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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A/T.A No. 155/2001

R.A/C.P No.

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SECTION OFFICER (Judl.)

FORM NO.4
(See Rule 42)

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

ORDER SHEET


original APPLICATION NO155.....OF 2001.

Applicant (S) Suresh Boruah

Respondent (S) V.O.I Tom

Advocate for Applicants (s) M. Chanda Mrs. N.D. Goswami
S. N. Chakraverty

Advocate for Respondent (s) CGSC.

Notes of the Registry	Date	Order of the Tribunal
<p>his application is in form but not in the Condonation Petition as filed vide M. P. No. C F for Rs 50/- deposited vide IPO/BD No 60 79 226 Dated..... 24.4.2001 Dy. Registrar 24/4/01</p> <p><u>26-4-2001</u> Service of notice being issued to the concerned parties vide D. No. 1492-1495 dt. 26-4-01.</p> <p>Boo</p>	<p>25.4.2001</p>	<p>Heard Mr M. Chanda, learned counsel for the applicant. The application is admitted. Issue notice as to why the impugned order dated 18.4.2001 transferring the applicant from Kendriya Vidyalaya, Borjhar to Kendriya Vidyalaya, Itanagar No.2 shall not be suspended returnable by three weeks. List it for orders on 18.5.01.</p> <p>Meanwhile the operation of the impugned order dated 18.4.2001 so far the applicant is concerned shall remain suspended.</p> <p style="text-align: right;">  Vice-Chairman </p>
<p>nk m 24/4/01</p>	<p>4.5.2001</p>	<p>Mr M. Chanda, learned counsel for the applicant submitted that in view of the formal defects in the application he may be allowed to withdraw the application with liberty to file the application afresh. The prayer is allowed. The interim order</p>

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but not in the Condonation
Petition as filed vide
M. P. No. C F
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IPO/BD No 60 79 226
Dated..... 24.4.2001

Dy. Registrar

24/4/01

26-4-2001

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4.5.2001

9.5.2001

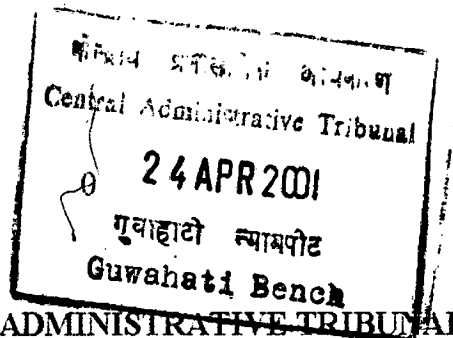
Copy of the order
has been sent to
the office for
issuing it and to
the L/Advocates
for the parties'
SS

dated 25.1.01 stands automatically
vacated.

The application is accordingly
dismissed on withdrawal.


Vice-Chairman

nk m



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

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

Title of the Case : O.A. No. 155/2001

Shri Suresh Baruah : Applicant

-Versus-

Union of India & Others : Respondents

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Date

Filed by

Advocate

Suresh Baruah

Filed by me applicant
Shri S. Baruah
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

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

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

BETWEEN :

1. Shri Suresh Baruah,
Primary Teacher (PRT),
Kendriya Vidyalaya, Borjhar,
(under Kendriya Vidyalaya Sangathan),
P.O. Borjhar, Dist. Kamrup(Assam).

.....Applicant

-AND -

1. The Union of India,
Through the Secretary to the
Government of India,
Ministry of Human Resources,
New Delhi.
2. Chairman,
Kendriya Vidyalaya Sangathan,
New Delhi.
3. Assistant Commissioner,

Suresh Baruah

Kendriya Vidyalaya Sangathan,
Regional Office, Chayaram Bhawan,
Maligaon Chariali,
Guwahati – 781 012.

4. The Principal,
Kendriya Vidyalaya, Borjhar,
P.O. Borjhar, Dist. Kamrup (Assam).

.....Respondents

DETAILS OF THE APPLICATION

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

This application is made against the impugned transfer order issued under letter No.10-2/2001 KVS (GR)/II 282 dated 18.04.2001 whereby the applicant is sought to be transferred from Kendriya Vidyalaya, Borjhar to Kendriya Vidyalaya, Itanagar No.2 on the alleged ground that the post holding by the applicant in Kendriya Vidyalaya, Borjhar is declared excess due to fixation of staff strength in Kendriya Vidyalaya for the year 2001-2002 whereas the applicant was earlier also transferred and posted from Borjhar to upper Shillong following Office order dated 11.08.1999 on the alleged ground that the post holding by the applicant is declared surplus but the applicant is adjusted against an existing vacancy at Kendriya Vidyalaya, Borjhar following the spouse scheme and also in the light of the order passed by the Hon'ble Tribunal on 29.01.2001 in OA 270/99 (S. Baruah Vs. Union of India & Others) in a vacant post of P.R.T. by the order of the Assistant Commissioner, Guwahati Region, Maligaon, Guwahati bearing letter dated 15.02.2001 but surprisingly the applicant again declared surplus in total violation of Snagathan Policy for posting of husband and wife in the same station as the wife of the applicant is also a Teacher serving in the Kendriya Vidyalaya, Borjhar and also in violation

Suren Baruah

of the existing transfer policy of surplus teacher and praying for a direction upon the respondents to allow the applicant to continue in the present place of posting in the light of the Office Memorandum issued by the Govt. of India, dated 12.6.97 as one of the minor son of the applicant is below ten years of age.

2. Jurisdiction of the Tribunal

The applicants declare that the subject matter of his application is well within the jurisdiction of this Hon'ble Tribunal.

3. Limitation

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

4. Facts of the Case

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

4.2 That the applicant is a citizen of India and as such, he is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.

4.3 That the applicant initially joined Kendriya Vidyalaya Sangathan as Primary Teacher in the year 1978 and was posted at Kendriya Vidyalaya, Digaru. However, in the year 1980 he was transferred to Kendriya Vidyalaya, Borjhar and since then he is serving at Kendriya Vidyalaya, Borjhar. It is pertinent to mention here that his wife Smti. Chandrama Baruah is also working in Kendriya Vidyalaya, Borjhar, as Music Teacher.

4.4 That the applicant states that suddenly on 11.8.99, the respondent No:3 issued an order declaring the applicant as surplus and thereby transferring him

Suresh Baruah

from Kendriya Vidyalaya, Borjhar to Kendriya Vidyalaya, Upper Shillong, although his juniors have been retained.

A copy of the impugned order dated 11.8.99 is annexed as Annexure-1.

