

30/100  
✓

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No.....483/01.....

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

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

1. Orders Sheet..... 2A-12-01 Pg..... 01 to.....

2. Judgment/Order dtd. 24.12.01 Pg..... to..... *10 Separate under  
9/10*

3. Judgment & Order dtd..... Received from H.C/Supreme Court

4. O.A..... Pg..... 1 to..... 23

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. Amendement Reply by Respondents.....

15. Amendement Reply filed by the Applicant.....

16. Counter Reply.....

*Jan 12/12/17*  
SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDER SHEET

Application No. 483 /2001

Applicant(s) :- S. Chakraborty

Respondent(s) :- U.O.I Govt

Advocate for the Applicant :- B.K. Sharma, S. Sarma, Mr. D.P. Deka

Advocate for the Respondent:- CAC

Notes of the Registry	Date	Order of the Tribunal
<p>This is application in form C. F. for Rs. 50/- deposited vide IPG/CD No. <u>6478857</u> Dated <u>28.11.2001</u></p> <p>Dy. Registrar <u>PD</u></p>	<u>24.12.01</u>	<p>Heard Mr. S. Sarma, learned counsel for the applicant.</p> <p>The matter pertains to an order of transfer dated 14.12.2001 by which the applicant was transferred to Dhekiajuli Range of Central Excise. The applicant has already submitted a representation before the Commissioner Central Excise, North Eastern Region, Shillong as well as Commissioner Central Excise, Shillong. In this circumstances, we are of the view that ends of justice would be met if a direction is issued on the said authority to examine and decide the case in accordance with law. The said respondents are directed to dispose of the representation as per law as early as possible preferably within one month from today. Till the completion of the exercise the impugned order shall be kept in obeyance.</p> <p>The application accordingly stands disposed of. No order as to costs.</p>
<p><u>Copy of the order</u> has been sent to the D/Secy. for seeing the same to the L/B/Asst for the parties.</p> <p><u>SK</u></p>	<u>18-1-2002</u>	<p><u>I.C. Chakraborty</u> Member</p> <p><u>Vice-Chairman</u></p>

18  
18  
CIVIL CASE NO. 483/2001  
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH : GUWAHATI

D. A No. 483/2001

BETWEEN

Shri Samir Chakraborty

... Applicant ..

... AND ...

Union of India & Ors.

INDEX

S. No.	Particulars of the case	Page
1.	Application.....	11
2.	Verification.....	12
3.	Annexure 1.....	13, 14
4.	Annexure 2.....	15
5.	Annexure 3.....	16 to 19
6.	Annexure 4.....	20, 21
7.	Annexure 5.....	22
8.	Annexure 6.....	23

Filed by *Mukund Das*  
Advocate:

C:\WS\SS\Samir-1

Filed by  
the applicant through  
Abha Das  
Advocate  
24/12/2001

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH : GUWAHATI

D. A No. 483/2001.

BETWEEN

Shri Samir Chakraborty,  
son Late J.C. Chakraborty, Chittaranjan  
Road, P.O. Agartala College, Tripura  
West, Agartala-799004.

... Applicant.

- AND -

1. Union of India, represented by the Secretary to the Government of India, Ministry of Finance, New Delhi-1.
2. The Commissioner of Customs, North Eastern Region, Shillong.
3. The Assistant Commissioner, Customs Division, Agartala.
4. The Commissioner of Central Excise, M.G.Road Shillong.
5. Shri S.Ganguly Supdt.  
Dhekiajuli Range,  
Tezpur Central Excise Division, Tezpur.

... Respondents.

DETAILS OF THE APPLICATION.

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

This application is directed against the orders vide No. 191/2001 dated 14.12.2001 issued by the Commissioner of Central Excise M.G.Road, Shillong, by which the Applicant who is presently holding the post of Leave Reserve Agartala under the Agartala Customs Division is sought to be transferred to Dhekiajuli Range, Tezpur Central

Excise Division, Tezpur. This application is also directed against the order dated 19.12.2001 issued by the Commissioner of Customs, NER, Shillong, by which his service has been placed under the disposal of disposal of Commissioner of Central Excise, Shillong.

#### 2. LIMITATION

That the Applicant declares that the instant application has been filed within the limitation period prescribed under Section 21 of the Central Administration Tribunal Act, 1985.

#### 3. JURISDICTION OF THE TRIBUNAL

The Applicant further declares that the subject matter of the case is within the jurisdiction of the Administrative Tribunal.

