

30/100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

✓
O.A/T.A No. 74/01.....
R.A/C.P No.....
E.P/M.A No.....

1. Orders Sheet..... OA Pg. 1 to 4
2. Judgment/Order dtd. 7.5.2002 Pg. 1 to 3 8/10
3. Judgment & Order dtd. Received from H.C/Supreme Court
4. O.A. 74/2001 Pg. 1 to 32
5. E.P/M.P. Pg. to
6. R.A/C.P. Pg. to
7. W.S. Pg. to
8. Rejoinder. Pg. to
9. Reply. Pg. to
10. Any other Papers. Pg. to
11. Memo of Appearance.
12. Additional Affidavit.
13. Written Arguments.
14. Amendment Reply by Respondents.
15. Amendment Reply filed by the Applicant.
16. Counter Reply.

SECTION OFFICER (Judl.)

Malita
5/12/17

FORM NO.4
(See Rule 42)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::::: GUWAHATI

ORDER SHEET
APPLICATION NO 7A OF 2001

Applicant (s) Chanchra Mohan

Respondent(s) U.O.I. Govt

Advocate for Applicant(s) B.K. Sharma, S. Sarma, U.K. G.

Advocate for Respondent(s) Ch.

Notes of the Registry	Date	Order of the Tribunal
<p>This application is in form but not in the correct Petition is filed M.P. 116 for K. S. I. IPO/2001/56421945 Dated..... 30.1.2001</p> <p><i>By Registration</i></p> <p><i>AN</i></p>	2.3.01	<p>Heard Mr S. Sarma, learned c for the applicant.</p> <p>Application is admitted. I usual notice. Call for the re List on 29.3.01 for written statement and further orders.</p> <p>Pendency of this application shall not stand on the way of the respondents to consider the case of the applicant for regularisation of the period.</p> <p><i>U.C. Bhattacharya</i></p> <p>Member</p>
<p>Service of Notice issued to the respondents vide O. No. B/2001/951-55 Dd. 16.03.01</p>	29.3.01	<p><i>U.C. Bhattacharya</i></p> <p>Vice-Chairman</p> <p>List on 2.5.01 to enable the respondents to file written state ment.</p> <p><i>U.C. Bhattacharya</i></p> <p>Member</p>
	pg	

2.5.01 List the matter on 24.5.2001 to enable the respondents to file written statement.

IC Usha

Member

Vice-Chairman

Notice duly served
on R.No. 1 & 3.

trd

No. written statement 24.5.01 List on 21-6-2001 to enable the respondents to file written statement.

*By
21.6.01*

IC Usha

Member

Vice-Chairman

bb

21.6.01 Mr. A. Deb Roy, learned Sr.C.G.S.C. for the respondents prays for and granted four weeks and no more time to file written statement. The applicant will have two weeks time thereafter to file rejoinder.

List on 28-8-2001 for orders.

No. written statement
has been filed.

*By
27.8.2001*

IC Usha

Member

Vice-Chairman

bb

28.8.01 Mr. A. Deb Roy, learned Sr.C.G.S.C. has stated that State Govt. also involved in this case and state is not represented.

No. wks has been filed.

List on 19/9/01 for order.

*By
18.9.01*

Vice-Chairman

bb

19.9.01 The matter basicly pertains to the Statement. Mr. A. Deb Roy, Sr.C.G.S.C. is directed either to submit written statement or to obtain instructions.

List the matter on 18.10.2001 for further orders.

No written statement
has been filed.

*By
17.10.01*

Vice-Chairman

trd

③
O.A.74 of 2001

Notes of the Registry	Date	Order of the Tribunal
	18.10.2001	On the request made on behalf of the respondents four weeks time is allowed to the respondents to file written statement. List on 28.11.2001 for further orders.
No written statement has been filed. <i>By 28.11.01</i>	bb	<i>I C U Shary</i> Member
Notice Relatived to B.C. Respondent No. 3, due to incomplete address <i>of 22/1</i>	28.11.01	Heard Mrs. M. Das, learned counsel for the State of Assam and also Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents. On the prayer of learned counsels for the respondents 4 weeks time is allowed to file written statement. List on 8.1.02 for written statement.
No written statement has been filed.	8.1.02	<i>I C U Shary</i> Member <i>Vice-Chairman</i> No written statement so far been filed. The respondents are directed to file written statement without fail within 4 weeks from today. This order is passed in presence of Mr. A. Deb Roy, learned Sr. C.G.S.C. and Mrs. M. Das, learned counsel for the State of Assam. List on 4.2.2002 for order.
<i>By 12.02</i>	mb	<i>I C U Shary</i> Member <i>Vice-Chairman</i> List on 7.3.2002 to enable the respondents to file written statement.
	4.2.02	<i>I C U Shary</i> Member <i>Vice-Chairman</i>
	mb	

8.3.02 Mr. A.Deb Roy, learned Sr. C.G.S.C. appearing on behalf of Union of India stated that since the matter concerns State of Assam, the Union of India are not filing written statement. None appeared for the State of Assam nor any written statement is filed. List again on 2.4.2002 to enable the State of Assam to file written statement, if any.

LC (Usha)
Member

Vice-Chairman

mb

2.4.02 Mr. A.Deb Roy, learned Sr. C.G.S.C. appearing on behalf of Union of India already informed that the Union of India are not filing written statement. The State of Assam who is Respondent No.2 is yet to file written statement though opportunities were given to file written statement. The matter may be listed for hearing on 7.5.2002. Meanwhile, Respondent No.2 is given three weeks time to file written statement.

List on 7.5.2002 for hearing.

Revd

Revd

31/5

mb

LC (Usha)
Member

7.5.02

Heard counsel for the parties. Hearing concluded. Judgment delivered in open Court, kept in separate sheets.

The application is disposed of in terms of the order. No order as to costs.

LC (Usha)
Member

Vice-Chairman

pg

6

CENTRAL ADMINISTRATIVE TRIBUNAL ::
GUWAHATI BENCH.

C.A./R.X. No. . . . 74 . . . of 2001.

DATE OF DECISION . . . 7-5-2002.

Shri Chandra Mohan

APPLICANT(S)

Sri S. Sarma.

ADVOCATE FOR THE APPLICANT(S)

-- VERSUS --

Union of India & Ors.

RESPONDENT(S)

**Sri B.C.PATHAK, Addl.C.G.S.C for
respondent No.1.**

ADVOCATE FOR THE
RESPONDENTS.

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

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

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

5. Judgment delivered by Hon'ble **Vice-Chairman**



X

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 74 of 2001.

Date of Order : This the 7th Day of May, 2002.