4.5

That the applicant states that he was the senior most primary teacher in Kendriya Vidyalaya, Borjhar. As stated earlier, his wife is also working in the same school as Music Teacher, Besides, his two minor children namely, Shri Suranjan Baruah (aged about 13 years and Sri Gitartha Ranjan Baruah aged about 8 years are studying in the same school in class IX and II respectively. Situated thus, the applicant after receipt of the impugned order dated 11.8.99 submitted an application to the respondent No.3 on 18.8.99 drawing the letters attention to the aforesaid facts and prayed for favourable consideration of his case, but in vein. The applicant, on the same day also submitted leave application to the respondent not annexing therewith a medical certificate dated 18.8.99 for grant of medical leave as he was suffering from acute Respiratory Tract Infection & P.U.S. and Intestinal Helminthiasis and advised rest by the doctor.

Copies of the aforesaid application dated 18.8.99, medical leave application dated 18.8.99 and medical certificate dated 18.8.99 are annexed herewith as Annexures-2,3 and 4 respectively.

4.6

That as stated earlier, juniors to the present applicant have been retained by the respondents and they are still serving in the same cadre as well as in the same school and same station. In this regard mention may be made of (i) Ms. Madina Sultana (ii) Ms Sarupa Dey, (iii) Mrs. Basanti Phukan (iv) Mrs. Rupa Borgohain (v) Mrs. Kalpana Adhikari and (vi) Mrs. Usha Chhshbrs. It is stated that the instant case, action of the respondents in declaring the applicant surplus and transferring him on that ground is violative of the policy of declaration of surplus and redeployment. It is a settled position of law that the cases of surplus and redeployment the rule of 'last come first go, would apply and thus seniors

Suresh Baruah

cannot be declared surplus retaining juniors in the same cadre. The impugned order thus cannot be allowed to stand the same is liable to be set aside.

4.7 That your applicant further begs to state that the Kendriya Vidyalaya Sangathan has adopted all the rules and regulations of the Central Government, therefore, redeployment of surplus staff rules issued by the Government of India department of personnel and training are applicable in - Kendriya Vidyalaya Sangathan. It would be evident in para 4.0 indication of surplus staff laid down in chapter 4 of revised scheme for the disposal of personnel rendered surplus due to reduction of establishment in Central Government departments/offices. In terms of the above, it is quite clear that senior employee cannot be declared surplus retaining the juniors of the same cadre. Even assuming but not admitting that aforesaid rule if not applicable in the Kendriya Vidyalaya Sangathan but Sangathan cannot make a departure from the settled position of law in the matter of declaration of surplus. Therefore on that score alone the impugned order dated 11.8.99 is liable to be set aside and quashed.

4.8 That the Govt. of India, Ministry of Personnel, Public Grievances and Pension has been seized with the subject of posting husband and wife at the same station for quite a long time and upon reasonable consideration of the matter issued guidelines vide O.M. dated 3.4.86 directing all the departments to ensure posting of husband and wife at the same station while deciding the requests for such posting. Upon consideration of the matter afresh consequent to the recommendations of 5th Central Pay Commission, the Govt. of India vide O.M. dated 12.6.97 reiterated the guidelines as provided in O.M. dated 3/4/86 and in addition has also recommended that the husband and wife may invariably be posted at the same station in order to enable them to lead a normal family life and look after the welfare of the children. The applicant states that the Kendriya Vidyalaya Sangathan adopted all the Rules and Regularisations of the Central

Suresh Kumar

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Government and as such the O.M. dated 12.6.97 is applicable to it and the applicant therefore entitled to continue in his present place of posting.

A copy of the O.M. dated 12.6.97 is annexed herewith and the same is marked as Annexure-5.

4.9 That your applicant being highly aggrieved with the transfer and posting order dated 11.8.99 approached the Hon'ble Tribunal through O.A. No. 270 of 1999 and the Hon'ble Tribunal vide its order dated 18.8.99 was pleased to stay the operation of the order of transfer dated 11.8.99 so far as the applicant is concerned. However, during the pendency of the original application one post of primary teacher fall vacant in the Borjhar Kendriya Vidyalaya. In the said post one Smti Geetanjali Das is sought to be transferred and posted from Kendriya Vidyalaya Shillong to Kendriya Vidyalaya Borjhar vide transfer No. F-1-1-/2000 KVS (S.IV) dated 26.9.2000 but Smti Geetanjali Das made a representation to the Sangathan office in New Delhi praying for her retention at Shillong Kendriya Vidyalaya Sangathan due to her personal problem and ultimately the posting order of Smti Geetanjali Das was cancelled by the respondents after consideration of the representation and as a result, one post of primary teacher remain vacant in the Kendriya Vidyalaya, Borjhar. The applicant in the month of November 2000 submitted a Misc. Petition before the Hon'ble Tribunal praying inter alia for a direction upon the respondents to accommodate against the appointment in the vacant post of primary teacher in Kendriya Vidyalaya, Borjhar against the aforesaid vacancy. During the pendency of the Misc. Petition the respondents was pleased to cancel the order of posting of Smti Geetanjali Das at Borjhar Kendriya Vidyalaya Sangathan issued earlier vide letter dated 26.7.2000. The matter finally came up before the Hon'ble Tribunal on 29.1.2001. The Hon'ble Tribunal was pleased to dispose of the Misc. Petition No. 259 of 2000 in O.A. No. 270/99 with the decision to consider the case of retention of the applicant in the Kendriya Vidyalaya,

Suresh Kumar

Borjhar by way of adjustment in the vacant post of primary teacher due to non-joining of Smti Geetanjali Das, Primary Teacher, Kendriya Vidyalaya, Upper Shillong in terms of the existing scale for the posting of husband and wife in the same station. It is relevant to mention here that the O.A. was also disposed of on the same day on 29.1.2001 in view of the order passed by the Hon'ble Tribunal in Misc. Petition No. 259/2000.

Copy of the order of transfer and posting dated 26.9.2000 and cancellation order dated 5.1.2001, Hon'ble Tribunal's order dated 29.1.2000 passed in M.P. No. 259/2000 as annexed as Annexures-6, 7 and 8 respectively.

4.10 That your applicant immediately after receipt of the Hon'ble Tribunal's order dated 29.1.2001 submitted a representation before the Assistant Commissioner, Maligaon on 8.3.2001 as per direction contained in the Hon'ble Tribunal's order dated 29.1.2001. In the said representation the applicant prayed for his retention by way of adjustment in the Kendriya Vidyalaya, Borjhar in the light of the scheme for posting of husband and wife in the same station to lead a normal life i.e. at Kendriya Vidyalaya, Borjhar. The Assistant Commissioner on receipt of the said representation carefully considered the case of the applicant for posting of the applicant at Borjhar in the light of the existing Rule/Policy and was pleased to adjust the applicant in the vacant post of Primary Teacher at Kendriya Vidyalaya, Borjhar vide order issued under letter No. 10-4/99-KVS(GR)/8655-57 dated 15/16.2.2001.