#### 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 is presently working as Leave Reserve, Agartala Customs Division. While he was working as Supdt. (Anti Smuggling), in the office of the Agartala Customs Division, the Commissioner of Customs NER, Shillong, issued an order dated 26.6.2001 by which he has been sought to be transferred to CPF Badarpur Unit. The said order of transfer dated 26.6.2001 is the subject matter of O.A No

243/2001, which is pending disposal before this Hon'ble Tribunal. In the said O.A No 243/2001 the applicant has challenged the order of transfer dated 26.6.2001 on the ground that same has been issued as a measure of punishment. In fact the written statement filed by the respondents reveals the fact that the order of transfer dated 26.6.2001 has been issued on receipt of some complaint. No enquiry has been made to find out the truth of said allegations and no opportunity was provided to the present applicant. It is pertinent to mention here that the Hon'ble Tribunal, while admitting the said O.A 243/2001 passed an interim order 6.7.2001 suspending the operation of the transfer order dated 26.6.2001. The respondents now have issued another order dated 14.12.2001 by which the applicant has been sought to be transferred to Tezpur, during the currency of the aforesaid interim order dated 6.7.2001. The said order dated 14.12.2001 has been followed by another order dated 19.12.2001 issued by the Commissioner of Customs NER Shillong by which his service has been placed under the disposal of Commissioner of Central Excise, Shillong. Through this application the Applicant has challenged the action of the Respondents in issuing the impugned transfer order dated 14.12.2001 by which he has been transferred to Dhekiajuli Range, Tezpur Central Excise Division, and the order dated 19.12.2001 by which his service has been placed under the disposal of Commissioner of Central Excise. The issuance of the impugned orders is a net result of detection of a huge number of phensedyl cough linctus amount in rupees about 16 lakhs. The aforesaid impugned orders have been issued at the behest of certain interested group to

frustrate the investigation. Finally the Respondent No. 2 acting on those complaints issued the impugned order which is baseless and liable to be set aside and quashed.

4.3 That the Applicant is presently holding the post of Leave Reserve Agartala Customs Division and he joined the said post in the month of July 2001. By now the Applicant has completed about only 4 months of service in the said division. It is pertinent to mention here that the applicant was working as Suptd of Anti Smuggling under Agartala Customs Division. Taking into consideration certain baseless complaint and with a malafide intension he was transferred to Badarpur CPF Unit. The applicant preferred O.A 243/2001 before the Hon'ble Tribunal and the Hon'ble Tribunal was pleased to stay the operation of the said transfer order dated 26.6.2001 by passing an interim order dated 6.7.2001. The respondents now without taking into consideration the said interim order passed an order placing the applicant as Leave Reserve. The applicant challenged the order of transfer dated 26.6.2001 on the ground that same has been issued at the behest of some interested circle in connection with seizure of huge amount of Phynsedyl. The respondents have filed their written statement in the said O.A and the allegation made in that context came to light.

The applicant craves leave of the Hon'ble Tribunal to relay and refer upon the statement made in the O.A No 243/2001 and the written statement filed in that O.A.

A copy of the said interim order dated 6.7.2001 and the order dated 26.6.2001 are annexed

herewith and marked as ANNEXURE-1 AND 2.

4.4 That the Applicant begs to state that the respondents now have issued another order dated 14.12.2001 by which the applicant has been sought to be transferred to Tezpur, during the currency of the aforesaid interim order dated 6.7.2001. The said order dated 14.12.2001 has been followed by another order dated 19.12.2001 issued by the Commissioner of Customs NER Shillong by which his service has been placed under the disposal of Commissioner of Central Excise, Shillong. Although the orders have been stated to be issued on administrative ground but same has been issued pursuant to some complaint lodged by the Respondents.

Copies of the impugned orders dated 14.12.2001 and 19.12.2001 are annexed herewith and marked as ANNEXURE-3 & 4.

4.5 That as stated above the interested group of officers in collusion with the respondents lodged complaints against the Applicant with a prayer to transfer him out from Agartala. It is pertinent to mention here that the Applicant detected a huge quantity of phensedyl cough linctus amounting rupees about 16 lakhs which were about to export to Bangladesh illegally. On such detection made by the Applicant the Respondents issued direction to the Applicant to investigate into the matter. Pursuant to such direction Applicant started investigation by issuing summons to the suspected persons involved in the case. However, the other Respondents started creating obstruction in the said investigation carried out by the Applicant for the reason

best known to them. To that effect the said Respondent lodged some complaint against the Applicant and same has resulted in issuance of the impugned transfer order. However, till date no copy of such complaint has been served upon the Applicant to prefer effective reply of the same.

4.6 That the Applicant begs to state that presently the investigation is going under him and there is every likelihood of getting hold the entire network involved in the said smuggling of phensedyl. However, in the event of issuance of the impugned order, the investigation work will be jeopardized. Surprisingly enough now move is going on to allot the said assignments to some other officials by the Respondents. From the above series of action it is clear that the impugned order has been issued at the behest of Respondents. It is noteworthy to mention her that the Respondents have issued the impugned order basing on the complaint made by the interested group without providing any opportunity of hearing to the Applicant.

