	No	Kohima NLD SSA	Kohima NLD SSA	25.7.91 to 4.12.92
6. H. Bijoy Singh	JTO (I/D) Imphal	10.3.93	Yes	No	No	No	No
7. N. Nebakumar Singh	JTO NLD Khamanlampah	10.3.93	Yes	No	No	No	No
8. Ph. Mocha Singh	JTO S/West	2.9.93	Yes	No	NLD SSA	NLD SSA	25.7.91 to 2.9.93
9. Mani Kumar Khaideh	JTO North	15.5.94	Yes	No	NLD SSA	NLD SSA	25.7.91 to 14.5.94
10. Ireni Mungrei	JTO Ukhrul	2.5.95	Yes	No	No	No	No
11. A. Renubala Devi	JTO (Store)	2.5.95	Yes	No	No	No	No
12. N. Baleshwar Singh	JTO E-10B	2.5.95	Yes	No	No	No	No
13. N. Nando Singh	JTO (P/P)	2.5.95	Yes	No	No	No	No
14. Md. Rashid Ahmed	JTO E-10B	26.8.97	Yes	No	NLD SSA	NLD SSA	10.3.93 to 18.8.97
15. T. K. Joy Kumar Singh	JTO MARR	1.7.98	Yes	No	NLD SSA	NLD SSA	25.7.91 to 30.6.98

Contd.....P/2

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[Signature]

Advocate

Y CAS

16/5/98

	2	3	4	5	6	7
16. A. Maniombi Devi	JTO (MIS)	9.7.98	Yes	No	No	No
17. A. Jasobanta Singh	JTO/IP	19.8.98	Yes	No	NLD SSA	NLD SSA 20.9.96 to 18.8.98
18. L. Ranjit Singh	JTO VIP	2.11.98	Yes	No	NLD SSA	NLD SSA 7.5.93 to 21.12.94 31.12.93 to 30.10.98
19. M. Asha Devi	JTO E-10B	7.12.98	Yes	No	No	No No
20. Y. Joy Chandra Singh	JTO CCP	7.12.98	Yes	No	NLD SSA	NLD SSA 2.3.96 to 6.12.98
21. L. Sashi Kanta Singh	JTO Instn.	1.1.99	Yes	No	NLD SSA	NLD SSA 4.4.94 to 30.12.98
22. S. Kumar Singh	JTO TBL	19.6.99	Yes	No	T/F GH	T/F GH 12.2.97 to 18.6.99
23. Ksh. Ingocha Singh	JTO/TMG	3.1.2000	Yes	No	NLD SSA	NLD SSA 13.12.92 to 31.12.99
24. S. Surjit Singh	JTO(S/Central)	22.6.2000	Yes	No	Mizoram SSA	Mizoram 18.12.98 to 16.6.00
25. L. Ibomcha Singh	JTO SNP	6.7.2000	Yes	No	"	" 18.12.98 to 30.6.00
26. L. Roben Singh	JTO (HQ)	6.7.2000	Yes	No	NLD SSA	NLD SSA 14.12.98 to 30.6.00
27. H. Khogen	JTO (RLU)	6.7.2000	Yes	No	Mizoram SSA	Mizoram 14.12.98 to 29.6.00
28. N. Meghachandra Singh	LPL JTO Moreh	17.7.2000	Yes	No	Mizoram SSA	Mizoram 17.12.98 to 7.7.2000
29. Priyo Kumar Singh	JTO (Instl)	24.7.2000	Yes	No	NLD SSA	NLD SSA 18.11.98 to 14.7.00
30. Ksh. Surjit Singh	JTO BNP	24.7.2000	Yes	No	"	" 16.12.98 to 14.7.00
31. M. Birendra Singh	JTO KL RLU	5.9.2000	Yes	No	NLD SSA	NLD SSA 14.12.98 to 31.8.00
32. M. Rameshwar Singh	JTO (S/E)	11.12.2000	Yes	No	No	No No
33. Sanatomba Sharma	JTO/(RLU) LPL	11.12.2000	Yes	No	No	No No

TRUE COPY
Advocate

Verified with
Section Supervisor (Est.)
THE GENERAL MANAGER TELECOM
Imphal

S.D.E. (Admn.)
THE GENERAL MANAGER T.I.
Imphal

BHARAT SANCHAR NIGAM LIMITED
(A Govt of India Enterprise)
OFFICE OF THE CHIEF GENERAL MANAGER,
NORTH EAST-I CIRCLE, SHILLONG - 793001.

NO STB/ES-3/Tenure/XII

Dated at Shillog, the 6th Sept. 2001.

The following JTOs are hereby transferred to the SSAs/Units as mentioned against their names.

Sl. No.	Name of the JTO	Present unit of posting	Posted on transfer
1.	A. Kumar Singh	Mizoram SSA	Manipur SSA vice Ph. Mocha Singh, JTO
2.	N. Chakraborty	Arunachal Pradesh SSA	Tripura SSA
3.	Prabir Paul	Mizoram SSA	Tripura SSA vice 1 st station seniority
4.	K.R. Singh	Nagaland SSA	Manipur SSA, vice H. Bijoy Singh
5.	Chandrakant Lamabam	Nagaland SSA	Manipur SSA, vice N. Nabakumar Singh
6.	B.R. Paul	Mizoram SSA	Tripura SSA, vice 2 nd station seniority
7.	S.D. Singh	Mizoram SSA	Manipur SSA, vice Mani Kumar Khaidem
8.	S.I. Singh	Mizoram SSA	Manipur SSA, vice Md. Rashid Ahmed
9.	C. Jitin Singh	Nagaland SSA	Tripura SSA, vice N. Baleshwar Singh
10.	O.J. Singh	Mizoram SSA	Manipur SSA vice T.K. Joy Kumar Singh
11.	M.A. Hakim	Mizoram SSA	Manipur SSA vice A. Jasobanta Singh
12.	B.C Paul	Mizoram SSA	Tripura SSA vice 3 rd station seniority
13.	Th. Sharatchand Meetei	Nagaland SSA	Manipur SSA vice N. Nando Singh
14.	Ph. Mocha Singh	Manipur SSA	Mizoram SSA
15.	H. Bijoy Singh	Manipur SSA	Nagaland SSA
16.	N. Nabakumar Singh	Manipur SSA	Nagaland SSA
17.	Mani kumar Khaidem	Manipur SSA	Mizoram SSA
18.	Md. Rashid Ahmed	Manipur SSA	Mizoram SSA
19.	N. Baleshwar Singh	Manipur SSA	Nagaland SSA
20.	T. K. Joy Kumar Singh	Manipur SSA	Mizoram SSA
21.	A. Jasobanta Singh	Manipur SSA	Mizoram SSA
22.	N. Nando Singh	Manipur SSA	Nagaland SSA

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[Signature]
Advocate

Sl. No.	Name of the JTO	Present unit of posting	Posted on transfer
23.	Shyam Lal Dutta	Tripura SSA	Mizoram SSA
24.	Utpal Lodh	Tripura SSA	Mizoram SSA
25.	Bikash Sarkar	Tripura SSA	Mizoram SSA

The 1st, 2nd, 3rd station senior most JTOs of Tripura SSA are transferred to Mizoram against Sl. No. 3, 6 and 12 as indicated above.

JTOs from Manipur and Tripura SSA s are to be released first to relieve JTOs in tenure stations.

Copy to the release order may be sent to this office for record.

(G.N.CHYNE)

Asstt. General Manager (Admn),
O/o the Chief General Manager,
N.E. Telecom Circle-I, Shillong.

Copy to :-

1. The CGMT. NE - II, Telecom Circle, Dimapur for information.
2. The GMTD Agartala/Aizawl/Imphal for information and necessary action.
3. The CAO. O/o GMTD Agartala/Aizawl/Imphal/Itanagar
4. The A.O. (A&P). Circle office, Shillong.
5. The V.O./C.O. Shillong.
6. The President JTOA(I) E - 10B Shillong
7. The GMTD/Arunachal Pradesh

(G.N.CHYNE)

Asstt. General Manager (Admn),
O/o the Chief General Manager,
N.E. Telecom Circle-I, Shillong.