Copy of the order dated 15/16.2.2001 is annexed hereto and the same is marked as Annexure-9.

4.11 That most surprisingly the assistant Commissioner, Guwahati Region again issued the impugned order of transfer and posting under letter bearing No. F. : 10-2/2001/KVS(GR)/11282 dated 18.04.2001 whereby the applicant is now sought to be transferred from Kendriya Vidyalaya, Borjhar to Kendriya

Suresh Barua

Vidyalaya, Itanagar No.2 . In the said impugned order it is stated that due to the fixation of staff strength in Kendriya Vidyalaya s for the year 2001-2001 the staff, in excess of the sanctioned strength in certain Vidyalayas is required to be redeployed against the existing vacancies in other Kendriya Vidyalaya and accordingly the impugned transfer order has been issued in respect of the applicant. It has relevant to mention here that the applicant has been adjusted against an existing vacancy of Primary Teacher just before a month that too following an order of this Hon'ble tribunal passed in Misc. Case No. 259/200 on 29.1.2001 and also in the light of the scheme issued by the Govt. of India for posting of husband and wife in a same station but surprisingly the same Assistant Commissioner, Guwahati region, Maligaon issued the impugned order of transfer and posting dated 18.4.2001 whereby the applicant is sought to be transferred from Kendriya Vidyalaya, Borjhar to Kendriya Vidyalaya No.2 Itanagar in total violation of direction contained in the Hon'ble Tribunal's order dated 29.1.2001 and also in total violation of Assistant Commissioner's own order issued under letter No.10-4/99-KVS(GR)/865557 dated 15/16.2.2001 and also in violation of the instructions contained in the Government of India Office Memorandum dated 12.6.1997.

It is ought to be mentioned here that the instant impugned order of transfer and posting dated 18.4.2001 in respect of the present applicant in violation of the transfer and posting policy of surplus teacher. In this connection it is pertinent to mention here that the Kendriya Vidyalaya Sangathan very recently framed a transfer policy for transfer and posting of surplus teacher in Kendriya Vidyalayas in terms of the said transfer and posting policy which was issued under letter No. F.1-1/96 ^{-KVS (ES II-III) dated 23.7.96}, the Senior most teacher is liable to be transferred and posted on priority basis. But in the instant case, the respondents particularly, the Assistant Commissioner has violated its own policy in as much as two teachers who are senior to the present applicant are presently

Suker Bala

serving at Kendriya Vidyalaya, Borjhar has been retained and accommodated in total violation of the aforesaid transfer and posting policy and selected the applicant on pick and choose basis. The detailed particulars of senior most teachers are furnished hereunder for perusal of the Hon'ble tribunal.

1. Mrs. Kalpana Adhikary, P.R.T., Kendriya Vidyalaya, Borjhar.
2. Mr. M.M.Das, P.R.T., Kendriya Vidyalaya, Borjhar.

In view of the aforesaid factual position the impugned order of transfer and posting dated 18.4.2001 is liable to be set aside and quashed so far as the applicant is concerned.

A copy of the impugned order dated 18.4.2001 is annexed as

Annexure-10. and a copy of the transfer policy dt 23.7.96 is enclosed as Annexure - II

4.12/

That it is stated that the Hon'ble Tribunal's order dated 29.1.2001 passed in M.P. No. 259/2000 the same Assistant Commissioner Shri D.K.Sainik issued the Office Order under letter bearing No. 10-4-KVS(GR)/8655-57 dated 15/16.2.2001 whereby it is stated that in compliance of the order of the Hon'ble Tribunal's dated 29.1.2001 transfer of the applicant from Kendriya Vidyalaya, Borjhar to Kendriya Vidyalaya, Upper Shillong ordered vide this office transfer order No. 10-4/99-KVS(GR), dated 11.8.1999 is hereby withdrawn.. But surprisingly just after a month the impugned order of transfer and posting dated 18.04.2001 has been issued and the name of the applicant is figured at serial No. 7 in the said impugned list of transfer and posting on the alleged ground that due to fixation of staff strength in Kendriya Vidyalaya s for the year 2000-2001 and 2002 the staff in excess of the sanctioned strength in certain Kendriya Vidyalaya s is required to be redeployed against the existing vacancies in other Kendriya Vidyalaya s and accordingly the impugned order of transfer and posting has been issued. In this connection the applicant further begs to draw the attention of the Hon'ble Tribunal that at least two senior teachers to the

Suren Baruah

applicant are serving in the P.R.T. level in the Kendriya Vidyalaya, Borjhar but the name of those senior most teachers did not figure in the impugned order of transfer and posting dated 18.4.2001. Therefore the impugned order has been issued in total violation of the transfer policy for the surplus teachers as well as in total violation of the Hon'ble tribunal's order dated 29.1.2001 and also in violation of the guidelines/instructions contained in the scheme issued by the Government of India dated 12.6.1997 for posting of husband and wife in a same station and on that score alone the impugned order of transfer and posting dated 18.4.2001 is liable to be set aside and quashed so far as the applicant is concerned.

4.12 That there was no scope to make any representation on the part of the applicant before the authorities as because the applicant is apprehending his release at any moment in view of the instructions contained in the order of transfer and posting itself. As such finding no other alternative the applicant approaching this Hon'ble Tribunal for protection of his legal and valuable right for an interim direction from this Hon'ble Tribunal staying the operation of the impugned order dated 18.4.2001 transferring the applicant from Kendriya Vidyalaya, Borjhar to Kendriya Vidyalaya No. 2, Itanagar so far as the applicant is concerned. It is further categorically submitted that till filing of this application the applicant has not yet been relieved by the authority from the duty at his present place of posting at Borjhar.

4.13 That this application is filed bona fide and for the cause of justice.

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

5.1 For that the impugned order of transfer and posting dated 18.4.2001 has been issued in total violation of the Hon'ble Tribunal's order dated 29.1.2001 passed in M.P. No. 259/2000 and also the order of the Hon'ble Tribunal's in O.A. No.

Suresh Kumar

270/99 and also in violation of the instructions contained in the O.M. dated 12.6.1997 issued by the Government of India, and the existing policy of transfer and posting of the Kendriya Vidyalaya for surplus teachers.