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

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

Sri Chandra Mohan, IFS
Conservator of Forests, Central Southern
Assam SF Circle, Guwahati-1. . . . Applicant

By Advocate Sri S.Sarma.

- Versus -

1. Union of India,
represented by the Secretary to
the Government of India,
Ministry of Environment & Forests,
New Delhi-1.
2. The State of Assam,
represented by the Commissioner &
Secretary, Department of Forest,
Government of Assam,
Dispur, Guwahati.
3. The Commissioner & Secretary to
the Govt. of Assam, Department of
Forest, Assam, Dispur, Guwahati.
4. The Principal Chief Conservator of Forest,
Assam, Rehabari, Guwahati-8. . . . Respondents.

By Sri B.C.Pathak, Addl.C.G.S.C for respondent No.1.

O R D E R

CHOWDHURY J.(V.C)

This is an application under Section 19 of the Administrative Tribunals Act 1985 wherein the applicant is sought for a direction on the respondents to regularise the period of absence and also for extending the joining time. It appears that the applicant ~~has~~ failed to join in the place of postings. He made application for regularisation of the period and for sanction of the earned leave. It is seen that the Commissioner and Secretary, Government of

V

Assam, Forest Department by his memo dated 12.8.98 asked him to clarify certain points and the reasons for not joining in the post for long time. By the said communication the officer was asked to explain the reasons as to why he did not act as per the direction issued for joining in the post. According to the officer he was asked to clarify the ground for which he requested for joining time instead of resuming the duty. The applicant stated that he clarified the same by memo dated 5.9.98 and thereafter also he submitted representation before the authority for taking necessary action. The applicant thereafter moved this application seeking for the following directions -

- i) To direct the respondents to regularise the periods in question namely 3.11.95 to 9.5.96; 21.7.96 to 2.8.96; and from 2.10.97 to 5.12.97 by way of extending joining time with all consequential service benefits.
- ii) To direct the respondent to grant earn leave for the period from 10.5.96 to 20.7.96 with all consequential service benefits.

2. The respondent No.2 did not file any written statement. The Union of India represented by Mr B.C.Pathak, learned Addl.C.G.S.C stated that matters pertains to the State Government and therefore they are not contesting the case.

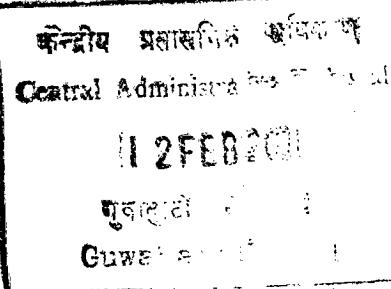
3. We have heard Mr S.Sarma, learned counsel for the applicant and Mr B.C.Pathak, learned Addl.C.G.S.C for the Union of India. On consideration of the materials on record we are not persuaded to issue any direction on the authority as prayed for. It is the officer concerned who is required to satisfactorily explain the reason for not joining in time. We however, feel that the matter is required to be looked into by the authority and take an appropriate decision on it.

Considering all the aspects of the matter we also feel that ends of justice will be met if a direction is issued on the applicant to make a detail representation within six weeks from the date of receipt of this order before the Respondent No.2 and if such representation is made, the respondent No.2 shall consider the same with utmost expedition and pass necessary order thereon.

Subject to the observation made above, the application stands disposed of. There shall, however, be no order as to costs.

IC (KSh)
(K.K. SHARMA)
ADMINISTRATIVE MEMBER

[Signature]
(D.N. CHOWDHURY)
VICE- CHAIRMAN



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

(An application under section 19 of the Central Administrative Tribunal Act, 1985.)

O.A.No. 7A of 2000

BETWEEN

Shri Chandra Mohan.

... Applicant.

- AND -

Union of India & Ors.

... Respondents.

INDEX

S. No.	Particulars	Page No.
1.	Application	1 to 10
2.	Verification	11
3.	Annexure - 1	12 & 13
4.	Annexure - 2 series	14
5.	Annexure - 3 series	15
6.	Annexure - 4	16
7.	Annexure - 5	17 & 18
8.	Annexure - 6	19 to 22
9.	Annexure - 7	23 to 26
10.	Annexure - 8	27 & 28
11.	Annexure - 9	29
12.	Annexure - 10	30
13.	Annexure - 11	31
14.	Annexure - 12	32

Filed By : U.K.Goswami Advocate.

Date : 12-2-2001.

file No. C\ws\ss\cmsarma

Advocate
= 12/2/2001

Filed by :
the Applicant
through
Nijid (Mr. Gavon)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Between

Chandra Mohan, IFS,
Conservator of Forests, Central Southern
Assam SF Circle, Guwahati-1,

... Applicants

- AND -

1. Union of India,
represented by the Secretary to
the Government of India,
Ministry of Environment & Forests,
New Delhi-1.
2. The State of Assam, through the
Commissioner & Secretary, Department
of Forest, Government of Assam,
Dispur, Guwahati.
3. The Commissioner & Secretary,
Department of Forest, Government of
Assam, Dispur, Guwahati.
4. The Principal Chief Conservator of
Forest, Assam, Rehabari, Guwahati-8

... Respondents

DETAILS OF THE APPLICATION.

1. PARTICULARS OF ORDER AGAINST WHICH THIS APPLICATION
IS MADE.

The OA is directed against the inaction on the part of the Respondent in not regularising the periods as mentioned in the OA by way of granting extension of

C

joining time and earned leave as admissible to the Applicant together with the consequential benefits thereof.

2. JURISDICTION OF THE TRIBUNAL

That the applicant declares that the subject matter of the present application is well within the Jurisdiction of this Hon'ble Tribunal.

3. LIMITATION

The applicant declares that the present application have been filed within the limitation period prescribed under Section 21 of the Administrative Tribunal Act 1985.

4. FACTS OF THE CASE

4.1 That the applicant is a citizen of India and as such he is entitled to all the rights and privileges as guaranteed under the Constitution of India and laws framed thereunder.

4.2 That the Applicant while serving at DFO at Karimganj was transferred and posted as Planning Officer (II) by a notification dated 2.11.95. On 3.11.95 one Shri A. Rava IFS who was transferred to the place of the Applicant took over charged unilaterally when the Applicant was in Guwahati on Government duty. He was not aware of the order dated 2.11.95 nor any direction was issued to him to hand over charge on 3.11.95.