4.7 That the Applicant begs to state that he was holding the post of Supdt. (Anti Smuggling) under the Custom Division, Agartala since February 2000 and after the issuance of the interim order he has been placed as Leave Reserve, by now he has completed only 4 months of service in the said division. But the Respondent No. 2 has issued the impugned order only to the Applicant without taking into consideration the said period of service. On the other hand persons senior to the present Applicant who by now has completed more than 4 years of service are still continue in their service without

any disturbance. It is further stated that the impugned order has been issued only to frustrate the investigation conducted by the Applicant.

4.8 That the Applicant begs to state that the issuance of the impugned order speaks volume of malafide against the Respondents. In fact the issuance of the aforesaid impugned orders is a net result of the complaint made by the Respondents.

4.9 That the Applicant begs to state that after the issuance of the impugned order the Applicant visited the office of the Respondents but the said Respondents have shown their helplessness in absence of any order from this Hon'ble Tribunal. Being aggrieved by the impugned orders dated 14.12.2001 and 19.12.2001, the applicant preferred representations to the concern authority but nothing has been communicated to him till date.

Copies of the representations are annexed herewith and marked as ANNEXURES- 5 & 6.

4.10 That the Applicant begs to state that after the issuance of the impugned order wherein there has been a direction also for his release, but the Applicant is yet to handover the charge. In fact till date he is holding the said post of Leave Reserve under Agartala Customs Division. Presently the Applicant is on tenure posting and by now he has completed about 4 months of service. As per the procedure prevalent in the Custom Divisions and taking into consideration the transfer guideline holding the field, the

Applicant is entitled to place his option after completion of three years of service. However, in the event of his aforesaid transfer to Dhekiajuli Range Tezpur as has been sought to be done by the Respondents, he will loose his opportunity to place his option for choice place of posting. It is noteworthy to mention here that there are numbers of vacancies in the office of the Respondents to allow the Applicant to continue in his present place of posting but the Respondents with a malafide intention has issued the impugned order which is not sustainable in the eye of law and liable to be set aside and quashed.

4.11 That the Applicant begs to state that presently he is holding the post of Leave Reserve Agartala Custom Division and till date he has not handed over the charge pursuant to the aforesaid impugned orders dated 14.12.2001. and 19.12.2001 The Applicant further begs to state that under his custody there are certain arms and ammunition and for that only he placed his inability to hand over charge to a person who has no authority to hold the said post. In that view of the matter the Applicant prays for an interim order directing the Respondents not to give effect the impugned orders dated 14.12.2001 and 19.12.2001 till disposal of this OA. If the interim as prayed for is not granted the Applicant will suffer irreparable loss and injury.

##### 5. GROUNDS WITH LEGAL PROPROVISIONS

5.1 For that the action/inaction on the part of the Respondents in issuing the impugned orders dated 14.12.2001 and 19.12.2001 are illegal, arbitrary and violative of the

principles of natural justice and hence same is liable to be set aside and quashed.

5.2 For that the Respondent have acted illegally in issuing the impugned order dated 14.12.2001 and 19.12.2001 by which the Applicant has been sought to be transferred to Tezpur Division solely basing on complaints made by the Respondents as well as some others.

5.3 For that the Respondents while issuing the impugned orders dated 14.12.2001 and 19.12.2001 failed to take into consideration the fact that there are numbers of senior officials who have completed their tenure. The Respondents ought to have transferred the seniormost officer instead of the present Applicant who has completed only 4 months of service in his present place of posting. Therefore the impugned order is not sustainable in the eye of law and same is violative of principle of natural justice.

5.4 For that the impugned order has been issued at the behest of Respondents as well as some other interested parties, and same has been issued by the Respondents basing of some complaint respondents and others, without serving/affording any reasonable opportunity to the present Applicant to place his say in the matter and therefore the aforesaid impugned order of transfer is punitive in nature and liable to be set aside and quashed.

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

The Applicant craves 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 Applicant declares that they have exhausted all the possible departmental remedies towards the redressal 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.

**7. MATTER PENDING WITH ANY OTHER COURTS**

That the applicants declares 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 Applicant prays 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 set aside and quashed the impugned orders dated 14.12.2001 and 19.12.2001 allowing the Applicant to remain posted at Agartala Custom Division as Supdt of Anti Smuggling under Customs Division.

8.2 Cost of the application.

8.3 Any other relief/reliefs to which the present Applicant are entitled to under the facts and circumstances of the

case and as may be deemed fit and proper by the Hon'ble Tribunal.

9. INTERIM ORDER PRAYED FOR:

Pending disposal of this application the Applicant prays for an interim order directing the Respondents not to give effect the impugned orders dated 14.12.2001 and 19.12.2001 and to allow him continue in his present place of posting as Supdt. at Custom Division, Agartala.