- 5.2 For that the impugned order has been passed by the respondents just after a lapse of two months from the order passed by the Assistant Commissioner dated 15/16.2.2001, following the order of the Hon'ble Tribunal passed in Misc. Case No. 259/2000 in O.A. No. 270/99 whereby the earlier impugned order of transfer and posting dated ^{11.5.99} ~~11.3.99~~ was withdrawn in the light of the direction passed by this Hon'ble Tribunal mentioned above and also in the light of the spouse scheme issued by the Government of India from time to time.
- 5.3 For that the wife of the applicant is also serving in the same school as Music Teacher and the youngest son of the applicant is below 10 years of age, as such it is mandatory on the part of the respondents to retain both the husband and wife in the same station as per the direction contained in Govt. of India's O.M. dated 12.6.1997.
- 5.4 For that the impugned order has been passed in total violation of the transfer policy/guidelines issued for surplus teachers in Kendriya Vidyalayas, at least two senior teachers are serving in the Kendriya Vidyalaya, Borjhar at the primary level and they have been allowed to continue but the applicant has been picked up for transfer and posting at Itanagar in total violation of the existing transfer and posting policy.
- 5.5 For that the children of the applicant are studying in the same school at Borjhar.
- 5.6 For that, even otherwise, in view of the provisions laid down in O.M. dated 12.6.1997, the applicant is entitled to continue in his present place of posting.
- 5.7 For that, the action of the respondents are illegal, arbitrary and as violative of Article 14 and 16 of the Constitution of India as well as the Principles of Natural Justice.

Suresh Barua

5.8 For that, in any view of the matter the impugned order dated 18.4.2001 is bad in law and thus liable to be set aside and quashed.

6. Details of remedies exhausted.

The applicant states that he has no other alternative and other efficacious remedy than to file this application before this Hon'ble Tribunal. The applicant further states that he had to scope to file any representation before the competent authority as the applicant apprehending his order of release at any moment.

7. Matters not previously filed or pending with any other court.

The applicant further declares that he has ~~not~~ ^{on} filed any application, writ petition or suit regarding the matter in respect of which the instant application has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

8. Relief(s) sought for :

In view of the facts and circumstances stated in paragraph 4 of this application, the applicant prays for the following reliefs :

8.1 That this Hon'ble Tribunal be pleased to set aside the impugned order of transfer and posting issued under letter No. F : 10-2/2001/KVS(GR)/11282 dated 18.4.2001(Annexure-10) so far as the applicant is concerned whereby the applicant is transferred from Kendriya Vidyalaya, Borjhar to Kendriya Vidyalaya No.2, Itanagar. And further be pleased to direct the respondents to allow the applicant to continue in his present place of posting at Kendriya Vidyalaya, Borjhar in the light of the O.M. dated 12.6.1997 issued by the Govt. of India.

8.2 Costs of the application.

8.3 Any other relief or reliefs as the applicant is entitled to as deemed fit and proper by the Hon'ble tribunal in the facts and circumstances in the application.

9. Interim Relief(s) prayed for :

Suresh Kumar

During the pendency of this application, the applicant prays for the following relief(s) :

- 9.1 That the Hon'ble Tribunal be pleased to stay the operation of the impugned order of transfer and posting dated 18.4.2001 (Annexure-10) so far as the applicant is concerned till disposal of this application.

10

That this application has been filed through advocate.

11. Particulars of the I.P.O.

- i. I.P.O. No. : 602 792216
ii. Date of Issue : 9/4/2001.
iii. Issued from : G.P.O., Guwahati.
iv. Payable at : G.P.O., Guwahati

12. Details of enclosures.

As stated in the Index.

Suresh Baruah

VERIFICATION

I, Sri Suresh Baruah, son of Sri P.R. Baruah, aged about 50 years, resident of Azara, P.O. and P.S. Azra, Guwahati, in the district of Kamrup, Assam, under Kendriya Vidyalaya Sangatha, Borjhar, Guwahati do hereby verify and declare that the statements made in paragraphs 1 to 4 and 6 to 12 are true to my knowledge and those made in paragraph 5 are true to my legal advice and I have not suppressed any material fact.

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

Suresh Baruah

Annexure-1

Kendriya Vidyalaya Sangathan

Regional Office : Guwahati.

No. F.10-4/99-KVS(GR)/5446-8L

Dated

11.8.1999

OFFICE ORDER

The transfer of the following surplus staff are hereby ordered with immediate effect on public interest.

Sl. No	Name of the teacher with designation	From	Transferred	To
01	Sh J.N. Ram, PGT (Eng)	Borjhar		Maligaon
02	Smt M. Pandey, TGT,(Hindi)	Borjhar		Tezpur-II
03	Sri V.K. Shasi, TGT (SST)	Itanagr-I		Tezpur-II
04	Sri M. Panedy, TGT(SST)	Chabua		AFS Jorhat
05	Smt Kamala Pal, TGT(Maths)	Itanagar-I		Tezpur-I
06	Smt L. Deka, PRT	Narengi		Maligaon
07	Sri S. Baruah, PRT	Borjhar		Upper Shillong
08	Sh S. Nath PRT	Borjhar		Upper Shillong
09	Mrs Dipti Sinha, PrT	CRPF, Ghy		NEHU Shillong
10	Mrs C.C.Mahanta, PRT	CRPF, Ghy		NEHU Shillong
11	Md S. Zaman, PRT	BRP, Bongaigaon		Kokrajhar
12	Mrs S. Talukdar, PRT	CRPF, Ghy		Upper Shillong
13	Mrs. D.Sharma, PRT	CRPF, Ghy		Upper Shillong
14	V.L.Sharma, PRT	CRPF, Ghy		Tezpur-I
15	Mrs A Goswami, PRT	CRPF, Ghy		Laitkor Peak
16	Mrs M. Chakraborty, PRT	Jagi Road		Laitkor Peak

17	Mr Ranjeet Singh, PRT	CRPF, Ghy		Laitkor Peak
18	Mr S. Bora, Group 'D'	Maligaon	Nagaon	

Sd/-
(Dr. Lalit Kishore)
Assistant Commissioner
11/8

Copy to :-

1. Individual concerned with the direction to get himself/herself relieved immediately.
2. The Principal, KV, where teacher is presently working with the direction to relieve the concerned teacher immediately under intimation to this office. The incumbent is eligible to draw TA/DA as per KVS rules. In case teachers on leave/absent he/she should be relieved in absentia with immediate effect. On no account his/her relieving should be delayed. No pay and allowances should be drawn in respect of the transferred teacher with effect from the date he is relieved/deemed to have been relieved.
3. The Principal, KV, where teacher has been posted on transfer with the direction to intimate the date of joining in respect of the teacher concerned to the undersigned immediately.
4. Dy. Commissioner(Admn) KVS(Hqrs) New Delhi w.r.t. his letter No. 1-3/99-KVS(Estt.III) dated 4.8.99 for information. The details of surplus teachers who could not be adjusted within the region is being sent separately.