6

A copy of the order dated 2.11.95 is annexed herewith and marked as Annexure-1

4.3 That the Applicant being aggrieved by the said order of transfer made representation before the 3rd Respondents who in turn advised the Applicant to wait for sometime as the said order dated 2.11.95 was being modified. Thereafter, the Applicant was transferred to Hilakandi Division vide notification No. FRE 3/90/Pt/150 dated 16.12.95. The Applicant then approached the incumbent at Hilakandi with the request to hand over charge referring to his telegram dated 19.12.95 and telephonic discussion held on 19.12.95. However, the Applicant was not handed over with the charge and the same was intimated to the Respondent No. 3 by a letter dated 11.1.96. By the said letter, the Applicant prayed for instruction as regards his further course of action.

Copies of the letter dated 30.12.95, written by the Applicant to the DFO, Hilakandi and letter dated 11.1.96 are annexed herewith and marked as Annexure-2, 3 series

4.4 That nothing was done enabling the Applicant to take over charge and/or to post him elsewhere all the effort of the Applicant to takeover charge of Hilakandi Division and/or to get a posting elsewhere went in vain. The representation submitted by the Applicant fall into deaf ears of the Respondents. Eventually by an order dated 10.4.96 the Applicant was again

Gr

transferred to Central Assam Afforestation Division at Hojai vide order No. FRE 3/90/Pt/161-A dated 10.4.96 and this was a modification of the earlier order of transfer dated 16.12.95 referred to above.

4.5 That the Applicant on receipt of the modified order of the transfer dated 10.4.96 made a request to the in-charge DFO at Hojai to hand over the charge to fixing the date when the Applicant was yet to be communicated the date of handing over and taking over of charge by the incumbent at Hojai, and he was waiting for handing over of charge which was not forthcoming, he was forced to take earnleave with effect from 10.5.96 on medical ground. Upon his return from leave, the Applicant went to Hojai and by his letter dated 26.7.96 requested the incumbent there to hand over charge.

A copy of the letter dated 26.7.96 is annexed herewith and marked as Annexure-4.

4.6 That as per the Government direction, Shri Putul Baruah, ACF was to hand over charge to the DFO, Nagaon South Division, accordingly he handed over charge to P. Kakati, DFO, Nagaon South Division from whom the Applicant could get the charge only on 2.8.96. Thus leaving aside the fact that the Applicant had to take with effect from 10.5.96 the persons concern delayed handing over of charge to the Applicant.

4.7 That the Applicant by his letter dated 1.12.97 requested Respondent No. 3 to regularise the period

Ch

from 3.11.95 to 7.5.96 (9.5.96) and 21.7.96 to 2.8.96 by extending joining period and the period from 8.5.96 (10.5.96) to 20.7.96 by granting earned leave.

A copy of the representation dated 1.12.97 is annexed herewith and marked as Annexure-5

4.8 That in respond to the representation made by the Applicant the Respondent No. 3 by his letter dated 12.8.98 raised some irrelevant issues and asked for clarification from the Applicant, which the Applicant accordingly did by his letter dated 5.9.98 meeting all the points raised by the Respondent No. 3 in his Annexure-6 letter dated 12.8.96.

Copies of letter dated 12.8.96 and reply dated 5.9.98 are annexed herewith and marked as Annexure-6 and 7 respectively.

4.9 That when the matter rested thus the Applicant was transferred vide order No. FRE 8/96/Pt/25 dated 1.8.97 and was asked to serve under his junior, Shri A. Rava IFS who in the mean time was promoted to Conservator of Forests by an order dated 6.6.97. The Applicant was not given such promotion on ground of pendency disciplinary proceeding from which he was exonerated by an order dated 29.7.98. Being aggrieved by the said order of transfer dated 1.8.97, the Applicant submit a representation dated 16.8.97 requesting for modification of the said order of transfer. Be it stated here that the Applicant had handed over the charge at Hojai on 1.10.97.

Cw

Copies of representation dated 16.8.97 and 18.11.97 are annexed as herewith and marked as Annexure-8 and 9 respectively.

4.10 That the Respondents in consideration of his representation dated 16.8.97 was pleased to modify the said order transfer dated 1.8.97 by an order NO. 51/96/90-C dated 15.12.97, pursuant to which the Applicant submitted hi joining report on 6.12.97.

A copy of the joining report dated 6.12.97 is annexed herewith and marked as Annexure-10.

4.11 That the Applicant by the representation dated 6.12.97 addressed to the Respondent No. 3 made a request for extending his joining time from 2.10.97 to 5.12.97.

A copy of the representation dated 6.12.97 is annexed herewith and marked as Annexure-11.

4.12 That the Applicant having not heard anything in the matter of regularisation of the aforesaid period, inspite of his reputed representations, both oral and written eventually filed another representation on 20.7.2000 making a request therein for allowing extention of joining time and granting of earned leave.

A copy of the representation dated 20.7.2000 is annexed herewith and marked Annexure-12.

4.13 That the Applicant states that due to non-

regularisation of the aforesaid period the Applicant has been suffering from financial loss. Apart from loss of salary and period of gaps in his service, the Applicant is also deprived of SDA for the aforesaid period for no fault of his own. His all out efforts to get the said period regularised have gone in vain. He has exhausted the departmental channel and now as a last resort has come under the protective hands of this Hon'ble Tribunal. Be it stated here that other similarly situated persons have been promptly granted extension of time, earned leave etc., making an exception to the Applicant which is a discrimination and violative of Article 14 and 16 of the Constitution of India.

4.14 That this application has been made bonafides and to secure ends of justice.

5. GROUNDS WITH LEGAL PROVISIONS.

5.1 For that the inaction on the part of the Respondents smacks malafide and accordingly the relief sought for are liable to be granted with exemplary cost.

5.2 For that the period in question have been thrust upon the Applicant and he is no way responsible towards creation of the said period and accordingly he is entitled to extension of joining time and earned leave.

5.3 For that the clarification sought for having been

Cm

clarified by the Applicant way back in 1998 the Respondents could not have got the matter pending indefinitely to the detriment of the Applicant cause in financial loss to him.

5.4 For that There being leave to his credit and the Applicant having been forced to take leave on medical ground the Respondents ought to have granted him leave instead of raising irrelevant issues.

5.5 For that the Applicant being in no way responsible towards creation of artificial period of absence in between the transfer orders, he is entitled to get extension of joining time as contemplated under relevant rules and as has been granted to other similarly situated persons.

5.6 For that in any view of the matter the action on the part of the Respondents is not sustainable in the eye of law and liable to be set aside and quashed.

The Applicants crave leave of this Hon'ble Tribunal to advance more grounds both legal as well as factual at the time of hearing of this case.

6. DETAILS OF THE REMEDIES EXHAUSTED:

That the Applicants declare that they have exhausted all the possible departmental remedies towards the redressel of the grievances in regard to which the present application has been made and presently they have got no other alternative than approached this Hon'ble Tribunal.