10. THE APPLICATION IS FILED THROUGH ADVOCATE:

11. PARTICULARS OF THE POSTAL ORDER :

(I) I.P.O. No.: 6 G 788856

(ii) Date: 28/11/2001

(iii) payable at Guwahati

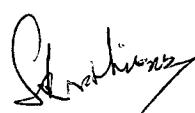
12. LIST OF ENCLOSURES :

VERIFICATION

I, Shri Samir Chakraborty, aged about 54 years, son Late J.C. Chakraborty, Chittaranjan Road, P.O. Agartala College, Tripura West, Agartala-799004 do here by solemnly affirm and state that the statement made in this application from paragraph 1-3,41-42,45-48,410-411&50 are true to my knowledge and those made in paragraphs 43,44 & 49 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 23<sup>rd</sup> day of Dec. 2001.

Signature.

  
(Samir Chakraborty)

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

ORDER SHEET

Original APPLICATION NO ... 243 ... OF 2001.

Applicant (s) S. Chakraborty

Respondent (s) Union of India Sons

Advocate for Applicants (s) Mr. S. Sarma, Miss V. Das

Advocate for Respondent (s) CASE.

Notes of the Registry	Date	Order of the Tribunal
-----------------------	------	-----------------------

R 6.7.2001

Heard Mr S. Sarma, learned counsel, for the applicant and also Mr B.C. Pathak, learned Addl. C.G.S.C. appearing on behalf of the cavatator. The application is admitted. Call for the records.

Mr Sarma stated and contended that the impugned order of



Attested  
Mr. Das  
Advocate.

6.7.2001

transfer dated 26.6.2001 was not made in public interest, but purportedly on administrative ground. Mr. Sarma submitted that the transfer order was arbitrary and drew my attention to the pleadings cited above. Mr. B.C. Pathak sought time yesterday to place on record the instructions. Mr. Pathak, opposing the plea for stay, produced some documents including the complaint of Shri Sanjib Kumar Chakrabarty, who made the complaint by his application dated 28.5.2001 and the report dated 25.6.2001 submitted by the Deputy Commissioner, Guwahati Customs Division.

Going through the facts and circumstances of the case, I find there is a prima facie case in support of the applicant's pleadings and accordingly an interim order is passed suspending the impugned order dated 26.6.2001. Accordingly notice is issued on the respondents as to why the impugned dated 26.6.2001 shall not be suspended, returnable by three weeks. List for orders on 27.7.01. In the meantime the operation of the order shall remain suspended till the returnable date.

Sd/ VICE CHAIRMAN



TRUE COPY

প্রতিলিপি

Section Officer (J)  
অনুসন্ধান অধিকারী (স্নায়িক সভার)  
Central Administrative Tribunal  
কেন্দ্রীয় প্রশাসনিক অধিকারী  
Guru Gobind Singh Beach, Gwahatī-8  
গুরু গোবিন্দ সিংহ বেচ, গুৱাহাটী-৮

Arrested  
M. Dar  
Advocate

04:26 FROM: COMMISSIONER, CUSTOMS 0364-223440

TO:0381328619

PAGE:01

OFFICE OF THE COMMISSIONER OF CUSTOMS  
NORTH EASTERN REGION  
SHILLONG

ORDER NO. 28/2001

DATED, SHILLONG, THE 26TH JUNE, 2001

Sub:- Transfer & posting in the grade of Superintendent, Group-'B' of Commissionerate of Customs, N.E.R., Shillong on administrative grounds -Order regarding.

卷之三

Shri Samir Chakraborty, Superintendent (Anti-smuggling) of Agartala Customs Division is hereby transferred & posted to Badarpur CPF Unit under Karimganj Customs Division on administrative grounds.

Shri Chakraborty, Superintendent stands relieved on 26-06-2001 afternoon.

Sd/-  
(Z. TOCHHAWNG)  
COMMISSIONER OF CUSTOMS

C. No. II(3) 14/ET/CC/CELL/SH/2001/ ३६४४-५५ (A)

Dated: -26-06-2021

Copy forwarded for information & necessary action to :-

1. The Commissioner of Central Excise, Shillong.
2. The Additional Commissioner(P&V), Customs & C.Ex., Shillong.
3. The Additional Commissioner(Tech), Central Excise, Shillong.
4. The Deputy Commissioner(P&I), Customs Hqrs. Office, Shillong.
5. The Deputy Assistant Commissioner, Customs Division, Agartala  
Katinganj/Aizawl/Imphal/Dimapur/Guwahati/Shillong.
6. The Chief Accounts Officer, Customs & Central Excise, Shillong
7. The Administrative Officer, Customs Hqrs. Office, Shillong.
8. The P.A.O., Customs & Central Excise, Shillong.
9. Shri. Samir Chakraborty, Superintendent for compliance.
10. The Branch-in-Charge, BT II & III/Accts. I & II/Confidential,  
CIU-VIG Branch of Customs & Central Excise Hqrs. Office,  
Shillong.
11. The General Secretary, Group-'B' Executive Officers Assn.,  
Customs & Central Excise, Shillong.
12. Guard File.