TRUE COPY


Advocate

No. EST-2/JTO/TFR

Dtd. at Imphal, 18/09/01

In pursuance of CGMT, Shillong order No. STB/ES-3/Tenure/XII dated 06.09.2001 the following JTOs working under Manipur SSA are hereby transferred and posted to the SSA's noted against them *with immediate effect.*

Sr. No.	Name of JTO's	Posted on transfer to
1.	Sri Ph. Kocha Singh, JTO (S)	Mizoram SSA vice A. Kumar Singh, JTO
2.	Sri H. Bijoy Singh, JTO (I/D)	Nagaland SSA vice K.R. Singh, JTO
3.	Sri H. Babakumar Singh, JTO (RLU)	Nagaland SSA vice Chandrakant Lamabam, JTO
4.	Sri Mani Kumar Rhaidem, JTO (N/W)	Mizoram SSA vice S.D. Singh, JTO
5.	Md. Rashid Ahmed, JTO E-10B	Mizoram SSA vice S.I. Singh, JTO
6.	Sri N. Baleshwar Singh JTO E-10B	Nagaland SSA vice C. Jiten Singh, JTO
7.	Sri T.K. Joy Kumar Singh JTO (Plg)	Mizoram SSA vice O.J. Singh, JTO
8.	Sri A. Jasobanta Singh, JTO/Senapati	Mizoram SSA vice Md. A. Hakim, JTO
9.	Sri N. Mando Singh, JTO (Power Plant)	Nagaland SSA vice Th. Saratchand Meetei, JTO

Necessary TA/DA may be applied if required.

Sd/-
D. E. (PSA)

O/o General Manager Telecom
District, Imphal

Copy to:-

1. The CGMT, NE Circle-1, Shillong.
2. The CGMT, NE Circle-II, Dimapur.
3. The GMED, Aizawl/Dimapur
4. The CAO O/o the GMD, Aizawl/Dimapur/Imphal
5. The A.O. (ASP), O/o CGMT, Shillong.
6. The A.O. (Cash), Imphal
7. The DE (Extl)/(Intl)/Rural/(PSA), Imphal. They are requested to release the officers well in time.
8. Officers *concerned*
9. P/F
10. O/C

18/9/01
D. E. (PSA)

O/o General Manager Telecom
District, Imphal

TRUE COPY

[Signature]
Advocate

**DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE CHIEF GENERAL MANAGER, TELECOM,
N.E. CIRCLE, SHILONG-793001.**

No. STB/ES-3/Tenure/XI,

Dated at Shillong the 25/8/95

The chief General manager N.E. Telecom Circle Shillong is pleased to issue the following order of transfer and posting in the cadre of Jr. Telecom officers to have immediate effect :

1. Shri B.C. Paul JTO/Kohima is now transferred and posted under TDM/Agartala Vice first Longest stay at the station who stands transferred and Posted to Kohima..
2. Shri M.R. Dutta JTO/Aizawl is now transferred and posted under TDM/Agartala Vice Second Longest stay JTO at the station who stands transferred and posted to Aizawl.
3. Shri B.C. Das JTO/Saiha is now transferred and posted under TDM/Agartala Vice third Longest stay JTO at the station who stands transferred and posted to Saiha.
4. Shri B.B. Malakar JTO/Zunheboto is now transferred and posted under TDM/Agartala Vice fourth Longest stay JTO at the station who stands transferred and posted Zunheboto.
5. Shri D.K. Deb. JTO/Kohima is now transferred and posted under TDM/Agartala Vice fifth Longest stay JTO at the station who stands transferred and posted to Kohima.
6. Shri N.N. Mazundar JTO/Kohima is now transferred and posted under TDM/Agartala Vice sixth Longest stay JTO at the station who stands transferred and posted to Kohima.
7. Shri Rashid Ahmed Shah JTO/Wokha is now transferred and posted under TDM/Imphal Vice first Longest JTO at the station who stands transferred and posted to Wokha.
8. Shri A.K. Sen JTO/Aizawl is now transferred and posted under TDM/Itanagar Vice first Longest stay JTO at the station who stands transferred and posted to Aizawl.
9. Shri D. Laskar JTO/Tura is now transferred and posted under TDM/Agartala. Substitute to be posted by TDM/Shillong.

Official from non-tenure station should move first.

The above named officials will be relieved on Joining of their relievers.

Copy of release order may be send to this office for records.

TRUE COPY
Advocate

Copy to :-

- 1-6 TDM/AGT/AZL/DMP/IP/ITN/SH.
7. A.O. (T) C.O. Shillong
8. Circle Seceretary JTOA(I)
9. A.E. E-10B Shillong-793001.

Sd/-
(S.H. Majaw)
A.G.M.T.(Adm.)
for Chief General ManageTelecom.
N.E. Circle Shillong.

Sd/-
A.D. Telecom (HRD)
O/o. the CGMT, N.E.Circle
Shillong-793001

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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
....

OA No. 184/96

ANNEXURE A/13

Shri M.S. Singh Applicant(s)
VS-

Union of India and others Respondent(s)

Mr M. B. Sharma Advocates for the applicant(s)

Mr G. Sarma, Addl. C.G.S.C. Advocates for the Respondent(s)

Office Notes

Date

Courts' Orders

29.8.96

Learned counsel Mr M. Bimal Sharma for the applicant. Mr G. Sarma, learned Addl. C.G.S.C. for the Respondents.

Mr M.B. Sharma requests that this application may be taken up today unlisted as he has come from Imphal and the matter is of urgent nature. Considered his prayer and the same is allowed.

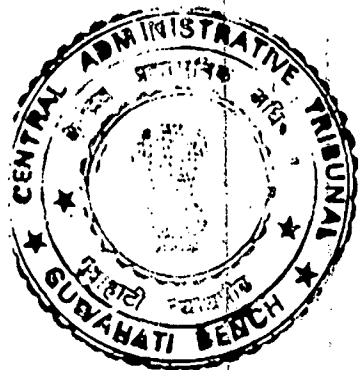
Mr M.B. Sharma moves this application on behalf of the applicant against his order of transfer order No. EST/JTO/TFR/96-97/39 dated 10.6.1996, Annexure-A/15. In O.A.No.113/96 the same order was impugned, but as the representation dated 14.6.1996 of the applicant had not been disposed of by the respondents that O.A. was disposed of with a direction to the respondents to dispose of the said representation within one month from the date of receipt of the order dated 2.7.1996 in that O.A. by respondent No.1. The respondent No.1 has since disposed of the representation dated 14.6.1996 vide his order No.STB/ES-3/TENURE/XI/265 dated 22.8.1996, Annexure-A/28, rejecting the prayer of the applicant on the ground that his transfer is justified as he being the longest stay JTO under TDM, Imphal in Manipur SSA. The applicant therefore, has submitted this instant



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[Signature]
Advocate

29.8.96



application under Section 19 of the Administrative Tribunals Act, 1985. The contention of Mr M.B. Sharma is that the transfer of the applicant is based on malafide. In the transfer order dated 25.8.1995 his name was not included and Shri Rashid Ahmed Shah, JTO, Wakha was transferred and posted under TDMIP vice first longest JTO at the Station who stands transferred and posted to Wakha. The longest JTO in the station Imphal at the relevant time was one Shri P.B. Singh. The order was, however, not implemented because Shri P.B. Singh was due for his promotion and he was promoted on 22.3.1996. Had this order been implemented immediately Shri P.B. Singh would have gone on transfer to Wakha. The clarification dated 31.5.1996 states that Shri R.A. Shah was to be relieved by the longest stay JTO in Imphal. But the applicant was not in Imphal, but he was posted in Loktak at that time. According to him the applicant is the seniormost JTO in the Manipur Division and the transfer order dated 10.6.1996 was issued simply to deprive him of his promotion to one of the vacant posts of TES Gr.'B' in Manipur Division. Further, according to him, the malafide intention of the respondents is clear from the order dated 22.8.1996 above which had changed the situation from longest stay JTO in Imphal to longest stay JTO under TDM, Imphal.

The other contention of Mr M.B. Sharma is that the transfer order dated 10.6.1996 was made in violation of Rule 37(A) of P & T Manual, Vol.IV affecting the education of his children.

Heard Mr M.B. Sharma and perused the contents of the application and the reliefs sought. The application is admitted. Issue notice on the respondents by registered post. Written statement within six weeks.

List for written statement and further order on 10.10.96.