To
The Assistant Commissioner,
Kendriya Vidyalaya Sangathan
Guwahati Region
Maligaon Chariali
Guwahati-12.

Sub: (Application for consideration of my transfer from Borjhar to Upper Shillong vide Order No. F. 10-4/99-KVS(GR)/5446-8L dated 11.8.99).

Respected Sir,

I have the honour to state that I am a senior PRT teacher of K.V. Borjhar, Guwahati -17. I am residing at with my wife and two minor school going children, elder son reading in class-VIII and younger son residing in class-II at K.V. Borjhar, Guwahati -17.

That Sir firstly for your kind consideration, I inform you that my wife is doing as teacher with me as at the same school K.V. Borjhar, Guwahati-17.

That Sir, Secondly I am the only male member of my family to look after Family including my minor children.

Thirdly that Sir, I also suffering a high blood pressure patient.

Lastly, Sir there are most of the junior PRT teacher in this school.

Under this circumstances I humbly pray that Sir, kindly consider my transfer matter from Borjhar to Upper Shillong and allow me to remain in same school as a PRT (Senior) teacher for end of justice.

Thanking you,

Yours faithfully,
Sd/-

(Suresh Baruah)

To
The Principal
K.V. Borjhar,
Guwahati-17

Sub : Bed rest on Medical Leave.

Sir,

Most humbly and respectfully I beg to state that, I have been suffering from Acute Respiratory Tract Infection & P.U.S. & Intestinal Helminthosis and advise me to take rest from 18.8.99 to 1.9.99. Still then due to Regional Science Exhibition and arranging food for the participant I am compelled to allow the school only for the benefit for the school.

I hereby enclosed Medical certificate for your necessary action and obliged.

Thanking you Sir,

Yours faithfully

Sd/-

(Suresh Baruah)

PRT. 18.8.

Annexure-4

Annexure 4
29**MEDICAL CERTIFICATE**

No. 4033/99

Date 18.8.99

This is to certify that Mr. SURESH BARUAH, AG 48 YEARS, SON OF Late P.R. Baruah, is suffering from Acute Respiratory Tract Infection, EPUS & Intestinal Helminthiasis and is/was advised rest from 18.8.99 to 1.9.99. He /she is medically fit to resume from 2.9.99.

Sd/- Illegible 18.8.99

Signature

No. 28034/2/97-Estt.(A)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 12th June, 1997

OFFICE MEMORANDUM

Sub : Posting of husband and wife at the same Station.

The undersigned is directed to say that on the subject mentioned above, Government has issued detailed guidelines vide O.M. No. 28034/7/86-Estt.(A) dated 3.4.1986. The Fifth Central Pay Commission has now recommended that not only the existing instructions regarding the need to post husband and wife at the same station need to be reiterated, it has also recommended that the scope of these instructions should be widened to include the provision that where posts at the appropriate level exist in the organization at the same station, the husband and wife may invariably be posted together in order to enable them to lead a normal family life and look after the welfare of the children, especially till the children are 10 years of age.

2. The Government, after considering the matter, has decided to accept this recommendation of the Fifth Central Pay Commission. Accordingly, it is reiterated that all Ministries/Departments should strictly adhere to the guidelines laid down in O.M. No. 28034/7/86-Estt.(A) dated 3.4.86 while deciding on the requests for posting of husband and wife at the same station and should ensure that such posting is invariably done, especially till their children are 10 years of age, if posts at the appropriate level exist in the organization at the same station and if no administrative problems are expected to result as a consequence.

3. It is further clarified that even cases where only the wife is a government servant, the concession elaborated in para 2 of this O.M. would be admissible to the government servant.

4. These instructions would be applicable only to posts within the same department and would not apply on appointment under the Central Staffing Scheme.

5. A copy of this Department's OM No. 28034/7/86-Estt.(A) dated 3.4.86 is enclosed for ready reference and guidance.
6. Hindi version of the OM is enclosed.

Sd/- Illegible
(Harinder Singh)
Joint Secretary to the Govt. of India
Tel. No. 301 1276

To

1. All Ministries/Departments of the Government of India.
2. Department of Women & Child Development.
3. The National Commission for Women, 4, Deendayal Upadhyay Marg, ITO, New Delhi.

23.3

Annexure - A 6

26

F-10
9/10/2000

KENDRIYA VIDYALAYA SANGATHAN
(ESTT. IV SECTION)
18, Institutional Area,
Shaheed Jeet Singh Marg,
NEW DELHI - 110 016.

NO.F. -1-1/2000-KVS(E.IV)

DATED: 26-9-2000

TRANSFER ORDER

The transfer of the following Primary Teachers are
hereby ordered on request:-

Sl. No.	Name of PRT	KV where working	KV where posted
1	2	3	4
	Mr./Mrs./Ms		
01.	Lakshmi Naidu	Bheemuni Patnam	No.2 Port Blair
02.	Sannala Indira	No.3 Cochin	Bheemuni Patnam
03.	Rupinder Preet	No.4 Cochin	No.3 Cochin
04.	S.F. Saxena	Khaprail	No.4 Cochin
05.	Shailendra Kumar	Umroi Cantt.	Khaptail
06.	Paul A.M.	Ottapalem	No.1 Port Blair
07.	Chitra Devi R Warriar	Manmad	Ottapalem
08.	Mecna. Ashok Thakur	Jhagrakhand SECL	Manmad
09.	Ramprasad Ram	Ojhar AFS	Jhagrakhand SECL
10.	Sowmya Ganesh	Missamari	Ojhar AFS
11.	John NG	Lokra	Missamari
12.	Deepa Deo, Barman	Chabua AFS	Lokra
13.	Sophia Nair	Aravankadu	No.1 Port Blair
14.	K. Madhu	Mandovi INS	Aravakadu
15.	Huma Kousar	No.1 Itarsi	Mandovi INS
16.	Shobhana Mishra	No.2 Itarsi	No.1 Itarsi
17.	Priyadarshini Dubey	No.1 Itarsi	No.2 Itarsi
18.	Dr. Jayaprakash Jaiswal	No.2 Itarsi	No.1 Itarsi
19.	SK Sharma	Hoshangabad	No.2 Itarsi
20.	Krishna Sharma	Hopa Nagar	Hoshangabad
21.	A Swathy Rajappan	Aravankadu	No.2 Port Blair
22.	Sarah Sheila Anthony	Sulur	Aravankadu
23.	TK Dakshayani	Coimbatore	Sulur