Attested

Modern  
Advocate.

*W. H. G.*  
(W. H. G.)  
COMMISSIONER OF CUSTOMS.



**COMMISSIONER OF CUSTOMS  
NORTH EASTERN REGION  
SHILLONG**

MG Road (Northbrook Road), Shillong - 793 001, Meghalaya.  
Phone: 0364-229007/210103. Fax: 0364-229007. E-mail: cunash@sancharnet.in

**ORDER NO. 61/2001**

Dated, Shillong, the 19th, December, 2001

**Subject:-**

Annual General Transfers, postings and rotations in the grade of Superintendents Group 'B', Commissionerate of Customs, North Eastern Region, Shillong—order regarding.

The following transfers, postings and rotations in the grade of Superintendent Group 'B' of Commissionerate of Customs, North Eastern Region, Shillong are hereby ordered with immediate effect and until further orders:

Sl. No.	Name of the officer	Place of posting		Remarks
		From	To	
(1)	(2)	(3)	(4)	(5)
1.	S/Shri M. K. Bora	Computer Welfare, AE Dhubri Central Excise Division	Dhubri CPF Guwahati Division	Vice B. Sarker released to Central Excise
2.	Abhijit Ghosh	Tech. Branch Dhubri Central Excise Division	Gopinath LCS Guwahati Division	Vice I. Halim released to Central Excise
3.	P. S. Das	Tech/Std. Branch Agartala Division	Sonamura CPF Agartala Division	Vice S. K. Roy released to Central Excise
4.	Paresh Debnath	Dharmapara Range Silchar Central Excise Division	Tech/Std. Branch Agartala Division	Vice P. S. Das
5.	B. Patir	Service-Tax Range -II Guwahati Central Excise Division	Law/Disposal Aizawl Division	Vice D. N. Doley released to Central Excise
6.	D. R. Saha	BRPL-II Range Dhubri Central Excise Division	Law/Disposal Guwahati Division	Vice J. Larma released to Central Excise

Attested  
Nutan  
Advocate.

FROM: CCNERSHLLG

0364-229007

TO: 0361 520124

PAGE: 05

2

(1)	(2)	(3)	(4)	(5)
7.	P. R. Mullick.	Audit Branch Central Excise Hqrs. office Shillong.	Bedarapur CPF Karinganj Division	Against vacancy
8.	Ranjit Bhattacharjee	Silchar-I Range Silchar Central Excise Division.	Silchar CPF Karinganj Division	Vice J. C. Das No. 2
9.	A. B. Dutta.	A/E Unit Tezpur Central Excise Division.	Moreh LCS Imphal Division	Against vacancy
10.	S. Ganguly.	Dhakaijuli Range Tezpur Central Excise Division	Mahendraganj LCS Guwahati Division	Vice R. K. Sharma Released to Central Excise
11.	Biren Saikia.	RBC Range Guwahati Central Excise Division	A/S.Narc./Intt. Imphal Division	Vice K. N. Daimary released to Central Excise.
12.	Biman Dhar.	PBC-II Range Guwahati Central Excise Division	Tech./Sta. Branch Aizawl Division	Vice K. Ahmed released to Central Excise.
13.	P. K. Das. I	Hqrs. Audit Unit Guwahati	A/S.Narc./Intt. Aizawl Division	Vice A. Bhattacharjee.
14.	Debojyoti Mishra.	TSK-I Range Tinsukia Central Excise Division	Karimganj Steamerboat & Ferry Station	Vice A. Chakraborty released to Central Excise
15.	G. K. Sharmabaran	Dibrugarh-II Range Dibrugarh Central Excise Division	Lumding CPF Dimapur Division	New creation.
16.	Kisalay Das.	Audit Branch Central Excise Hqrs. office, Shillong	Sukarkandi LCS Karinganj Division	Vice J. Dey released to Central Excise
17.	R. K. Das.	Boronia LCS Shillong Division	Law/Disposition Dimapur Division.	Vice P. B. Nag released to Central Excise
18.	J. R. H. Diengdoh.	Hmrs. & Est. Customs Hqrs. Office, Shillong	Boronia LCS Shillong Division	Vice R. K. Das.
19.	M. Marbaniang	Tezpur CPF Guwahati Division.	Hmrs. & Est. Customs Hqrs. Office, Shillong	Vice J. R. H. Diengdoh
20.	P. K. Sinha Choudhury.	Dawki LCS Shillong Division	Dharmapar CPF Karinganj Division	Vice R. C. Dey released to Central Excise
21.	A. Bhattacharjee	A/S.Narc./Intt. Aizawl Division	Dawki LCS Shillong Division	Vice P. K. Sinha Choudhury.