Shri M.B. Sharma submits for an interim order on the interim relief prayer prayed for in the application. Learned Addl. C.G.S.C., Mr G. Sarma, opposes the submission of Mr M.B. Sharma. However, having heard the learned counsel for the

contd-/.....

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[Signature]
Advocate

48 -
O.A.No.184/96

29.8.96



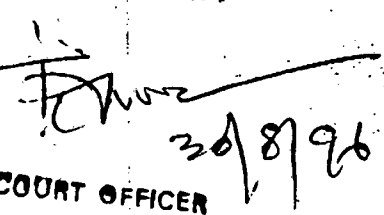
parties and considering the nature of the relief sought in this application I am of the view that an interim order is to be issued. Accordingly it is directed that the respondents shall keep the operation of the impugned order dated 10.6.1996 in abeyance till disposal of this O.A. The respondents may, however, take steps for early disposal of the O.A. keeping in view that this is a matter of transfer.

Copy of the order may be furnished to the counsel for the parties.

Sd/- MEMBER (ADMN)

nkm

Certified to be true Copy
প্রমাণিত প্রতিলিপি


30/8/96
COURT OFFICER
প্রশাসনিক অফিসারী
Central Administrative Tribunal
কেন্দ্রীয় প্রশাসনিক, তদ্বিকরণ
Guwahati Bench, Guwahati-6
গুৱাহাটী ন্যায়পীঠ, গুৱাহাটী-৬

TRUE COPY


Advocate

T. shal

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A

ANNEXURE A/14

Bbharat Sanchar Nigam Ltd.
Office of the General Manager, Telecom Dist.
Imphal- 795001

No. EST-2/JTO/TFR/768 Dtd. at Imphal, 26.09.2001

To

The Chief General Manager
N.E. Telecom Circle-I
Shillong-793001.

Sub: Forwarding of representation.

Kindly find enclosed herewith a representation from Shri Ayekpam Jasobanta Singh, JTO requesting for reviewing the transfer and posting order issued vide No. STB/ES-3/Tenure/XII dated 6.9.2001 for favour of information and necessary action.

26/9/01
SDE (Admn.)

O/o General Manager Telecom
District, Imphal.

26/9/01
TRUE COPY

Advocate

-50-

The Chief General Manager,
North Eastern Circle (II)
Through Proper channel.

Subj:- Unfair in making the relievers list of Manipur SSA.

Sir,

Most respectfully, I have the honour to state the following for the favour of your kind looking in to the matter and kind consideration that now is the time for the relievers from Manipur SSA, to move to the Mizoram SSA to relieve some JTOs of Manipur SSA, on completion of tenure posting in Mizoram.

But, the name of the undersigned JTO who joined in August, 1998 has been included in the relievers list of Manipur SSA, excluding some lady JTOs who joined Manipur SSA on 2/5/95, (senior to the undersigned). This hastens my period of stay in Manipur SSA.

Hence, I want senior JTOs to be included in the relievers list and the name undersigned to be excluded from the relievers list for this time.

I, therefore, request your goodself to kindly consider this case and prevent me from relieving from Manipur SSA.

With regards.

Dated, Imphal
the 19th Sept. 2001.

Yours faithfully,

(Ayekpam Jasobanta Singh)
Junior Telecom Officer (IP)
Group Exchange
Telephone Bhawan, Imphal.

Copy to:- 1. G.M.T.D. Manipur SSA.
2. D.G.M.T.D. Manipur SSA.
3. Circle Secretary, N.E. Circle (II) for information and action, please.
4. Divisional Secretary, Manipur SSA.

Yours faithfully,

Ayekpam Jasobanta Singh

TRUE COPY


Advocate

IN THE HON'BLE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

O.A.No.409 of 2001

Guwahati Bench

Shri A.J.Singh.....Applicant.

Vs

Union of India & Ors.....Respondents.

Written statement filed by the respondents No.1,2 and 3.

The written statement of the respondents No.1,2 and 3 are as follows:-

1. That the copies of O.A.No.409 of 2001 herein after referred to as application have been served on the respondents and the respondents after going through the said application have understood the contents thereof.
2. That the statement made in the application save and except those are specifically admitted and denied by the respondents.
3. That it is submitted that the transfer and posting order for tenure station is based on policy decision. Implementation of the tenure transfer order is necessary for achieving various targeted works as well as for relieving the official, who has completed the tenure service. If the transfer order is stayed or kept in abeyance, the whole chain in the transfer order will be affected. As a result the official at tenure station will have to suffer even after completion of his tenure period and as a consequence no official will be willing to serve the tenure station and thereby the telephone service rendered to the public by the Department will also suffer. The North Eastern Telecom Circle is having a good number of tenure stations. As per Departmental rules officials working in the tenure stations are liable to be transferred on completion of tenure period of service. While transferring the official from the tenure station, the Department has to give reliever from other station. But if the reliever like the applicant, comes to this Hon'ble Tribunal and gets stay order, the result will be reflected on the official serving in the tenure station which is harmful to the interest of the service. The stay granted by this Hon'ble Tribunal is putting this administration in great

Refused to accept release order - Dtd 28.9.2001

*CLT Vol III 2001 - 150, 9, 10, 12
Gubman Singh vs. UOI*

*Filed by
A.K. Choudhury
Addl Dy SC
23.10.01*

2.

dead-lock of day to day functioning as well as public will suffer at large and for this count the stay order is liable to be vacated.

4. That with regard to the statement made in paragraph 4 and 5 of the application the respondents have nothing to comment.

5. That with regard to the statement made in paragraph 6(1) of the application the respondents beg to state that the declaration bond and condition of service in the appointment letter, indicates that JTOs are bound to serve in any part of N.E. Telecom Circle and in special circumstances in any part of India unless it is expressly ordered otherwise. The applicant is well aware of the service condition.

(Annexure : Order dt.4.4.1996. is annexed here as R1)

6. That with regard to the statement made in paragraph 6(2) of the application the respondents beg to state that the applicant, Shri A.Jasobanta Singh, initially joined the induction course for JTO Training on 19.12.1994 at RTTC Kalyani but has been struck off from the Training Centre untrained, because he absent himself for a period more than the permissible limit. He later joined Training Centre after getting fitness from the physician but on completion of the course the result of the applicant was held up by Training Centre due to disciplinary action taken against him for misconduct at the Training Centre and for his failure to clear the outstanding dues as reported by the RTTC, Kalyani. His delay for joining to the duty is not as per projected by the applicant in his application but as per stated above.

(Director, RTTC, Kalyani, letter dated 21.6.96 is annexed here as Annexure 'R2')

7. That with regard to the statement made in paragraph 6(3) of the application the respondents beg to state that doing service in any part of the N.E.Circle is a condition of the service but his application for request transfer to Imphal was considered on compassionate ground on the reason mentioned in the transfer application.

8. That with regard to the statement made in paragraph 6(4) of the application, the respondents beg to state that after joining at Imphal, the Department is not aware of his illness.

9. That with regard to the statement made in paragraph 6(5) of the application the respondents have nothing to comment.

10. That with regard to the statement made in paragraph 6(6) of the application the respondents beg to state that it does not reflect anything in favour of the applicant. The Head of the Circle has selected some Tenure stations for various cadres of Post & Telecom staff in difficult places to maintain the Telecom Services. It has been decided by the Head of the Circle that the reliever to the tenure station should be released in advance so that there is no occasion for delay in relieving the Tenure Station staff. The Annexure A/4 mentioned in the application is related to the transfer within the Division i.e. now SSA. The Annexure A/4(1) in the application relates to the officials who has completed stay at Tenure Station. *(Order dated 17.7.79 is annexed here as R3).*
11. That with regard to the statement made in paragraph 6(7) of the application the respondents beg to state that the list indicate the particulars in respect of JTOs posted at Manipur SSA.
12. That with regard to the statement made in paragraph 6(8) of the application the respondents beg to state that the Tenure Stations declared as per provisions in P & T letter No STB-X-84/Rlg dated the 4th Dec'1971 are difficult places and transfer to and from the Tenure station are issued after due consideration according to the norms, practices and maximum output expected to be achieved during the stay in the difficult stations.
13. That with regard to the statement made in paragraph 6(9) of the application the respondents beg to state that seniority was maintained at the time of issuing of transfer order. Sl.No.10 and 11 Viz Irene Mungrei and A.Renubala Devi are two lady JTO's. For women JTOs it is to mention that the Ministry of Personal Public Grievances and Pensions have a 12 points minimum Agenda for women in Civil services in consultation with experts and cadre controlling authorities where it has instructed to make special provisions for women in service in areas considered appropriate by the controlling authority. At the time of transfer to Tenure station the controlling authority has to see the impact of the transfer by looking into the practice of ensuring posting of husband and wife together or ensuring that the women in service stay with parents. Hence the controlling office at the time of tenure transfer order has not violated the norms and directives.
(Ministry of Personnel Public Grievances and Pensions letter No. 400-72/2001-Pers.I dtd. Oct'2001 is annexed here as R4).