Contd.. P.2/-

Received
14.10.2000

1	2	3	4
24. K Prena	Avadi AFS	Coimbatore	
25. BC Usha	No.1 Tambaram	CLRI Chennai	
26. PT Balaji	AFS Avadi	No.1 Tambaram	
27. Ravi Mahadevan	Donimalai	AFS Avadi	
28. Jasnaal Kaur	No.2 Ferozepur	AFS Ajhar	
29. Sushma K.A.	Borbandar	AFS Samana	
30. Sunita Gill	Lalgarh Jattan	NAD Karanja	
31. Kanan C	No.2 Pondicherry	AFS Avadi	
32. Vijay Laxmi Hebbal	IISC Bangalore	No.2 Pondicherry	
33. Honamma SK	CRPF Yehanka	IISC Bangalore	
34. Lucy Paul	Ernakulam	CRPF Yehanka	
35. Leithika Santosh	No.4 Cochin	Ernakulam	
36. Valsama Joseph	Jagi Road	No.4 Cochin	
37. Manisha Chakravarty	Panbari	Jagi Road	
38. SR Basu Matary	Umroi Cantt.	Panbari	
39. Geetanjali Das	Shillong	Borjhar (not posted)	
40. Sumathy Sudersni Christy	CRPF Avadi	CLRI Chennai	
41. Ramesh Kumar Sudha	No.2 Port Blair	CRPF Avadi	
42. Vaze Ravindra	Donimalai NDMC	Sambra AFS	
43. BS Lakshmi	Missamari	Donimalai	
44. K. Valsala Kumari	No.3 Colaba	Keltron Nagar (Cannanore No.2)	
45. Mrs. Gouri Singh	Karanja NAD	No.3 Colaba	
46. Shushma Guptha	No.3 Colaba	Karanja NAD	
47. Alpana Guptha	Karanja NAD	No.3 Colaba	
48. KV Ratnamala	Mysore	Dherwad	
49. CK Sharda	Bellary	Mysore	
50. Sujata Subhash	No.3 Bikaner	Kalpetta	
51. Cheena Bose	Gandhidham Rly.	No.3 Bikaner	
52. Parul Dev	Khanapara, Guwahati	No.1 Mangalore	
53. Tripti Borgoham	IOC Guwahati	Khanapara, Guwahati	
54. Jhara Chowdhry	Maligaon	IOC Guwahati	
55. Daimi Pass Seal	IOC Guwahati	Maligaon	

2	3	4
56. Neelima Barua	Borjhar	IOC Guwahati <i>Teconat</i>
57. Sujata Unni Nair	No.1 Hubli	No.2 Mangalore <i>Kv. 1.0 C</i>
58. Bharti Krishna Kamble	Sholapur	No.1 Hubli <i>Normand</i>
59. Sabina Sayeed S Hakim	NAD Karanja	Sholapur
60. Promilla Bhattacharya	IAT Girinagar	NAD Karanja
61. Nav Jyoti	Hissar Cantt.	IAT Girinagar
62. Vishnu Dev Upadhyay	Passighat	Hissar Cantt.
63. Rani BT	Bambolim Camp	Payannur
64. Santosh Kumar Yadav	Amla	Ponda
65. Imrat Bharti	No.3 Itarsi	Amla
66. Tripti Balaji	OF Bhandara	No.3 Itarsi
67. Surekha P. Joge	No.2 AFS Devlali	OF Bhandara
68. Champa D. Bhatia	AFS Ojhar	No.2 AFS Devlali
69. Nalini Mulmulay	Raipur	Ojhar AFS
70. Satguna Nayak	Bacheli	Raipur
71. Anjana Srivastava	ITI Rai Bareilly	Bacheli
72. Ahrrora Falipo Das	Ponda	Bambolim Camp
73. Sujata Krishnan	No.1 Mangalore	No.1 Kasargod
74. Ranjana Gupta	Happy Valley, Shillong	Ahmadnagar No.1
75. Kamla Devi	Laitkor Peak, Shillong	Happy Valley, Shillong
76. Sushma Sharma	No.1 AFS Jodhpur	Laitkor Peak, Shillong
77. Suman Sarol	Dabla	AFS No.1 Jodhpur
78. Dinesh Chandra Tiwari	Zakhma	Gangtok
79. Praveen Kaur Dhillon	No.1 Colaba	Jutogh
80. Madalika Vyas	No.2 Colaba	No.1 Colaba
81. Raj K Shori S. Singh	No.3 Colaba	No.2 Colaba
82. GP Ma. viya	AFS Amla	No.3 Colaba
83. Kusum Gadav	Aligarh	Kapurthala Cantt.
84. Yash Pal Giri	Dharangdhara	Aligarh
85. Naresh Kumar Kala	Banswara	Ranikhet
86. Elizabeth Haward	JNU, N. Delhi	Banswara
87. Neelam Kshatriya	Shillong	JNU
88. Munna Lal Verma	New Tehri Town	New Delhi
89. Seema Gupta	Khaprail	Banbasa
		New Tehri Town

1	2	3	4
90. Ratna Bhanja	Bagdogra	Khaprail	
91. Ranu Ghosh	Kokrajhar	Bagdogra	
92. SR Dasu Malavia	Umroi Cantt.	Kokrajhar	
93. Sudhir Kumar Tiwari	Jhalawar	Leh	
94. Darshan Kumar	Tibri Cantt.	Basoli	
	Gurdaspur	Lakhanpur	
95. Praveen Kumar	Srinagar No.1	Bakloh	
96. Deepak Bhagat	No.2 Srinagar	Shikarpur	
97. Kiran Shashi Paul	BSF Dholchera	ONGC Dholchera	
98. Mani Deepa Dass	Gacher, Panchgram	BSF Dholchera	
99. Jaya Dev	Kumbhigram, AFS Dholchera	Kacher, Panchgram	
100. Erijesh Kumar Kairi	No.1 Agartala	Kumbhigram, Dholchera	
101. Sudip Roy	Panisagar BSF	Agartala No.1	
102. Nibha Rani Dargolai	Dinjan No.1	Dumduma	
103. Sujata Deshmukhya	Cachcher Panchgram	Kumbhigram	
104. Madhvilata Dass	Cachcher Panchgram	Kumbhigram AFS	
105. Bina Lama	Bokajan CCI	Dimapur CRPF	
106. Dina Mukesh Joshi	Sabarmati	Ahmedabad Cantt.	
107. Sonvati Sikar War	ONGC Baroda	Sabarmati	
108. Jayanti Paraswar	Rajkot	ONGC Baroda	
109. Purohit Hansa Magan Lal	Dharangdhara	Rajkot	
110. Ajit Kumar	AFS Ojhar	Dharangdhara	
111. Radha Krishna Dave	Gandhinagar CRPF	Naliya AFS	
112. Shivangi Jain Bhakar	Chandkheda ONGC	Gandhinagar CRPF	