C

7. MATTER PENDING WITH ANY OTHER COURTS

That the applicants declare that the matter regarding this application is not pending in any other Court of Law or any other authority or any other branch of the Hon'ble Tribunal.

8. RELIEF SOUGHT:

Under the facts and circumstances stand above the Applicants pray that the instant application be admitted, records be call for and upon hearing the parties on the cause or causes that may be shown and on perusal of records be pleased to grant the following reliefs.

8.1 To direct the Respondent to regularise the periods in question namely 3.11.95 to 9.5.96; 21.7.96 to 2.8.96; and from 2.10.97 to 5.12.97 by way of extending joining time with all consequential service benefits.

8.2 To direct the Respondent to grant earn leave for the period from 10.5.96 to 20.7.96 with all consequential service benefits.

8.3 Cost of the application.

8.4 Any other relief/reliefs to which the present Applicant is entitled to under the facts and circumstances of the case and as may be deemed fit and proper by the Hon'ble Tribunal.

(u)

9. INTERIM ORDER PRAYED FOR:

Under the facts and circumstances of the case the Applicant prays for interim order directing the Respondents to consider his case towards regularisation of periods as mentioned in para 8.1 and 8.2 above taking into consideration the representations filed by the Applicant.

10. THE APPLICATION IS FILED THROUGH ADVOCATE:

11. PARTICULARS OF THE POSTAL ORDER :

(i) I.P.O. No.: 5G 421945

(ii) Date: 30-1-2001.

(iii) payable at Guwahati

12. LIST OF ENCLOSURES :

As stated in the Index.

Or

VERIFICATION

I, Shri Chandra Mohan, IFS, S/o R. Sing, aged about 44 years, presently working as Conservator of Forests, Central Southern Assam SF Circle, Guwahati-1, do here by solemnly affirm and state that the statement made in this petition from paragraph 1,2,3,4,1,4,13,4,14 and 5 to 12 are true to my knowledge and those made in paragraphs 4,2 to 4,12 are matters records of records informations derived therefrom which I believe to be true and the rest are my humble submission before this Hon'ble Tribunal.

And I sign this verification on 30th day of January 2001.

Chandra Mohan.

Annexure-1

TYPED COPY
GOVERNMENT OF ASSAM
FOREST DEPARTMENT : : ASSAM

ORDERS BY THE GOVERNOR
NOTIFICATION

Dated Dispur, the 2nd November'96

No. FRE 23/91/220 : In modification of this Department Notification No. FRE.23/91/205-A dated 5.9.95, Shri Chandra Mohan, IFS, Divisional Forest Officer, Karimganj Division, Karimganj is in the interest of public service transferred and posted as Planning Officer (II) Office of the Principal Chief Conservator of Forests, Assam with effect from the date he takes over charges from Shri Pradip Kr. Hazarika, Planning Officer (II) transferred.

No. FRE. 23/91/220-A: On relief, Shri Pradip Kr. Hazarika, Planning Officer (II) Office of the Principal Chief Conservator of Forests, Assam Guwahati is in the interest public service transferred and posted as Divisional Forest Officer, Southern Afforestation Division, Haflong with effect form the date he assumes charged vice Shri P.P. Das expired.

Sd/- H. Sonowal
Commissioner & Secy. to the Govt. of Assam
Forest Department, Dispur.

Memo No. FRE23/91/220-A, dated Dispur, the 2nd November, 1996

Copy forwarded for information and necessary action :-

1. The Accountant General (A&E) Assam, Shillong.
2. The Principal Chief Conservator of Forests, Assam, Rehabari, Guwahati-8.
3. The Principal Chief Conservator of Forests (SF) Assam, Ghy-24.
4. The Chief Conservator of Forests (Territorial) Assam, Rajgarh Road, Guwahati-3.
5. The Chief Conservator of Forests, Research, Education and Working Plan; Assam, Guwahati-24.
6. The Chief Conservator of Forests (WL) Assam, Guwahati-24.

Attested
W. K. Yarowar
Advocate

7. The Conservator of Forests, Southern Assam Circle, Silchar/ Haflong.
8. Shri Chandra Mohan, IFS, Divisional Forests Officer, Karimganj Division, Karimganj for handing over the charge of Karimganj Division to Shri Abhijit Rabha, IFS forthwith.
9. Shri Pradip Kr. Hazarika, Planning Officer (II) Office of the Principal Chief Conservator of Forests, Assam, Guwahati-8.
10. Shri Abhijit Rabha, IFS, Divisional Forests Officer, Camp Karimganj Division, Karimganj for necessary action.
11. The Officer-On-Special duty to the Chief Minister, Assam for favour of information of Chief Minister.
12. The PS, to the Minister of State, Special Forestry and for favour of information of Minister.
13. The Deputy Director, Assam Govt. Press, Bamunimaidan, Ghy-21 for publication of the above notification....

Sd/- H. Sonowal
Commissioner & Secy. to the Govt. of Assam
Forest Department, Dispur.

Annexure-2

Letter No. C.M./14

Camp. Hailakandi
Dt. 30.12.95

To,

The Divisional Forest Officer,
Hailakandi Division,
Hailakandi

Sub.: Handing over the charge of Hailakandi Division.

Ref.:(i) Govt. order No. FRE.3/90/Pt./150 dt.
16.12.95.

(ii) My telegram dt. 17.12.95

In pursuance of Govt. order as well as my telegram under reference, you are requested to kindly hand over the charge of Hailakandi Division to the undersigned today. My joining period is already over this refers to our discussion held on 17.12.95 at Guwahati.

Received

Sd/-

Sd/- Illegible
30.12.95

(Chandra Mohan) IFS
Dy. Conservator of Forest
Camp. Hailakandi.

Attested
MKGowar
Advocate

Letter No. C.M. /15

Dated 11-1-96.

To,

The Commissioner and Secretary
Forest Department,
Dispur.

Sub :- Handing over the charge of Hailakandi Division.

Ref :- Govt. Order No. FRS 3/90/Pt/150, dt. 16-12-95.

Sir,

In enclosing my letter dt. 30-12-95 addressed to the Divisional Forest Officer, Hailakandi, I have the honour to state that Sri Dilip Kumar Das, D.F.O., Hailakandi has not handed over the charge of the Division to the undersigned. He has informed me verbally that as per directive of Hon'ble Guwahati High Court he has submitted his representation to the Govt. of Assam for consideration, being pending which he would not be able to hand over the charge of the Division.

In view of the above, you are requested to kindly instruct me with regard to the future course of action.

This is for favour of your kind information and necessary action.

Enclo. :- As above.