Attested  
A. Das  
Advocate.

(1)	(2)	(3)	(4)	(5)
22.	J. C. Das No. 2	Silchar CPP, Karimganj Division	Tech/Adm. Branch Karimganj Division	Vice J. C. Das Not released to Central Excise
23.	A. Swamy.	Divisional Office Imphal-Division	Law/Disposal Imphal Division	Vice M. Baruah.
24.	M. Baruah.	Law/Disposal Imphal Division	Tengnoup CPP Guwahati Division.	Vice M. Marbaniang.

Representations, if any, should be submitted within 15(fifteen) days from the date of receipt of this order.

Sd/-  
( DD Ingry)  
Commissioner

C.NO.II(3)14/ET/CC/CELL/SH/2001/7750 - 809(A)

Dated: - 19.12.2001

Copy forwarded for information and necessary action to:-

1. The Commissioner of Central Excise, Shillong.
2. The Commissioner (Appeal), Customs & Central Excise, Guwahati.
3. The Additional Commissioner(P&V), Customs & Central Excise, Shillong.
4. The Additional Commissioner(Tech.), Central Excise, Shillong.
5. The Deputy Commissioner/ Assistant Commissioner, Customs/ Central Excise Division (all)
6. Copy meant for the concerned officer is/are enclosed for causing delivery.
7. The Assistant Director(Comm.), Hqrs. Office, Shillong.
8. The Chief Accounts Officer, Customs & Central Excise, Shillong.
9. The Sr. P. S. to Commissioner Customs, North Eastern Region, Shillong.
10. The Pay Accounts Officer, Customs & Central Excise, Shillong.
11. The Administrative Officer(Customs), Hqrs. Office, Shillong.
12. The Superintendent(All), Hqrs. office, Shillong.
13. The Branch-in-charge, ETB & III/ Accts. I & II/ Confidential / CIU —cum-VIG of Customs & Central Excise, Shillong.
14. S/Shri \_\_\_\_\_ Superintendent for compliance.
15. The General Secretary, Group 'B' Executive Officers Association Customs & Central Excise, Shillong.
16. Guard File.

( S. K. Das )  
Assistant Commissioner(P&V)

Attested  
M. Das  
Advocate.

The following officers in the grade of Superintendent, Group 'B' of Commissionate of Customs, North Eastern Region, Shillong are hereby placed at the disposal of Commissioner of Central Excise, Shillong.

SL. NO.	NAME	PRESENT PLACE OF POSTING
01.	P. B. Nag.	Law/Disposal, Dimapur Customs Division.
02.	J. Laina.	Law/Disposal, Guwahati Customs Division.
03.	I. Halim.	Ghasuapara LCS, Guwahati Customs Division.
04.	R. C. Dey.	Dharmanagar CPF, Karimganj Customs Division.
05.	S. K. Roy.	Sonamura CPF, Agartala Customs Division.
06.	J. C. Das. (No. 1)	Tech/Adjn., Karimganj Customs Division.
07.	K. Ahmed.	Tech/Sta., Aizawl Customs Division.
08.	S. Chakraborty.	Leave Reserve, Agartala Customs Division.
09.	Alok Chakraborty.	KSFS, Karimganj Customs Division.
10.	D. N. Doley.	Law/ Disposal, Aizawl Customs Division.
11.	K. N. Dimaliary.	A/S, Imphal Customs Division.
12.	I. I. Di.	Subdivisional Officer, Karimganj Customs Division.
13.	R. K. Sharma.	Mahendraganj LCS, Guwahati Customs Division.
14.	B. Sarkar.	Dhubri CPF, Guwahati Customs Division.

15/2/01  
Assistant Commissioner (P.C.)

Attested

*M. Das*  
Advocate.