14. That with regard to the statement made in paragraph 6(10) of the application the respondents beg to state that it does not reflect anything in favour of the applicant. The Head of the Circle has selected some Tenure stations for various cadres of Post & Telecom staff in difficult places to maintain the Telecom Services. It has been decided by the Head of the Circle that the reliever to the tenure station should be released in advance so that there is no occasion for delay in relieving the Tenure Station staff. The Annexure A/4 mentioned in the application is related to the transfer within the Division i.e. now SSA. The Annexure A/4(1) in the application relates to the officials who has completed stay at Tenure Station. The Controlling Officer has not violated the norms and directions of the Government. In the order shown as annexure A/12 in the application, it is clearly indicated the adherence to the norms.

15. That with regard to the statement made in paragraph 6(11) of the application the respondents beg to state that the applicant was released from the strength of Manipur SSA on 21.09.2001 i.e. before filing the OA in the Hon'ble Tribunal, whereas Shri Samarendra Singh was not released from the strength of Manipur SSA before filing the OA.No 184 and the OA was withdrawn by himself. Hence it is not applicable to the applicant.

16. That with regard to the statement made in paragraph 6(12) of the application the respondents beg to state that the officer from tenure station are to be transferred immediately on completion of their tenure as per the policy laid down in tenure transfer cases. In this respect it is to mention that the Hon'ble Supreme Court Judgement and order dated 22nd Sept 1992 in the case of UOI Vs N.P.Thomas. It states that "In our opinion, the Court should not interfere with a transfer order which is made in public interest and for administration reasons unless the transfer orders are made in violation of any mandatory statutory rule or on the ground malafide.

The transfer order issued by the Competent authority do not violate any of his legal rights. Even if a transfer order is passed in violation of executive instruction or orders, the courts ordinarily should not interfere with the order, instead effected party should approach the higher authority in the Department. If the courts continues to interfere with the day to day transfer orders issued by the government and its subordinate authority, there will be complete chaos in the

administration which would not be conducive to public interest.

(Hon'ble Supreme Court Judgement and Order dtd. 22.9.92 annexed here as R5)

17. That with regard to the statement made in paragraph 6(13) of the application the respondents beg to state that the transfer order is fair and as per norms and in the interest of service. There is no question of giving any punishment to the applicant.
18. That with regard to the statement made in paragraph 6(14) of the application the respondents beg to state that annexure A/14 in the application does not indicate that the letter has been endorsed to Shri A.J.Singh. It may not be accepted as a document concerning the case. Moreover the applicant was released on 21.9.01. Hence the allegation is not correct.
19. That with regard to the statement made in paragraph No.6(15) of the application the respondents beg to state that the applicant was struck off from the strength of Sub-Division on the A/N 21.09.2001 vide order dated 20.09.2001.in pursuance of the order dated 6.9.2001. and order dated 18.9.2001.Hence by an order dated.8.10.2001 by the Tribunal giving direction to stay the operation of order dated 6.9.2001 and order dated 18.09.2001. does not arise and hence the application is liable to be dismissed.
(Released order of Shri A.J. Singh is annexed here as R6)
20. That with regard to the statement made in paragraph 6(16) of the application the respondents beg to state that the applicant has not exhausted the normal official channels of redressing his grievances and thus violate Conduct Rule 3-B, Govt of India's decision para 11 for which the application is liable to be dismissed.
21. That with regard to the statement made in paragraph 6(17) of the application the respondents beg to state that the applicant cannot approach the Hon'ble Tribunal without exhausting the normal official channels of redressing his grievances.
22. That with regard to the statement made in paragraph 8 of the application the respondents have nothing to comment.

23. That with regard to the statement made in paragraph 9 (a) to (d) of the application regarding the relief sought for the respondents beg to state that the applicant is not entitled to any of the relief sought for and as such the application is liable to be dismissed. 66
24. That with regard to the ground of relief sought for (I to VIII) the respondents beg to state that applicant is not entitled to any relief sought for and hence the application is liable to be dismissed.
25. That with regard to the statement made in paragraph 10 of the application the respondents beg to state that the interim order prayed for, the respondents beg to state the applicant was struck off from the strength of Sub-Division w.e.f. 21/09.2001 hence the stay the operation of order does not arise and hence the application is liable to be dismissed.
26. That with regard to the statement made in paragraph 11 of the application the respondents have nothing to comment.
27. That the respondents submit that the applicant was struck off from the strength of the Sub-Division, Imphal w.e.f. 21.9.2001 A/N but the applicant has suppressed the fact and misled the Hon'ble Tribunal by giving false information and an interim order was passed by the Hon'ble Tribunal dated 9.10.2001 suspending the impugned order.
28. That the respondents submits that under the above mentioned circumstances the application is liable to be dismissed.
29. That the respondents submits that in fact there is no merit in this case and as such the application is liable to be dismissed.
30. That the respondents beg to state that the applicant has suppressed the fact, mislead the Hon'ble Tribunal which has lead to its passing interim order dated 9.10.2001 has placed the Deptt in awkward position and the interim order passed in O.A.No.409/2001 on 9.10.2001 be vacated or to pass other order/orders as your lordship deems fit and proper.

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VERIFICATION

I, C. MURMU, Vigilance officer, at the CAMT Shillong
as authorized do hereby solemnly declare that the statements made above in the Petition
are true to my knowledge, belief and information and I sign the verification on this
.....21st..... day ofNov..... 2001.


21/11/01
DECLARANT

DEPARTMENT OF TELECOMMUNICATIONS
OFFICE OF THE CHIEF GENERAL MANAGER N.E. TELECOM CIRCLE
SHILLONG - 793001.

Memo No. STB-I/APTT/JTO,

Dated at Shillong, the 4.4.96.

The Deputy General Manager (Admn.) N.E. Telecom Circle, Shillong is pleased to appoint temporarily the following JTO trainees on satisfactory completion of initial training of sixteen weeks in basic Telecommunications Phase-I in the post of Junior Telecom Officer with effect from the date of their joining for field training in the scale of Rs. 640-60-2600-EB-75-2900/- plus other allowances admissible as laid down in rules and orders governing the grant of such allowances from time to time.

Sl. No.	Name of JTOs	Station of posting
1.	Sri Gopika Ranjan Dey	TDM/Shillong
2.	Sri A. Jasobanta Singh	TDM/Dimapur

The terms of appointment are as follows:-

1. They will be eligible for increment in their basic pay only on successful completion of Phase-II training in the respective specialised field.
2. The post is temporary but is likely to become permanent. In the event of its permanency, permanent absorption will be considered in accordance with the rules in force.
3. The appointment is purely provisional pending the issue of the eligibility certificate in the candidates favour and shall stand cancelled in the event of such certificates being refused.
4. The appointment may be terminated at any time by a month's notice given by the appointing authority without assigning any reasons. The appointing authority, however, reserves the right of terminating the service of the appointee forthwith or before expiry of the stipulated period of notice by making payment to him/her of a sum equivalent of notice or the un-expired portion thereof.
5. The appointment carries with it the liability to serve in any part of N.E. Telecom Circle and in special circumstances in any part of India. The appointee shall be liable for field service within India in times of war and National Emergency. Other condition of service will be governed by the relevant rules and orders in force and as amended from time to time.

Necessary charge report may be sent to all concerned.

(A. K. PATRA)

Dy. General Manager Telecom (A)
% the Chief General Manager N.E. M.