Contd..P.5/-

-9-
27

30

-: 5 :-

1.	2.	3.	4.
111. Lily Yamma John	Mehsana	CHSC Chandkheda	
112. Arun Kumar	Lakwa	Mehsana	
115. Arpana Gogoi	Dinjan No.2	Lakwa	

(One Hundred fifteen Cases Only)

(P.K. ACCARAI)
DEPUTY COMMISSIONER (FINANCE)
for COMMISSIONER

Copy to --

- 1- The Individual concerned.
- 2- The Principal, of KV where the teacher under orders of transfer is currently posted. The employees concerned should be relieved from the Vidyalaya immediately but in any case not later than 15 days of issue of this order. In case he/she is not relieved by the stipulated date, he/she shall be deemed to have been relieved of his/her duties with effect from the above date and no pay and allowances shall be drawn. It is the personal responsibility of the Principal to inform the Sangathan immediately regarding relieving/joining of the candidate. Any lapse/failure on the part of the Principal in this regard would be viewed seriously.
- 3- The Principal, KV where the teacher is going to join on transfer for similar action. He is requested to intimate the date of joining of the transferred employee in the Vidyalaya to this office
- 4- The Asst. Commissioner/AIO. All Regional Offices.
- 5- The General Secretaries of recognised service Associations of KVS.
- 6- O.S.D. (H.R.M.)
- 7- O.S.E. (DEF)
- 8- All Dy. Commissioners/Asst. Commissioners/ Sr. Adm./Audit/Accounts Officers and Education Officers of KVS(HQ).
- 9- E.A. to the Commissioner, KVS.
- 10- Guard file/ Notice Board.

(DR. E. PRADHAKAR)
EDUCATION OFFICER

F-10

28

Amrune-67
27

31

Kendriya Vidyalaya Sangathan
(Estt. IV Section)

18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110 016.

No.F.2-1-1/2000-KVS(E.IV)

Dated: 5.1.2001

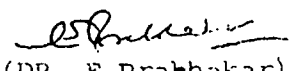
TRANSFER CANCELLATION ORDER

The transfer of the following Primary Teachers ordered vide office order of even no. dated 26.9.2000 is hereby cancelled:

S.No.	Name of PRTs	From KV	To KV
1.	Sh. Yash Pal Giri	Dharangdhar	Aligarh
2.	Ms. Mani Dipa Das	Cachar, Panchgram	BSF Dholchera
3.	Sujata Deshmukhya	Cachar, Panchgram	Kumbhigram
4.	Madhabilata Das	Cachar, Panchgram	AFS Kumbhigram
5.	Gitanjali Das	Shillong	Borjhar
6.	Ranu Ghosh	Kokrajhar	AFS Bagdogra
7.	Sh. Kiran Sashipaul	BSF Dholchera	ONGC Dholchera (Sonai Rd. ONGC Srikona)
8.	Ms. Bina Lama	CCI Bokajan	Dimapur CRPF

(Eight cases only)

This issues with the approval of Commissioner, KVS.


(DR. E. Prabhakar)
Education Officer

Copy to:-

1. Individual concerned.
2. The Principal concerned.
3. The Asst. Commissioner, KVS, RO concerned.
4. Guard File.

C
Pl. note
12/01



ORIGINAL APPLICATION NO. 1259/2000

..... Applicant.

VERSUS

Union of India & Ors Respondents.

For the Applicant(s)

M. J. L. Lankar
M. G. S. Choudhury
M. G. S. Choudhury

For the Respondents.

Dr. B. P. Jodhi
K. V. S.

NOTES OF THE REGISTRAR

DATE

ORDER

29.1.01

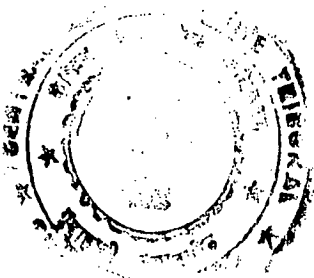
Present : The Hon'ble Mr Justice D.N.Choudhury
Vice-Chairman,
The Hon'ble Mr K.K.Sharma, Adminis-
trative Member.

Respondents Nos. 1, 2, 3, 4

Per

This is one of the issue pertaining to transfer and posting. By order dated 11.8.99 the applicant Sri Suresh Baruah alongwith 17 others were transferred to respective places as surplus staff. The applicant who was at the relevant time at Borjhar was accordingly transferred to Upper Shillong. The legitimacy of the said order was assailed as arbitrary and discriminatory in O.A.264/99 of this Bench, which is also a subject matter of this proceeding.

The respondents filed their written statement. It is stated in the written statement that as per the recommendation of the Academic Advisory Committee, the staff strength of the KVS have to be frozen/reduced. Pursuant to the decision it was decided to declare Kendriya Vidyalaya Borjhar as a 3 Sections Vidyalaya on the basis of the students strength physical facilities/accommodation etc. As per the Kendriya Vidyalaya rules teachers who have longest stay at a particular Vidyalaya was declared surplus and had to be shifted to nearby Vidyalaya against existing vacancy. The applicant as a senior most PRT teacher was transferred to Upper Shillong; The order



29.1.01 of transfer of the applicant was kept in abeyance by the order dated 24.8.99 passed by this Tribunal in O.A.270/99. During the pendency of the proceeding of O.A.270/99, the applicant stated by filing this Misc. petition that one post of PRT in KV, Borjhar was likely to be vacant since Smt Gitanjali Das who was earlier transferred from Shillong to Borjhar vide order dated 26.9.2000 submitted representation before the authority for cancellation of her transfer order from Shillong to Borjhar. The respondents in their reply admitted the fact that Smt Gitanjali Das, PRT, KV, Upper Shillong had submitted a representation to the authority praying for cancellation of her transfer order but the request of Smt Gitanjali Das was yet to be considered by the authority. Therefore, the respondents stated that there was no post clearly lying vacant at KV, Borjhar for consideration of the case of the applicant. The applicant however today produced an Order No.F2-1-1/2000-KVS(E.IV) dated 5.1.2001 communicated by the Education Officer, Kendriya Vidyalaya Sangathan, New Delhi, whereby the competent authority cancelled the transfer order dated 26.9.2000 as regards ^{eight} applicants including that of Smt. Gitanjali Das. A copy of which is produced before us in support of the contention about the existence of a clear vacancy at Borjhar.