GOVERNMENT OF INDIA  
OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE  
M.G.ROAD, SHILLONG - 793 001

ESTABLISHMENT ORDER NO. 791/2001  
DATED SHILLONG THE 14<sup>th</sup> DEC 2001

Subject: Establishment Annual General Transfer, Posting and Adjustment in the grade of Superintendent- order regarding

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

S. N.	NAME	FROM	TO	REMARKS
01	P.B.Nag	Law/Disposal, Dimapur Customs Division	Technician Branch, Dibrugarh C.Ex. Division	Vice R.N.Pegu
02	J.Lama	Law/Disposal, Gauhati Customs Division	Audit Branch, C.Ex.Hqs. Office Shillong	Vice P.R.Mulick
03	I.Haum	Gauhati, LCS, Guwahati Customs Division	Hqs. Audit Unit, Guwahati	
04	R.C.Dey	Dharmapuri C.P.F, Karimganj Customs Division	Officer Manager Range, Silchar C.Ex. Division	Vice Parash Debnath
05	S.K.Roy	Santumura C.P.F, Agartala Customs Division	Control Room, C.Ex.Hqs. Office Shillong	Vice K.Lalngarauva
06	J.C.Das (No-1)	Tech/Adm, Karimganj Customs Division	A/E Unit, Tezpu C.Ex. Division	Vice A.B.Dutta
07	K.Ahmed	Tech/Sis, Aizawl Customs Division	A/E Unit, Dhubri C.Ex. Division	Vice M.K.Bose
08	S.Chakrabarty	Leave Reserve, Agartala Customs Division	Dhakaijuli Range, Tezpur C.Ex. Division	Vice S.Ganguli
09	Alok Chakrabarty	KSF, Karimganj Customs Division	Silchar - I Range, Silchar C.Ex. Division	Vice R.Bhattacharjee
10	D.N.Doley	Law/Disposal, Aizawl Customs Division	NOR Range, Guwahati C.Ex. Division	Vice
11	K.N.Daimary	A/S, Imphal Customs Division	BRPL-II Range, Dhubri C.Ex. Division	C.M.Chakrabarty Vice D.R.Saha
12	Julai Dey	Sulakhandi, LCS, Karimganj Customs Division	CLU-Curr-VIG Br.C.Ex.Hqs. Office, Shillong	Vice C.Hauzel
13	R.K.Sharma	Mahendraganj L.C.S, Guwahati Customs Division	Service - Tax Range-II Guwahati C.Ex. Division	Vice B.Pal
14	B.Sarkar	Dhubri C.P.F, Guwahati Customs Division	Technical Branch, Dhubri C.Ex. Division	Vice A.Ghosh
15	C.M.Chakrabarty	NOR Range, Guwahati C.Ex. division	RBC-II Range, Guwahati C.Ex. Division	Vice Biman Dhar
16	C.Hauzel	CLU-Curr-VIG Br.C.Ex.Hqs. Office, Shillong	Audit Branch, C.Ex.Hqs. Office, Shillong	Vice K.Das
17	A.K.Choudhury	A/E Unit, Dibrugarh C.Ex. Division	RBC Range, Guwahati C.Ex. Division	Vice Biren Saikia
18	Sudip Dev	Tezpu Range, Tezpu C.Ex. Division	Technical Branch, Tezpu C.Ex. division	Vice J.C.Das
19	J.C.Das	Technical Branch, Tezpu C.Ex. Division	Tezpu Range, Tezpu C.Ex. Division	Vice Sudip Dev
20	H.R.Saha	A/E Unit, Silchar C.Ex. Division	Technical Branch, Silchar C.Ex. Division	Vice Subodh Dhar
21	Subodh Dhar	Technical Branch, Silchar C.Ex. Division	A/E Unit, Silchar C.Ex. Division	Vice H.R.Saha
22	S.P.Chakrabarty	Birnhat Range, Shillong C.Ex. Division	Hqs. Audit Unit, Guwahati C.Ex. Division	Vice P.K.Das
23	N.Jongu	Control Room, C.Ex.Hqs. Office Shillong	Birnhat Range, Shillong C.Ex. Division	Vice S.P.Chakrabarty

**ANNEXURE—**

4

R.N.Pegu

Technical Branch,Dibrugarh  
C.Ex.Division

Dibrugarh-II  
Range,Dibrugarh  
C.Ex. Division

V.K.R.  
G.K.Sharmaboral

N.B: Representations if any should reach this office latest by 04.12.2002.

S/d

e/c  
(Z.TOCHHAWNG)  
COMMISSIONER  
CENTRAL EXCISE  
SHILLONG

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

NO.	NAME
01	Nikilay Das
02	S. Ganguly
03	A.B.Dutta
04	Biren Saikia
05	B. Patra
06	Biman Dhar
07	P.K.Das
08	Debajyoti Mishra
09	G.K.Sharmaboral
10	P.R.Mullick
11	Abhilash Ghosh
12	M.K.Bose
13	D.R.Saha
14	Paresi Debnath
15	Ranil Bhattacharjee

**PRESENT PLACE OF POSTING**

Audit Branch, C.Ex. Hqrs Office, Shillong
Dhekiajuli Range, Tezpur Central Excise Division
Anti Evasion Unit, Tezpur C.Ex. Division
RBC Range, Guwahati C.Ex. Division
Service Tax Range-II, Guwahati C.Ex. Division
PBC-II Range, Guwahati C.Ex. Division
Hqrs. Audit Unit, Guwahati
Tinsukia-1 Range, Tinsukia C.Ex. Division
Dibrugarh-II Range, Dibrugarh C.Ex. Division
Audit Branch, C.Ex. Hqrs Office, Shillong
Technical Branch, Dhubri C.Ex. Division
Computer, Welfare, A/E, Dhubri C.Ex. Division
BRP-II Range, Dhubri C.Ex. Division
Dharmamajri Range, Silchar C. Ex. Division
Silchar-4 Range, Silchar C.Ex. division.