Yours faithfully,

Chandra Mohan

(CHANDRA MOHAN)
Dy. Conservator of Forests
Camp - Hailakandi

Copy to :-

- 1) The Principal Chief Conservator of Forests, Assam, Rehabari, Guwahati-8 for information.
- 2) The Conservator of Forests, S.F.C., Silchar for information.

Chandra Mohan
Dy. Conservator of Forests,
Camp - Hailakandi.

EEEC

Received
12/1/96

Attended
A. K. S. S. A.
Advocate

Annexure-4

Order No. O.M.24-A

Camp Hojai dt. 26.7.96

To

Sri Putul Chandra Barua
A.C.F.
1/c Central Assam Afforestation Division, Hojai.

Sub:- Handing over the charge

You are requested to hand over the charge of the
Central Assam Afforestation Division, Hojai to the
undersigned immediately

Received

Sd/-

26.7.96
Mridul Dey

(CHANDRA MOHAN)
Dy. C.F.
Camp. Hojai

*Attested
Mridul Dey
Advocate*

Letter No.CM/46,

Dated Guwahati, the 1st Dec./1997.

To,

The Comm. & Secy. to the Govt. of Assam,
Forest Department, Dispur,
Guwahati-6.

Sub:- Regularisation of period as well as sanction
of earned leave from 8-5-96 to 20-7-96.

Sir,

With reference to above, I have the honour to state that I was transferred from Karimganj Forest Division to the office of the P.C.C.F. Assam vide No. FRE.23/91/220, dtd.2-11-95 and on 3-11-95, Shri A. Rabha, IFS took over the charge of the Karimganj Division unilaterally while the undersigned was performing Govt. duty at Guwahati and was neither aware about his transfer order issued on 2-11-95 nor any Govt. directive regarding handing over the charge on 3-11-95. When you were apprised of the matter by me in person, I was advised to wait as the said transfer order dtd.2-11-95 was being modified and accordingly I was transferred to Hailakandi vide No. FRE.3/90/Pt/150, dtd.16-12-95 (copy enclosed-1). I then approached Shri D.K. Das, Divisional Forest Officer, Hailakandi Forest Division and requested to hand over the charge on 30-12-95 as per our discussion (copy enclosed-2). After having failed to get the charge of Hailakandi Division, you were requested to kindly issue necessary directive enable me to take over the charge of the Hailakandi Division (Copy enclosed-3). The matter was kept pending and later, my transfer order was again modified to Central Assam Afforestation Division, Hojai vide No. FRE.3/90/Pt/161-A, dtd.10-4-96 (copy enclosed-4). After the receipt of said transfer order, I requested i/c D.F.O., C.A.Afforestation Divn. to fix immediately the date of handing over the charge of the Division (copy enclosed-5). While I yet to be communicated the date, I had to apply for earned leave from 8-5-96 to 20-7-96 due to unavoidable personal reason. After availing earned leave, I went to Dhubri on 21-7-96 to attend the Court as per summon from Additional Chief Judicial Magistrate, Dhubri communicated by Principal Chief Conservator of Forests, Assam vide letter No. FE.18/ACB/86, dtd.8-7-96 (copy enclosed-6). After attending the Court at Dhubri on 23-7-96, I went to Hojai and requested Shri Putul Barua, A.C.F., i/c C.A.Afforestation Divn. Hojai to hand over the charge of the Division (copy enclosed-7). As per Govt.

*Attegde
M. J. Barua
for Socy*

- 2 -

directive, Shri Putul Barua, A.C.F. was to hand over the charge to the D.F.O., Nagaon South Division, Hojai. Accordingly, he handed over the charge to Shri P.Kotoki, D.F.O., Nagaon South Division, Hojai. Thereafter, I requested Shri P.Kotoki, D.F.O. Hojai to hand over the charge of the C.A. Afforestation Divn. and I took over the charge from him on 2-8-96 (A.N.).

Therefore, under the circumstances mentioned above, you are requested to kindly regularise the period from 3-11-95 to 7-5-96 and from 21-7-96 to 2-8-96 by extending joining period and the period from 8-5-96 to 20-7-96 by granting earned leave. Due to non regularisation of the said period and also want of sanction of earned leave, I am facing great financial hardship due to non issuance of pay slip by the A.G. Assam. I shall be greatful to you for this act of kindness.

Yours faithfully,

Encl.- As mentioned

above

Chandra Mohan
(CHANDRA MOHAN)
DEPUTY CONSERVATOR OF FORESTS,
CAMP - GUWAHATI.

GOVERNMENT OF ASSAM
FOREST DEPARTMENT :::: DISPUR

NO. F.R.E. 184/86/Pt/71, Dated Dispur, the 12th August, 1998.

From : Shri Harish Sonowal, IAS,
Commissioner & Secy. to the Govt. of Assam.

TO : Shri Chandra Mohan, IFS,
Deputy Conservator of Forests,
Office of the Principal Chief Conservator of
Forests, Assam, Rehabari, Guwahati-8.

Sub : Extension of joining time and Earned Leave.

Ref : Your letter No.CM/46, dt. 1.12.96.

Sir,

In inviting a reference to your letter No.CM/46, dt. 1.12.96 seeking extension of joining time for the periods from 3.11.95 to 7.5.96 and from 21.7.96 to 2.8.96 and earned leave from 8.5.96 to 20.7.96, you are asked to clarify the following points :-

- (1) Ground based on which you have sought for 6 months 4 days joining period from 3.11.95 to 7.5.96.
- (2) Ground for seeking joining time from 21.7.96 to 2.8.96.

You are required to justify your grounds by citing relevant rules.

(3) You are also asked to state the post from which you proceeded on earned leave from 8-5-96 to 20-7-96 (as per your representation). It is seen that in the leave application dtd. nil submitted by you and was forwarded by Principal Chief Conservator of Forests vide his letter No.PG.283, dt. 27-5-96, you applied for earned leave for 21 days with effect from 10.5.96, whereas in your representation you have requested for granting earned leave with effect from 8-5-96. Similarly in your application dt. 1-7-96 praying for extension of leave, as forwarded by Principal Chief Conservator of Forests vide letter No.283, dt. 20-7-96 you prayed for extension of leave due to illness upto 29-7-96, whereas in your representation you have requested the Govt. to sanction earned leave upto 20-7-96. Also, no medical certificate was submitted in support of your illness.

Attested
Ulyezwan
Advocate

Contd....2...

You are therefore asked to clarify as to how you may pray Govt. to grant leave and joining time for different, in different leave application and representation.

(4) In the representation you have mentioned that you were transferred from Karimganj Division to the office of the Principal Chief Conservator of Forests, Assam vide Notification No. FRE.23/91/220, dt. 2-11-95 and on 3-11-95 Shri A. Rabha, IFS was allowed to, took over charge of Karimganj Division unilaterally, which is factually not correct.