Approved by Rm

Office of The Director, RTTC, Kalyani, Nadia, W. Bengal

No. TTY/2002/Initial/JTO Ph-II/20SW/Loose/X
dated 21.6.96

(125)

Sri A. Jacobanta Singh, a JTO trainee in Batch No.20 (Switching), Phase II, is hereby sent back with instruction to report to TDM, Dimapur for further necessary orders. As such, he is released from this training centre with effect from the Afternoon of the 21st June, 1996.

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Sd/- D.E (S4)
For Director,
RTTC, Kalyani.

(Switching Faculty)

RTTC, Kalyani-741235

Ccto: LCCM (NE) Telecom. Circle.

2. TDM, Dimapur - The above mentioned trainee has displayed an act of misconduct and insubordination during his training period about which, a detailed report along with relevant documents will be forwarded separately for further necessary disciplinary action at his end. The official's result is at present withheld. The declaration of the result will be subject to clearance of the disciplinary authority and payment of all outstanding dues by the aforesaid trainee.

3. A.O., Cash, Office of the TDM, Imphal.

4. A.O., Cash, Office of the TDM, Dimapur.

✓ 5. Sri A.J. Singh, JTO Trainee in Phase II, Batch No.20 (Sw).

[Signature]
For Director,
RTTC, Kalyani.

(Engineer)
(Switching Faculty)

RTTC, Kalyani-741235

Tele-No.....

581
23/7
16
Annexure R3 (98)
Indian Posts & Telegraphs Department

From: The General Manager,
North Eastern Telecom Circle,
Shillong-793001.

To: 1. ALL DE's T & P) by name.
2. ALL SUTs / SSTs Gauhati)

No. SPDA-3/RL

Dated Shillong, 17.7.79

Some of the union representatives brought to my notice instances of delay in the transfer of staff working in tenure stations to stations of their preference after completion of the tenure. I have also received complaints from some individuals in this regard.

The need for ensuring that the staff posted to tenure stations are brought to the stations of their preference immediately on completion of tenure period cannot be over-emphasised. All the Divisional officers should ensure that there is no delay in the transfer of tenure staff on completion of the tenure. In respect of Circle cadres the Divisional Officers concerned may please take up with the Circle office at least 4 months in advance for issue of transfer orders.

It may be ensured that transfer orders are issued 2 months in advance of the day of completion of tenure period. The reliever to the tenure station should be released 10 days in advance so that there is no occasion for delay in relieving the tenure station staff. Only in very exceptional cases the tenure staff need be released without the reliever joining. To ensure this procedure the tenure station staff may be advised to indicate preferences of station 4 months in advance of the date of completion of tenure.

All cases where the tenure staff are not relieved within a fortnight from the date of completion of his tenure at the latest, should be reported to the Circle office with full details specially indicating the reasons for not releasing in time. When any staff in a tenure station is not released within a period of one month of completion of his tenure the case should be brought to my personal notice semi-officially by the Divisional Engineers/S.T.T./S.S.T.T. concerned.

o/c
S.K. Roy
(S. K. Roy)
General Manager
N.E. Telecom Circle
Shillong

D.6/14
AD(3)
Copy to:- 1. Shri R.K.Roy, AD(S)
2. Shri C.Nityanandan, A.D.T.T.
for necessary action and followup.

Minimum Agenda for Women in Civil Services

Phase I:

S.No	Points of Action	Authorities
1.	Collection and collation of gender disaggregated data in all offices/institutions for all posts at all levels so that a clear picture about percentage of working women emerges. This needs to be done for the periods say 1991, 1995 and 2001, in order to understand the trends.	All Cadre Controlling Authorities
2.	Looking into the practice and not merely the provisions/rules etc. of ensuring posting of husband and wife together. To build up a data base on the number of cases where this has not been possible.	Department of Personnel & Training / All Cadre Controlling Authorities
3.	Review of rules and regulations to identify lacuna/areas for improvement where they perpetrate gender bias/discrimination. Examining the need for making special provisions for women in service in areas considered appropriate by the cadre controlling authority. A specific Action Plan in this regard	Department of Personnel & Training/ All Cadre Controlling Authorities

	is needed to be put in place.	
4.	To publicise the avenues/fora for employment of women at various levels through media. To evaluate if such steps have been taken in the past and their impact if any on increased participation of women over a period of time. A specific Action Plan in this regard is needed to be put in place.	Department of Woman and Child Development
5.	To run Gender Sensitising Training Programmes at all levels (including CCAs), not merely restricted to officers, and to incorporate a module on gender issues in the training programmes run by the CCAs on a regular basis.	All Cadre Controlling Authorities/ Department of Personnel & Training (Training Division)
6.	Institute a Gender Awareness Week to be observed by all Ministries/Departments every year	Department of Woman and Child Development

Phase II:

7.	Setting up of Daycare Centres/ Creches for children of working women at all levels after discussions with them on various aspects like location, facilities to be made available, working hours of creches, need for contribution	Department of Personnel & Training / All Cadre Controlling Authorities
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from parents, etc. It is also to be ensured that qualified/responsible workers run such Centres/Creches.

	from parents, etc. It is also to be ensured that qualified/responsible workers run such Centres/Creches.	
8.	To remove the practice of disallowing privileges like HRA, HBA, LTC, etc. to individuals who may be married to other Government servants. While for most purposes, the Government treats officers individually, when it comes to privileges like these, family becomes a unit for the perks.	Department of Personnel & Training
9.	Develop a comprehensive media plan through effective networking.	Department of Woman and Child Development
10.	To formulate rules/regulations providing for mandatory adequate representation of women in all recruitment/promotion bodies commissions, committees, boards, etc.	Department of Personnel & Training
11.	To make a special provision for one cadre change other than home cadre only to single women officers on account of marriage, irrespective of the service/employment of the spouse.	Department of Personnel & Training
12.	To make reservation for women in services at all levels, as has been done by certain State	Department of Personnel & Training

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- 1A -
Annexure
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3033 OF 1992
(Arising out of SLP (Civil) No. 17008 of 1991)

Union of India and Another Appellant
Versus

N.P. Thomas Respondent

J U D G M E N T

S. RATNAVEL PANDIAN, J

Leave granted.

This appeal is directed by the appellants, namely, Union of India and the Telecom Commission challenging the correctness of the judgment and order of the Central Administrative Tribunal, Ernakulam Bench dated 12.7.1991 made in O.A. No. 1058 of 1991.

The respondent herein is a Kerala based permanent employee in the Department of Telecommunications, Government of India. He was selected in 1972 and posted as Engineering Supervisor. On successful completion of training, he was appointed in that capacity on 30.3.1974. Subsequently, he was redesignated as Junior Telecom Officer (for short 'JTO') and allotted to the Kerala Circle. The next higher post for promotion was

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Telegraph Engineering Service Group 'B' (for
'TES') under the provisions of TES (Group B Post)
recruitment Rules, 1981. The applicant passed the Depart-
mental Qualifying Examination in 1985 and became eligi-
ble for promotion to TES Group 'B' post but he was not
given the promotion because of stagnation in that post.
The Administration of the Department in 1991 upgraded
3200 posts of JTOs to TES Group 'B' after the approval
of DPC. The appellant No. 2 ordered the promotion of
3200 JTOs to TES Group 'B' posts on all India basis.
Out of these, more than 200 JTOs were borne on Kerala
Circle which, however, had only 118 posts of JTOs pro-
moted to TES Group 'B' allotted to it.

The respondent claimed that he was entitled to be
posted in Kerala Circle by including his name in the
above 118 posts. But he was allotted to Maharashtra
Circle though some of his juniors were allotted to
Kerala itself on promotion. He made a representation to
the Government but failed. Therefore, he filed O.A.
No. 1058 of 1990 in the Central Administrative Tribunal,
Ernakulam praying for a direction to the Central Govern-
ment to re-allot him to Kerala Circle. It appears that
the appellants before the Tribunal undertook to consider
the claim of the applicant alongwith other similarly
situated persons taking into account the vacancies that
were existing as well as such those which might arise in
future within a period of one year. Having regard to
the facts and submissions made by the parties, the

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Tribunal quashed the impugned order of transfer of the respondent from Kerala Circle to any other circle and directed the appellants to consider posting the respondent in Group 'B' post in Kerala Circle itself within a period of one year from the order of the Tribunal and also passed certain other directions. On being aggrieved by the judgment and order of the Tribunal, the present appeal is preferred by the appellants.