C.NO.II(3)33/ET III/2001 / 50785-860

Dated:

19 DEC 2001

1. The Copy forwarded for information & necessary action to :-  
 1. The Commissioner of Customs (NER), Shillong.  
 2. The Commissioner (Appeals), Guwahati.  
 3. The Additional Commissioner (Tech), C.Ex.Hqrs. Office, Shillong.  
 4. The Deputy/Assistant Commissioner \_\_\_\_\_ C.Ex. Division. The copy(s) meant for the concerned officer(s) is /are enclosed.  
 5. The Deputy/Assistant Commissioner \_\_\_\_\_ C.Ex.Hqrs. Office, Shillong. The copy(s) meant for the concerned officer(s) is /are enclosed.  
 6. The CAO/PAO of Hqrs. Office, Shillong.  
 7. Sri \_\_\_\_\_ for compliance.  
 8. Accounts I&II/CII-Hum-VIG/Confidential Branch of C.Ex.Hqrs. Office, Shillong.

*Attested*  
*Wilson*  
*Advocate.*

b/c ADDITIONAL COMMISSIONER (PAO) —  
CUSTOMS & CENTRAL EXCISE  
SHILLONG

12/12/2001

## ANNEXURE-5

- 22 -

To  
 The Commissioner of Customs,  
 North Eastern Region,  
 Shillong.

Through proper Channel.

Sir,

Subject: Representation against release  
 to Central Excise -

Most respectfully, I beg to submit the  
 following for favour of your kind consideration.

1. That vide Order No. 11/2001 dated 19.12.2001  
 I have been placed at the disposal of the Commissioner  
 of Central Excise, Shillong.

2. That Commissioner of Central Excise, Shillong  
 vide Order No. 21/2001 dated 14.12.2001 transferred me  
 to Dibrugarh, under Dibrugarh Division.

3. That I was transferred to Dibrugarh C.P.P.  
 from Agartala on administrative ground vide order No. 28/2001  
 dated 26.4.2001 of the Commissioner of Customs, Shillong.

4. That the Honourable Central Administrative  
 Tribunal, Guwahati Bench stayed the transfer order  
 on administrative ground - vide order dated 6.7.2001  
 in C.A. No. 243/2001. The case is sub-judice. A copy of the C.A.T.

5. That my tenure of posting at Agartala has not  
 yet been completed. Only two years I have completed at  
 Agartala.

In the circumstances stated above, I would  
 request your honour kindly to ~~keep me~~ my release  
 to Central Excise, and retain me at Agartala Customs  
 Division and for this act of kindness, I shall remain  
 ever grateful to you.

Dated 20.12.2001.

Enclosure One

Attested  
 M. D. Sen  
 Advocate.

Yours faithfully,  
 (Sunita Roy  
 (Sunita Chakraborty )  
 Superintendent.

- 23 -

ANNEXURE— 6

To  
 The Commissioner,  
 Central Excise Commissionerate,  
 Shillong -793 001.

Through proper Channel.

Sir,

Subject: Representation against transfer from  
 Agartala to Dhekiajuli, Tezpur Divn.

Most respectfully, I beg to submit the  
 following representation for favour of your kind  
 consideration.

2. That I have been transferred to Dhekiajuli, under Tezpur Division wide Btt. Order No. 21/2001 dated 14.12.2001.
3. That I was transferred to Boardan <sup>due</sup> C.P. F. on administrative ground vide <sup>order</sup> No. 28/2001 dated 26.6.2001 of the Commissioner of Customs, N.E.R. Shillong.
4. That O.A. No. 243/2001 was filed in the Honourable Central Administrative Tribunal, Guwahati Bench against the transfer order dated 26.6.2001 which was stayed by the Honourable CAT, a photocopy of the CAT's order dated 6.7.2001 is annexed hereto as Annexure-I for your kind perusal. The case is sub-judice.
5. That my tenure of posting at Agartala has not yet been completed. Only I have completed two years of my stay at Agartala.

Under the circumstances stated above, I would request your honour kindly to retain me Agartala for and for this act of kindness, I shall remain ever grateful to you.

Attested  
 Md. Samir  
 Advocate.

Yours faithfully,  
 (Md. Samir Chakraborty )  
 Superintendent.