However, the actual position was that you were transferred from Karimganj Division to Manas Tiger Project Barpeta Road as Deputy Director vide Govt. Notification No. FRE.23/91/203 dt. 5-9-95 vice Sri A. Rabha, IFS. However, instead of joining as Deputy Director at Manas Tiger Project you moved the Hon'ble Central Administrative Tribunal, Guwahati challenging the transfer order on the ground that the post of Deputy Director is not a cadre post of Indian Forest Service despite the fact that the post was held by Sri A. Rabha, IFS who is a direct recruit I.F.S. prior to your posting against the post.

(5) In modification of the above Notification, you were posted as Planning Officer-II in the office of the Principal Chief Conservator of Forests, Assam, Guwahati vide Notification No. FRE.23/91/220, dt. 2.11.95 which is a Cadre Post as per Indian Forest Service cadre Schedule. But instead of joining the post of Planning Officer-II you preferred to file another case before the Central Administrative Tribunal.

(6) In fact you were transferred from Karimganj Division to Manas Tiger Reserve vide Govt. Notification No. FRE.23/91/205, dtd. 5.9.95. Shri A. Rabha, IFS reported for joining on 4.10.95 i.e. one month after the order of your transfer from Karimganj was passed. But you never handed over charge to Sri Rabha till date 2-11-95 and in the mean time joining time of Sri Rabha got expired for which he was allowed to take over charge unilaterally vide No. FRE.23/91/220 dtd. 2.11.95 almost after expiry of two months time of issuance of Govt. order mentioned above.

- (3) -

(7) In your representation you have not mentioned about your posting as Deputy Director, Manas Tiger Project and your filing case in the Hon'ble Tribunal challenging the order of your posting as Deputy Director, Manas Tiger Project. But suppressing the above facts you tried to show in your representation that the Govt. had transferred you from Karimganj on 2-11-95 and Sri A. Rabha was allowed to take charge unilaterally on 3-11-95 i.e. the next day.

You are, therefore asked to clarify your intention/purpose of not mentioning about your posting as Deputy Director, Manas Tiger Project in your representation.

(8) The undersigned was apprised by you in person regarding your difficulties and inconvenience in staying at Guwahati and was requested for modification of your order of posting as Planning Officer in office of the Principal Chief Conservator of Forests, Assam, Guwahati. Accordingly, your case was sympathetically considered and the transfer order was modified vide No. FRE.3/90/Pt/150, dt. 16-12-95 posting you as Divisional Forest Officer, Hailakandi Division.

But from your representation under reference it appears that you arrived at Hailakandi after elapsed of 14 days from the date issue of order i. e. on 30.12.95 to take over charge of Hailakandi Division. On your failure to take over charge it was your duty to inform the Govt. about this immediately but you preferred not to intimate the Govt. till 11-1-96.

You are therefore asked to clarify the reasons :-

(i) for which you preferred not to inform the Govt. immediately and reason for remaining quite for about 11 days.

(ii) for taking 14 days time to proceed to Hailakandi to take over charge.

(9) When you were posted against a vacant post at Hojai as Divisional Forest Officer, Central Assam Afforestation Division, Hojai vide Govt. Notification No. FRE.3/90/Pt/161 dt. 10.4.96. You did not proceed to Hojai to take over charge of the post immediately but wasted time by making unnecessary paper correspondence, eventually only to apply for earned leave than to seek joining time.

- (4) -

You are therefore asked to clarify the ground on which you have prayed for joining time when you yourself wasted time by making paper correspondence and then abruptly decided to apply for earned leave knowing fully well that leave is not a matter of right.

Your reply should reach the undersigned within 7 (Seven) days from the date of receipt of this letter.

Yours faithfully,

Wm. Wm. J. D.
Commissioner & Secy. to the Govt. of Assam,
Forest Department, Dispur

Memo No. FRE.184/86/Pt/71-A Dated Dispur, the 12th August/98.
Copy to :-

The Principal Chief Conservator of Forests, Assam,
Rehabari, Guwahati-9.

By order etc.,

Wm. Wm. J. D.
Commissioner & Secy. to the Govt. of Assam,
Forest Department, Dispur

From : Chandra Mohan, I.F.S.,
Planning Officer-II,
O/O, Principal Chief Conservator of Forests,
Assam, Rehabari,
Guwahati-8.

No.CM/61,

Dt.Guwahati, the 5th Sept., '98.

To

The Commissioner & Secretary to the Govt. of Assam,
Forest Department, Dispur,
Guwahati - 6.

(Through the Principal Chief Conservator of Forests, Assam).

Sub : Regularisation of period as joining time as well as grant of
earned leave in respect of Shri Chandra Mohan, I.F.S.

Ref : Your letter No. FRE.184/86/Pt/71, Dt. 12.8.98.

Sir,

While referring to your above quoted letter, most respectfully, I
beg to furnish my replies to the points raised thereon as below :

1. I have already narrated the circumstances under which the period from 3.11.95 to 9.5.96 (and not upto 7.5.96 which occurred through oversight) has been sought for joining time vide my representation No. CM/46, Dt. 1.12.97 (enclosure - 1). It will reveal from my representation that the period of joining time prayed for is for a situation beyond my control as Government have changed the posting order time & again and also due to non handing over of the charge of the respective division by the concerned Divisional Forest Officer even on my approach in time. Thus, the prayer for regularisation of the period in question has been made.

As regards the rules for extension of joining time, may I bring to your kind notice the Note under F.R. & S.R. 146 which provides that when an officer hands over charge on an order of transfer, which is subsequently cancelled, the period till he joins the new place of posting should be treated as joining time. I beg to submit that my case is fully covered by the said provision. The said provision for extension of joining time has been applied in respect of my colleagues. Copies of Government order for extension of joining periods of my colleague enclosed (enclosure - 2) for your kind perusal and I pray for a similar treatment in my case.

2. In my aforesaid representation, I have already pointed out that on return from leave, I had to attend Dhubri Court as per summons issued by the Additional Chief Judicial Magistrate, Dhubri which was

Attested
Rukhsar
Advocate

communicated by the Principal Chief Conservator of Forests, Assam (enclosure - 3). As it is obligatory on my part to attend to the Court, I proceeded to Dhubri on 21.7.96 and after attending the Court on 23.7.96 I went to Hojai and requested the Asstt. Conservator of Forests, I/c. Central Assam Afforestation Division to hand over the charge of the division. But as per Government directive, he was not in a position to hand over the charge to me. As a result, he has handed over the charge to Shri P. Katoki, the then Divisional Forest Officer, Nagaon South Division and from whom I took over the charge on 2.8.96 (afternoon). thus, the period from 21.7.96 to 2.8.96 is required to be regularised as joining time as already prayed for. But, if the same is not considered by the Government, then the period may be regularised by granting leave in addition to leave already applied upto 20.7.96.