According to the appellants, the Tribunal had exceeded its jurisdiction by interfering in the normal orders of transfer and posting on promotion of a Government servant and that the Tribunal was not justified in

quashing the order of transfer especially when an Officer of Group 'B' to the Telecom Commission have got a

liability for service all over India. In support of their contentions, two decisions were relied upon; those being (1) Union of India and Others Vs. H.N. Kirtania

1989 (3) SCC 447 and (2) Shilpi Bose (Mrs.) and Others Vs. State of Bihar and Others 1991 Supp (2) SCC 659.

In H.N. Kirtania's case, it has been held that when the transfer order is legal and not vitiated by any unfairness and mala fide the Tribunal had no jurisdiction in issuing directions.

In Shilpi Bose's case, the Court observed thus:

"In our opinion, the courts should not interfere with a transfer order which is

made in public interest and for administrative reasons unless the transfer orders are made in violation of any mandatory statutory rule or on the ground of mala fide. A government servant holding a transferable post has no vested right to remain posted at one place or the other, he is liable to be transferred from one place to the other. Transfer orders issued by the competent authority do not violate any of his legal rights. Even if a transfer order is passed in violation of executive instructions or orders, the courts ordinarily should not interfere with the order instead affected party should approach the higher authorities in the department. If the courts continue to interfere with day-to-day transfer orders issued by the Government and its subordinate authorities, there will be complete chaos in the administration which would not be conducive to public interest."

In the present case, it cannot be said that the transfer order of the respondent transferring him out of Kerala Circle is violative of any statutory rule or that the transfer order suffers on the ground of mala fide. The submissions of the respondent that some of his juniors are retained by Kerala Circle and that his transfer is against the policy of the Government posting the husband and wife in the same station as far as possible cannot be countenanced since the respondent holding a transferable post has no vested right to remain in the Kerala Circle itself and cannot claim, as

a matter of right, the posting in that Circle even on promotion.

Learned counsel for the appellants brought to our notice the order of the Government of India, Telecom Commission dated 20.4.1992 showing that the case of the respondent for modification of posting to Kerala Circle has been considered on compassionate grounds by giving due weightage and consideration to employment of spouse and other personal problems in such cases; but it is not possible to accommodate such Officer in Kerala Circle itself as several Officers who have completed their tenure postings are waiting for their postings in Kerala Telecom Circle.

For all the aforementioned reasons, we hold that the Tribunal was not justified in quashing the order of transfer of the respondent and accordingly we set aside the order of the Tribunal.

Before parting with this judgment, we, in the light of the observation made by the Tribunal reading that "the respondents 1 & 2 are prepared to consider the claims of the applicant along with other similarly situated persons taking into account the vacancies that are at present existing and such of those which may arise in future within a period of one year" would like to observe that the appellants herein, notwithstanding the allowance of this appeal, may consider the case of the respondent along with the case of the other similarly situated persons within a period of one year from

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today since there was an ex parte interim stay dated 25.11.1991 of the order of the Tribunal and then the modified order dated 27.1.1992 directing status-quo instead of interim stay which orders, in our opinion, might have stood in the way of considering the case of the respondent along with others as agreed upon by the appellants before the Tribunal.

The appeal is allowed subject to the above observation.

.....J.
(S. RATNAVEL PANDIAN)

.....J.
(R.M. SAHAI)

New Delhi
September 22, 1992

OFFICE OF THE JUDICIAL OFFICER IN CHARGE COURT OF APPEALS (S. RATNAVEL PANDIAN)

Date of application
Date of notice
Date of delivery of copy
Date of delivery of the copy
22.9.92

22.9.92

22.9.92

22.9.92

-17- Annexure - R6

BHARAT SANCHAR NIGAM LIMITED
OFFICE OF THE SUB-DIVISIONAL OFFICER, TELEGRAPHS, SENAPATI

NO:- G-1/SDOT/GRP/Released Order/01-02/20 Imphal, the 20th Sept, '01.

RELEASED ORDER

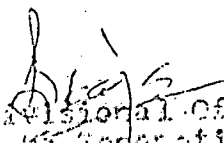
In pursuance of Chief General Manager, Telecom, Shillong Order No:-GTB/ES-2/Tenure/XII dated 06-09-2000 and General Manager Telecom, Imphal No:-EST-2/JTO/TFR dated 18-2-2001, the following official is hereby released and struck off from the strength of Sub-Division on the 1/11 2001. He is to report for duty to his new place of posting (Mizoram SSA).

SLNO	Name of the official	Designation	Present place of posting	New place of posting.
1.	Shri A. Jasobanta Singh	JTO	KPI/KTB JMT/Exge	Mizoram SSA

The official may apply for TA/DA if required.

Sub-Divisional Officer,
Telegraphs, Senapati, Imphal.

Copy to:- 1. DGMTD/Imphal for information please.
2. P.S. (Genl) O/C DGMTD/Imphal.
3. A.O. (Cash) O/C DGMTD/Imphal.
4. JTO/KPI & KTB
5. The Official concerned.
6. ~~U/P~~.


Sub-Divisional Officer,
Telegraphs, Senapati, Imphal.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI :

Presented on... 14-12-01
by:-
(M. Bimal Sharma)

O.A. No. 409 of 2001

A. Jasobanta Singh Applicant

-Vrs.-

The Union of India Respondents
and others

I N D E X

Sl.No.	Description of documents relied upon	Page No.
1.	Application (Rejoinder)	1 - 3
2.	Affidavit	4 - -
3.	Annexure A/15 (Transfer order dated 16-5-2000)	5 - 7
4.	Annexure A/16 (Release order dated 3-7-96)	8 - -
5.	Annexures A/17, A/18 and A/19 (Release orders dt. 5-10-01, 1-10-01 and 12-11-01 respec- tively)	9 - 11

Signature of the Applicant

Ajeykram Jasobanta Singh

Presented on 14-12-01
by- 
(M. Bimal Sharma)
ADVOCATE

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI :

O.A. No. 409 of 2001

IN THE MATTER OF -

Shri Ayekpam Jasobanta Singh

... Applicant

-Versus-

The Union of India and
2 others

... Respondents

In the matter of Rejoinder on behalf of
the applicant against the Written Statement
of the Respondents No. 1, 2 and 3 dated
23-11-2001 :

Most respectfully Sheweth :

1. That with reference to the Joint Written statement of the Respondents, the Applicant denies all the allegations and statements made by the Respondents in their join Written Statement except those the Applicant specifically admits :

2. That with reference to paragraph No. 13 of the Written statement in respect of the lady officials regarding transfer, the applicant humbly submits that there is no such follow up rules in the Department as one Smt, Premita Devi Yaikhom of Manipur Division/SSA Imphal was transferred from Imphal to Bimapur vide order No. 1(80)990CE-NEZ/GH/2984 dated 16th May, 2000 of the Chief Engineer (C), Telecom Civil Guwahati and as such the allegations and submissions made under

... paragraph No. 13

Ayekpam Jasobanta Singh

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--:(2):--

paragraph No. 13 is nothing but a plea for rejecting the petition/application of the applicant by ~~any~~ means or for defrauding the claim of the applicant. The respondents failed to explain the case of M. Manitombi Devi who appeared at Sl. No. 16 at Annexure A/9 to the applicant who is still senior to the Applicant.

Annexure A/15 is the copy of the order dated 16-5-2000 showing the name at Sl. No. 19.

3. That with reference to paragraph No. 15 of the Written statement of the respondents regarding one Shri Samarendra Singh stating that Shri Samarendra Singh who filed O.A. No. 184 was still in the strength of the SSA on the date of filing of the OA. In this connection it is submitted that as per Annexure A/13 to the applicant it clearly shows that the OA filed on 29-8-96 and stay order passed on the same day dated 29-8-96. But Shri Samarendra Singh was relieved on 3rd July, 1996 which after staying/suspending the transfer order. The respondents deserved to be punished for their false submissions.

Annexure A/16 is the copy of released order dated 3-7-2000.

4. That in regards to paragraph No. 15 of the Written statement that the applicant had been released on 21-09-2001 (Annexure R/6) vide order dt. 20-9-01 (Annexure R/6), it is submitted that the Annexure R/6 is a manufactured document. The applicant attended his Office till 21-9-01 and from that date he took leave on Medical ground. It never issued to the applicant even at his residence. It is humbly submitted that the normal rule for a transfer is that; first the authority

.... for hand over

Shyamsunder Jacobanta Singh.

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-:(3):-

for hand over the charges then release order will be issued and thereafter struck-off order follows. However, as per Annexure R/6 the applicant was struck off without release order that too without handing over of the charges and as such it is purely a mala-fide act on the part of the respondents in order to defrauding the claim of the applicant. This order of struck-off is unknown to the service rules.

5. That it is humbly submitted that the relievers (a) Shri Ph. Mocha Singh, (b) Shri N. Nabakumar Singh and (c) Shri N. Baleshwar Singh appearing at Sl. Nos. 1, 5 and 9 respectively at Annexure A/10 (impugned order) released only on 5-10-2001 (w.e.f. 08-10-2001), 01-10-2001 and 12-11-2001 after completing formalities. However, in the case of the applicant, Annexure R/6 never mentioned about release order and as such it is made with mala-fide intention. One Shri Manikumar Khaidem, the reliever appearing at Sl.No. 7 of the Annexure A/10 has not yet been released till date, hence, the Respondents' act are purely a mala-fide ones.

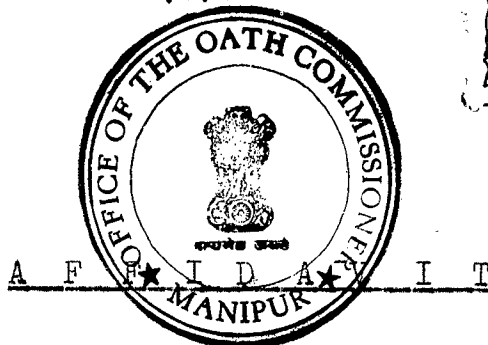
Annexures A/17, A/18 and A/19 are the released order copies dt. 5-10-01, 1-10-01 and 12-11-01 respectively.

Signature of the Applicant

Shyampam Jasobanta Singh

.... AFFIDAVIT

-(4):-



I, Shri Ayekpam Jasobanta Singh, aged about 35 years, son of A. Babu Singh, occupation employee of Bharat Sanchar Nigam Ltd., Department of Telecommunication, resident of Iroisenba Mayai Leikai, P.S. Lamphel, Imphal West District, Manipur do hereby solemnly affirm and say as follows :

1. That I am the petitioner in the accompanying petition and as such I am fully acquainted myself with the facts of the case. This is true to my knowledge.
2. That the statements in paragraph No. 1 to 5 except the legal points of the accompanying petition are true to my knowledge and true to the records and the legal points are my humble submissions. The Annexure A/15to19 is from my personal record recieved in my official capacity and from official records. This is true to my knowledge.

Verified that the contents of para No. 1 and 2 above are true to my knowledge and belief and humble submissions.

Imphal, the
12th December, 2001.

Signature of the deponent
Ayekpam Jasobanta Singh

By : *[Signature]*
Advocate.

Solemnly affirmed before me on.....	
12.12.01	at ... 11.15.01
in the court premises ... declarant who	
is identified by ...	
The	con-
to	...

[Signature]
12.12.01
Oath Commissioner,
Manipur

ANNEXURE A/15

GOVT OF INDIA
DEPARTMENT OF TELECOM SERVICES
(CIVIL WING)
O/O THE CHIEF ENGINEER(CIVIL), TELECOM CIVIL ASSAM ZONE,
ULUBARI, GUWAHATI

No. 1 (80) 99 / CE-NEZ / GH / 2984

Dated 16th May, 2000

ORDER

Following transfer orders in the grade of Junior Engineer(Civil) working under Telecom Civil Assam and NE Zones are hereby ordered in public interest with immediate effect :

SN	OFFICER	Present Posting at / under	Transferred to under / at	Remarks
1	Shri P K Goswami	AE(C), TCSD 1 Itanagar	AE(C), TCSD Dharamnagar	Vice Shri S K Chakraborty Transferred
2	Shri Krishendu Sarkar	AE(C), TCSD Bongaigaon	AE(C), TCSD 5 Guwahati	Against Existing vacancy
3	Ananda Ram Boro	AE(C), TCSD 2 Guwahati	AE(C), TCSD Bongaigaon	Vice Shri Krishendu Sarkar Transferred
4	Shri N L Shill	AE(C), TCSD Dibrugarh	AE(C), TCSD 2 Nagaon	Against Existing vacancy This is in partial modification of Transfer order No. 1(80)94/CE-NEZ/GH/345 dtd 19-3-99
5	Shri Swapan K Baruah	AE(C), TCSD North Lakhimpur	AE(C), TCSD(Assam) Tinsukia	Against Existing vacancy
6	Shri Bishnu Pada Adlikari	EE(C), TCD 2 (NER) Silchar	AE(C), TCSD 1 (Store) Guwahati	In Telecom Civil Store Vice Shri A S Purkayastha Transferred
7	Shri S K Chakraborty	AE(C), TCSD Dharamnagar	AE(C), TCSD North Lakhimpur	Vice Shri Swapan K Baruah Transferred
8	Shri Nikhil Ch Deb	EE(C), TCD 1 (NER) Silchar	AE(C), TCSD 2 Itanagar	Vice Shri Samir Das Transferred
9	Shri Tamesh Rn Choudhary	AE(C), TCSD NER Tejpur	AE(C), TCSD Assam Tejpur	Against Existing vacancy

212
27/5/2000

1/1/0
1/1/0
1/1/0

16/5/2000

A.O.
N. K. Choudhary

Shyamsunder Jaisankar Singh

10	Smt S Parveen Laskar	EE(C), TCD Shillong	AE(C), TCSD 2 Shillong	Vice Shri Tapash Shankar Dey Transferred
11	Shri Ranadhir Dey	AE(C), TCSD 1 Agartala	AE(C), TCSD NER Teipur	Vice Shri Tamesh Rn Choudhary Transferred
12	Shri Shyamal Bhowmick	AE(C), TCSD Dharamnagar	AE(C), TCSD NER Silchar	Vice Shri Mihir Bhattacharjee
13	Shri Bhaskar Purkayastha	AE(C), TCSD Aizwal	AE(C), TCSD (NER) Silchar	Vice Shri N L Choudhary transferred
14	Shri N L Choudhary	AE(C), TCSD (NER) Silchar	AE(C), TCSD Lunglei	Vice Shri K Senatomba Singh transferred
15	Shri Debashish Dutta	EE(C), TCD Dimapur	AE(C), TCSD 2 Dimapur	Vice Shri Bijoy Dey transferred
16	Shri Bijoy Dey	AE(C), TCSD 2 Dimapur	AE(C), TCSD 1 Shillong	Vice Shri Rajeshwar Biswas transferred
17	Shri Rajeshwar Biswas	AE(C), TCSD 1 Shillong	AE(C), TCSD Karimganj	Against Existing vacancy
18	Smt K Senatomba Singh	AE(C), TCSD Lunglei	AE(C), TCSD 1 Imphal	Vice Smt Premita Devi Yaikhom transferred This is in partial modification of Transfer order No. 1(80)94/CE-NEZ/GH/345 dtd 19-3-99
19	Smt Premita Devi Yaikhom	AE(C), TCSD 1 Imphal	AE(C), TCSD 1 Dimapur	Against Existing vacancy
20	Shri A S Purkayastha	AE(C), TCSD 1 Guwahati,	EE(C), TCD Teipur	Against Existing vacancy
21	Shri Tapash Shankar Dey	AE(C), TCSD 2 Shillong	AE(C), TCSD 4 Guwahati	Against Existing vacancy
22	Shri Md. Babul Hussain	AE(C), TCSD 1 Jorhat	AE(C), TCSD 1 (Store) Jorhat	In Telecom Civil Store
23	Shri S Das Purkayastha	SE(C), TCC Guwahati	AD(Bldg), O/O CGMT Assam Guwahati	Against Existing vacancy

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16/4/2000

Shyeksam Jasanta Singh

24	Shri Girish Ch Das	AE(C), TCSD 1 Guwahati	AE(C), TCSD 1 Nagaon	Against Existing vacancy in partial modification of Transfer order No. 1(80) 94 / CE-NEZ/GII/345 dtd 19-3-99
25	Shri Ritwik Bhattacharjee	EE(C), TCD Itanagar	AE(C), TCSD 1 Itanagar	Against Existing vacancy
26	Shri Mihir Bhattacharjee	AE(C), TCSD (NER) Silchar	AE(C), TCSD (NER Store) Silchar	In Telecom Civil Store
27	Shri Samir Das	AE(C), TCSD 2 Itanagar	AE(C), TCSD 2 Guwahati	Vice Shri Anand Ram Boro Transferred
28	Shri Pradip Kumar Das	AE(C), TCSD 1 (Assam), Silchar	AE(C), TCSD 2 Assam Silchar	Against Existing vacancy
29	Smt Purnima Nath Das	SE(C), TCC Shillong	AE(C), TCSD 2 Store Shillong	Against Existing vacancy in Telecom Civil Store

The Executive Engineers / Assistant Engineers shall relieve the transferred officials within 1 month without waiting for arrival of the substitute and report compliance of these transfer orders. No transferred official should be granted any kind of leave before their release and joining at new place of posting. The handing/taking over of charge, registers and other records should be carried out properly and necessary charge reports should be furnished to all concerned.