3. Inadvertantly, the date was mentioned in my representation as 8.5.96, which is very much regretted. Thereby my prayer for leave was from 10.5.96 only. Though I applied extension of leave upto 29.7.96 but I did not avail the same from 21.7.96 to 29.7.96. The copy of medical certificate is being enclosed herewith (enclosure - 4). For regularisation of this period, I have already pointed out in para 2 above.

4. In my aforesaid representation dated 1.12.97, I have already pointed out the position of handing over and taking over the charge of Karimganj Division, which may kindly be perused.

As the post of Deputy Director, Manas Tiger Project is not a cadre post of I.F.S. and finding no other alternative, I was constrained to approach the Central Administrative Tribunal alongwith other reasons.

5. In this connection, my representation dated 1.12.97 may kindly be referred to. I was asked to wait as my transfer order dated 2.11.95 was being modified and accordingly, I was transferred vide Government Notification dated 16.12.95 posting me as Divisional Forest Officer, Hailakandi Division. The O.A. No. 3/96 was filed in the Hon'ble C.A.T., Guwahati Bench only on receipt of the posting order placing me as Divisional Forest Officer, Hailakandi Division but not earlier than that.

6. As already pointed out that being aggrieved by my transfer order dated 5.9.95, I was constrained to file the O.A. No. 215/95 on 21.9.95 before the Central Administrative Tribunal. Shri A. Rabha, I.F.S. was informed by me that I was yet to receive instruction from the Government regarding handing over of the charge in the light of directive contained in the order of the Hon'ble Central Administrative Tribunal in the said O.A. Subsequently, the said transfer order dated 5.9.95 was modified by posting me as Planning Officer-II vide Government Notification No. FRE.26/91/220, Dt. 2.11.95. As I was performing Government duty at Guwahati, it was not

known about the said transfer order 2.11.95. No any Government directive regarding handing over the charge on 3.11.95 was served on me. It is not a fact that Shri A. Rabha, I.F.S. was allowed to take over the charge unilaterally vide No. FRE.23/91/220, Edt. 2.11.95.

7. As the transfer order from Karimganj Division to Manas Tiger Project had been modified by the Government by posting me as Planning Officer-II in the office of the Principal Chief Conservator of Forests, Assam, Guwahati, it was not considered by me to point out this fact as it has no relevancy in the instant case. As my transfer order from Karimganj Division to Manas Tiger Project was already modified by the Government while holding the charge of Karimganj Division, my posting to Manas Tiger Project is of no consequence. Further, I do not stand to gain by suppressing a Government order which is very much on record. The subsequent order of transfer dated 2.11.95 also clearly speaks of my earlier transfer order dated 5.9.95 and therefore, it was apparent on the face of the record and there has not been any suppression. Copy of Government Notification dated 2.11.95 showing my transfer from Karimganj Division to the Office of the Principal Chief Conservator of Forests, Guwahati is enclosed (enclosure - 5).

8. On receipt of transfer order posting me at Hailakandi Division, as per Government Notification No. FRE.3/90/Pt/150, Dt. 16.12.95, I approached the concerned Divisional Forest Officer to hand over the charge on 30.12.95 positively after due consultation with the Divisional Forest Officer, Hailakandi Division, as he was not in a position to hand over the charge immediately due to obvious reason. As Government have issued directive to all concerned to hand over charge within 10(ten) days as and when transfer order is received. Accordingly, on discussion with the Divisional Forest Officer, Hailakandi Division, we were agreed upon to take over the charge on 30.12.95 considering the difficulties of the Divisional Forest Officer, Hailakandi Division. It is not a fact that I reached Hailakandi only on 30.12.95.

i. As Shri D.K. Das, the then Divisional Forest Officer, Hailakandi Division agreed to hand over the charge of the division on 30.12.95, it was not felt necessary to intimate to Government.

ii. The reason for delay in taking over the charge has been explained in sub-para (i) above. Moreover, subsequently I came to know that Shri Dilip Kr. Das, D.C.F., who was holding the post of Divisional Forest Officer, Hailakandi Division at the relevant time, challenged the order of transfer dated 16.12.95 in the Hon'ble Gauhati High Court by filing a Civil rule No. 5484/95. The Hon'ble High Court by an order dated 20.12.95 passed in the aforesaid case directed Shri Das to file a representation within 10 days which is to be disposed of by the authorities within 40 days and till such time, the order of transfer shall stand suspended. However, to my knowledge, no

order was passed on the representation of Shri Das and Shri Das thereby allowed to continue in the post. Therefore, I could not take over the charge and this was intimated to you by my letter No. CM/15, Dt. 11.1.96.

9. Immediately on receipt of Government order regarding my transfer, again I requested the Asstt. Conservator of Forests, I/C. Central Assam Afforestation Division to intimate the convenient date for handing over the charge by sending a telegram followed by confirmation copy to him. I was waiting for his reply but in the mean time, I had to apply for earned leave due to some unavoidable circumstances. The leave petitions had been forwarded to the Government by the Principal Chief Conservator of Forests, Assam.

I applied for leave which had been forwarded to the Government by the Principal Chief Conservator of Forests, Assam with his recommendation but the authority concerned did not ask me not to avail leave nor denied my prayer at any time.

In view of the above clarifications made by me, I would request your honour to consider my case sympathetically and to grant me leave for the period mentioned above and extend the joining time where necessary at the earliest as I am facing financial hardship for non-receipt of my salary for the said period.

Encl : As stated above.

Yours faithfully,

(Chandra Mohan),
Planning Officer-II,
O/O.Principal Chief Conservator of Forests,
Assam :: Guwahati.

Attended
Mr. ^{your name} Advocate

To,

The Commissioner and Secretary
 Govt of Assam,
 Forest Department,
 Dispur,
 Guwahati - 6.

Through - The Principal Chief Conservator of Forests.
 Assam, Guwahati.

Sub : Representation against order of transfer.

Ref : Govt. order No. FRE.8/96 /pt /25 - B dt. 1.8.97.