H.R. DAS
Chief Engineer(C)
Telecom Civil Guwahati

Copy to

1. The Officials concerned.
2. CGMT's Telecom Circle Guwahati / Shillong
3. CE(C), Telecom Civil Shillong.
4. Superintending Engineer TCC Guwahati / Jorhat / Shillong / Silchar
5. S.S.W. (C) Shillong / Guwahati
6. Concerned Executive Engineers(C) under Assam and NE Zone *Simaper*
7. CAO O/O CE(C), Guwahati
8. AO(TA), O/O CGMT Guwahati / Shillong
- Guard File

16/5/2000
A S W (Admin)
O/O CE(C), Telecom Civil Guwahati

Ajeykram Jasbanta Singh

GOVERNMENT OF INDIA
DEPARTMENT OF TELE COMMUNICATIONS
OFFICE OF THE SR.S.D.E. TELEGRAPHS, IMPHAL: 795001.

No.E-13/IPT/96-97/12 Dtd, the 30th July 1996.

Sub:- Release Order.

In pursuance of TDM, Imphal letter No. EST/JTO/TFR/96-97/39 dt 10/6/96, Shri H. Samarendra Singh, JTO is hereby released from the strength of this Sub-Division with immediate effect with order to report for duty under TDM, Dimapur.

Necessary TA/DA may be applied if required.

(K.D. Singh)
Sr.SDE Telegraphs, Imphal.

Copy to:-

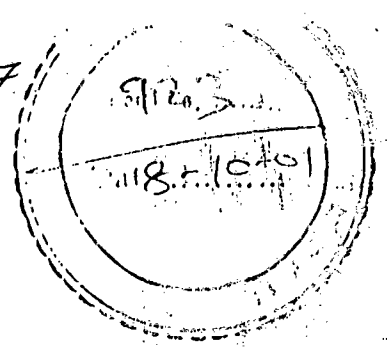
1. The TDM, Imphal. 0 for kind
2. The TDM, Dimapur. 0 information
3. The A.G.(Cash) o/o TDM, Imphal. 0 & necessary
4. The official concerned. He is requested to hand 0 action.
5. The JTO, Churachandpur to take over the charge of JTO/Loktak in addition to his normal charge temporarily. without any extra remuneration.

(K.D. Singh)
Sr.SDE, Telegraphs, Imphal.

.. ..

Ajeykham Jacobanta Singh

BHARAT SANCHAR NIGAM LTD
(A Govt. of India Enterprises)
O/o The D. E. External, Imphal



No. E-29 (A)/01-02/5

Dated at Imphal 05.10.2001

In pursuance of The General Manager Telecom District, Imphal letter no. EST-2/JTO/TFR Dtd. 18.09.01 vide CGMT, Shillong order No. STB/ES-3/Tenure/XII Dt.06-09-01 the following JTO working under DE (External) is hereby released and struck off on the F/N of 08-10-2001 with instruction to report for duty to the SSA noted against his name with immediate effect.

Sl. No.	Name of JTO	Posted & transferred to
1.	Shri Ph. Mocha Singh JTO	Mizoram SSA

The official may apply TA/DA if required.

[Signature]
D.E. (Extl)
O/o General Manager Telecom District
Imphal, Manipur

Copy to:-

1. The Chief General Manager Telecom N.E.Circle No.1, Shillong
2. The General Manager Telecom District Aizal, Mizo Ram.
3. The General Manager Telecom District, Imphal
4. The DGMT, Imphal
5. Shri S.Guha SDOP(South), Imphal for info. and n/a.
6. The A.O.(cash), Imphal O/o the GMTD, Imphal
- 7.. Shri S.Surjit Singh JTO(S/C). He is to take over the charge of JTO(S/W) in addition to his normal charge without any extra remuneration temporarily.
8. The Official concerned.

[Signature]
D.E.(Extl)
O/o the General Manager Telecom
District, Imphal.



[Signature]
Shyemspam Jasobanta Singh

- 10 -
BHARAT SANCHAR NIGAM LTD
(A Govt. of India Enterprises)
O/o The D. E. External, Imphal

01
ANNEXURE A/18

No. E-29 (A)/01-02/4

Dated at Imphal, 01.10.2001

In pursuance of DE (P&A) O/o the General Manager Telecom District, Imphal letter no. EST-2/JTO/TFR Dtd. 18.09.01 vide CGMT, Shillong order No. STB/ES-3/Tenure/XII dtd. 06.09 01, the following JTO working under DE (External) is hereby ~~transferred~~ today i.e. A/N of 01.10.01 with instruction to report to the SSA noted against his name with immediate effect.

<u>Sl. No.</u>	<u>Name of JTO</u>	<u>Posted & transferred to</u>
1.	N. Nabakumar Singh, JTO (RLU)	Nagaland SSA

The official may apply TA/DA if required.

D.E. (Extl)
O/o General Manager Telecom
District, Imphal

Copy to:-


1. The Chief General Manager Telecom, Shillong, N.E. Circle (I) for kind information.
2. The General Manager Telecom, Imphal.
3. The General Manager Telecom, Dimapur, Nagaland.
4. The DGM, O/o GMT/ Imphal.
5. The SDE (KH-LPK), for information and necessary action.
6. The Accounts Officer (Cash), O/o GMT/ Imphal.
7. Official concerned.

Sr. Asst (Cash)

5/10

01/10/01
D.E. (Extl)
O/o General Manager Telecom
District, Imphal

Jyekpam Jasbanta Singh

 BSNL	BHARAT SANCHAR NIGAM LIMITED (A Govt. of India Enterprise) OFFICE OF THE GENERAL MANAGER TELECOM DISTRICT, MANIPUR SSA IMPHAL-795001
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No.E-13/AEP/IP/2001-02

Dated at Imphal
12th Nov, 2001

RELEASE ORDER

In pursuance of the GMTD/IP order No. EST-2/JTO/TRF dt. 18/09/01 and vide CGMT, Shillong order No. STB/ES-3/Tenure/XII dated 06/09/2001 the following J.T.O. working under Manipur SSA is hereby released and struck off on the A/N of 12th Nov, 2001 with instruction to report to the SSA noted against him with immediate effect. He may hand over necessary charge report to Th. Sharatchand Meetei.

Sl.	Name Of J.T.O	Name of SSA
1.	N. Baleshwor Singh J.T.O(E-10B), Imphal	Nagaland SSA

Necessary TA/DA may be applied if required

(Signature) 12/11/01
D.E.(Internal)
O/o GMTD/IP

Copy to:-

1. The CGMT, NE Circle-I, Shillong
2. The CGMT, NE Circle-II, Telecom Circle Dimapur
3. The GMT, Mizoram/Nagaland
4. CAO O/o the GMT, Shillong/Mizoram/Nagaland
5. The AO(P&A), O/o CGMT, Shillong
- ✓ 6. The AO(cash), O/o GMT, IP
7. DE(Extt)/Rural/ P&A, IP
8. SDE(Int-1), for n/a please
- ✓ 9. Personal copy
10. P/F
11. O/C

(Signature)
D.E.(Internal)
O/o GMTD/IP

Shyemspam Jacobanta Singh