Sir,

With reference to above, I have the honour to state that I have been transferred and posted as D.F.O. , Kachugaon Division , Gussaigaon under Western Assam Circle, Kokrajhar vide order under reference . In this connection , I would like to draw your kind attention for the following facts -

That my junior Sri A. Rabha, I.F.S. , has been promoted and posted as Conservator of Forests, Western Assam Circle , Kokrajhar and by the order under reference, I am sought to be made to work under my junior . You would perhaps appreciate that my junior has been promoted superseding me on the ground that a disciplinary proceeding is pending against me . However, you would also appreciate that such promotion does not ipso facto give him seniority over me as the D.P.C. is supposed to keep its findings in my case regarding promotion in sealed cover. In the event of my exoneration , I may be promoted retrospectively giving me my due seniority . As such , I should not be made to suffer the humiliation of serving under my junior during this interim / transitory period.

It appears that while issuing the order of transfer this aspect of the matter was not taken into account. You would certainly understand the agony and humiliation in serving under a junior more so when the proceeding against me is yet to take a final shape.

Attested
Ukyoran
Advocate

I therefore request you to be kind enough to modify the aforesaid order and give me a suitable posting.

Yours faithfully,

(Chandra Mohan)
Divisional Forest Officer
C.A. Afforestation Division,
Hojai.

Advance Copy to -

- (1) The Commissioner & Secretary, Forest Department, Govt. of Assam, Dispur.
- (2) The Conservator of Forests, N.A.C., Tezpur.

(Chandra Mohan)
Divisional Forest Officer
C.A. Afforestation Division,
Hojai.

Letter No. C.M./44

Dated 10.11.97

To,

The Commissioner and Secretary
Govt. of Assam
Forest Department
Dispur.

Sub : Representation against order of transfer.
Ref : My representation dt. 16.8.97.

Sir,

With reference to above, I have the honour to inform you that vide my Representation dt. 16.8.97, 3.10.97 and my verbal request on 3.11.97, you were requested to kindly modify my transfer order ^{issued} vide No. FRE 8/96/pt/25-B dt. 1.8.97 posting me as D.F.O. Kachugaon Division, Guwahati. As already informed, I handed over the charge of Central Assam afforestation Division on 1.10.97 (A.N.) as per your directive vide FRE. 8/96/pt/34 dt. 23.9.97.

I therefore request you to be kind enough to modify the aforesaid order for which I shall remain grateful to you.

Yours faithfully,

CLT.LL.
(CHANDRA MOHAN)
Dy. Conservator of Forest
Camp. Guwahati.

Copy to :

The Principal Cheif conservator of Forest, Assam,
Rehabari, Guwahati-8.

Attested
M. G. M. Mohan
Advocate

CLT.LL.
(Chandra Mohan)
Dy. Conservator of Forest
Camp. Guwahati.

Encl. 1

(19)

uD

Letter No.CM./47,

Dated Guwahati, the 6th Dec./1997.

To,

The Principal Chief Conservator of Forests,
Assam, Nehabari,
Guwahati-8.

Sub:- Joining Report.

Ref:- Govt. letter No.51/96/90-c, dtd.5-12-97.

Sir,

With reference to above, I have the honour to submit my joining on 6th Dec. '97 (forenoon) as Planning Officer attached to the office of the Principal Chief Conservator of Forests, Assam as per Govt. order No. under reference.

This is favour of your kind information and necessary action.

Yours faithfully,

Chandra Mohan
(CHANDRA MOHAN)
DEPUTY CONSERVATOR OF FORESTS.

Attested
M. J. Ghorawal
Advocate

Letter No.CM/47,

Dated Guwahati, the 6th Dec./97.

To,

The Comm. & Secy. to the Govt. of Assam,
Forest Department, Dispur,
Guwahati-8.

Sub:- Extension of joining time.

Ref:- Govt. order No. 51/96/90-C, dtd. 5-12-97.

Sir,

With reference to above, I have the honour to state that a representation dtd. 16-8-97 was submitted to you requesting to kindly modify my transfer order to Kachugaon Division, Gossaigaon vide Govt. order No. FRE.8/96/Pt/25, dtd. 1-8-97 (copy enclosed-1) thereby asking undersigned to serve under my junior. While my said representation dtd. 16-8-97 was under consideration, I was asked vide W.T. Message FRE.8/96/Pt/34, dtd. 23-9-97 to hand over the charge of Central Assam Afforestation Division to Shri S. Nayak, Deputy Conservator of Forests. Accordingly, I handed over the charge of the Divn. on 1-10-97 (A.N.). Now, the said transfer order dtd. 1-8-97 has been modified posting me as Planning Officer attached to the office of the Principal Chief Conservator of Forests, Assam vide Govt. order No. FRE.51/96/90-C, dtd. 5-12-97 after consideration of my representations dtd. 16-8-97 and 17-01-97 (copy enclosed 2&3). Therefore, you are requested to kindly extend my joining time from 2-10-97 to 5-12-97 (i.e. from the date of handing over the charge to the date of issue of modification). I shall be grateful for your this act of kindness.

Enclo: As above mentioned.

Yours faithfully,

(T. L. WII)
(CHANDRA MOLAN)
DEPUTY CONSERVATOR OF FORESTS,
CAMP - GUWAHATI.

Received
10/12/97
W.L.WII

Attested
by Government
representative

Government of Assam
Office of the Conservator of Forests Central Southern Assam
Social Forestry Circle: Guwahati - 1

Letter No. CM/ 74 - 75

Dated, Guwahati the 20th of July, 2000

From : Shri Chandra Mohan, IFS
Conservator of Forests,
Central Southern Assam
S.F.Circle, Guwahati - 1

To,

The Commissioner & Secretary to the Government of Assam
Forest Department, Dispur

Sub: Extension of joining time and earned leave in respect of Shri Chandra Mohan, IFS.

Ref.: My letter No. CM/ 61 dated 5.9.98

Sir,

Kindly refer to my representation No. CM/ 46 dated 1.12.96 for regularization of joining period from 3.11.95 to 9.5.96 along with earned leave from 10.5.96 to 2.8.96, on which clarification sought for vide Govt. letter No. FRE.184/ 86/ pt./ 71 dt. 12.8.98 and my reply vide letter dt. 5.9.98 under reference for which nothing has been done so far. In this context, I wish to bring to your kind notice that joining periods, ranging from one month to six months, of my colleagues have already been regularized under similar circumstances, as referred to in my letter under reference.

I, therefore, earnestly request you to look into the matter to regularize the aforesaid period at your earliest possible, as I am facing financial hardship due to non-issuance of pay slip by A.G., Assam for the period mentioned above.

I hope and trust that, as prayed for, necessary order will be issued immediately for redressing my long-pending grievance.

Yours faithfully

(Chandra Mohan, IFS)
Conservator of Forests

Copy to the Chief Conservator of Forests, Social Forestry, Assam for favour of his kind information.

Ch. Mohan
(Chandra Mohan, IFS)
Conservator of Forests

Attested
Uk. Gouravini
Advocate