In the facts and circumstances of the case and considering all the aspects of the matter we are of the view that ends of justice will be met if a direction is issued to the applicant to make an appropriate representation before the authority for consideration of his case by posting him at Borjhar against the vacancy that arose for cancellation of transfer of Smt Gitanjali Das. The applicant is accordingly directed to make a representation before the competent authority within two weeks from today and if such representation is filed, the respondents shall

- 3T.

33

29.1.01 consider the same as per law against the vacancy that arose due to the cancellation of the transfer of Smt. Gitanjali Das and pass necessary orders thereon. While disposing the representation, the respondents are directed to take note of the attending circumstances including the existing norms and pass a reasoned order thereon as expeditiously as possible preferable within a period of one month from the date of receipt of the representation. Till the aforesaid exercise is completed, the order of this Tribunal dated 24.8.99 passed in O.A.270/99 shall remain operative. The O.A. thus stands disposed, so also the the Misc. petition stands disposed of. ~~as indicated above~~. There shall however, be no order as to costs.

Sd/- VICE CHAIRMAN
Sd/- MEMBER

TRUE COPY

प्रतिनिधि

Section Officer (J)
आनुषांग अधिकारी (प्रशासनिक शाखा)
Central Administrative Tribunal
केन्द्रीय प्रशासनिक अदालत
Guwahati Bench, Guwahati
गुवाहाटी बेंच, गुवाहाटी



केन्द्रीय विद्यालय संगठन
KENDRIYA VIDYALAYA SANGATHAN

केन्द्रीय कार्यालय Regional Office
मालीगाँव चारियाली Maligaon Chariali
गुवाहाटी : 781 012 Guwahati : 781 012

हस्ताक्षर / Photo : 571787, 571788
Fax : 571750

Annexure - 79

पत्रांक :
No. F. : 10-4/99-KVS(GR)/8655-57

दिनांक :
Dated : 15.02.2001
16

OFFICE ORDER

In compliance with the order of the Hon'ble
CAT Guwahati Bench dated 29.01.2001 transfer of Mr. Suresh
Baruah, PRT from Kendriya Vidyalaya, Borjhar to KV, Upper
Shillong ordered vide this office transfer order No.10-4/
99-KVS(GR)/, dated 11/8/1999 is hereby with-drawn.

D. K. Saini
(D. K. SAINI)
ASSISTANT COMMISSIONER

Copy to :-

1. Mr. Suresh Baruah, PRT, Kendriya Vidyalaya, Borjhar
2. The Principal, Kendriya Vidyalaya, Borjhar.
3. The Dealing hand (Court case) KVS(GR). He is requested
apprise Dr. Todi, KVS Counsel to inform the honible CAT.

ASSISTANT COMMISSIONER

0
Pl. issue
My
12/2



केन्द्रीय विद्यालय संगठन KENDRIYA VIDYALAYA SANGATHAN

क्षेत्रीय कार्यालय Regional Office
मालीगाँव चारियाली Maligaon Chariali
गुवाहाटी - 781 012 Guwahati : 781 012

दूरभाष / Phone : 671797, 671798
फैक्स : 671799

पत्रांक
No. F : 10-2/2001/KVS(GR)/11282

दिनांक :
Dated : 18/04/2001

TRANSFER ORDER

Due to the fixation of staff strength in Kendriya Vidyalayas for the year 2001-2002, the staff, in excess of the sanctioned strength in certain Vidyalayas is required to be redeployed against the existing vacancies in other Kendriya Vidyalayas. Accordingly, the following teachers are redeployed in the Kendriya Vidyalayas shown against their names in public interest with immediate effect.

S.No.	Name of the teacher	Designation	Transferred from KV	Transferred to KV
01.	Mr. A. Jerald	POT(Commerce)	Happy Valley	Laitkor Peak
02.	Mr. Ramesh Chand	TGT(Hindi)	Jorhat No.I	Kokrajhar
03.	Smt. Pratibha Brahma	TGT(CBZ)	Kokrajhar	Tezpur No.1
04.	Sh. S.K. Singh	PET	Along	No.2 Tezpur
05.	Sh. I.M. Koch	Drawing Tr.	Tura	Itanagar, No.2
06.	Mrs. M. Borthakur	PRT	IOC Noonmati	Maligaon ✓
07.	Mr. Suresh Baruah	PRT	Borjhar	Itanagar, No.2
08.	Mr. Upendra Saha	PRT	Along	Tezpur No.2
09.	Mrs. A. Nag	PRT	Happy Valley	Laitkor Peak
10.	Mrs. S. Paul	PRT	Happy Valley	Upper Shillong
11.	Mrs. Shahi Agarwal	PRT	BRPL Bongaigaon	New Bongaigaon
12.	Mrs. P.D. Purkayastha	PRT	Happy Valley	Barapani
13.	Sh. D. D. D. D.	Lab. Attnd.	Tura	Kokrajhar
14.	Sh. Manager Singh	Lab. Attnd.	Misa Cantt.	Umroi Cantt.

Copy to:-

- (1) Individual concerned with the direction to get himself/herself relieved immediately.

Asstt. - Comptroller
KVS R.D. Guwahati

contd....2/-



34
Phone : 571797, 571798
Fax : 571700

केन्द्रीय विद्यालय संगठन
KENDRIYA VIDYALAYA SANGATHAN

क्षेत्रीय कार्यालय Regional Office
मालीगाँव चरियाली Maligaon Chariali
गुवाहाटी 781 012 Guwahati 781 012

उपनिष
No. P.

दिनांक
Dated :

(... 2 ...)

- (2) The Principal, KV, where teacher is presently working with the direction to relieve the concerned teacher immediately under intimation to this office. The incumbent is eligible to draw TA/DA as per KVS rules. In case teachers on leave/absent he/she should be relieve in absentia with immediate effect. On no account his/her relieving should be delayed. No pay and allowance should be drawn in respect of the transferred teacher with effect from the date he is relieved/deemed to have been relieved.
- (3) The Principal, KV, where teacher has been posted on transfer with the direction to intimate the date of joining in respect of the teacher concerned to the undersigned immediately.
- (4) The Deputy Commissioner (Admn.), KVS (Hqrs.), New Delhi with reference to his letter No. 1-1/2001/KVS (Eastt.) / E. IV, dated 11/04/2001.

Anil Kumar Jain
Asst. Commissioner
KVS. R.O. Guwahati

Attested
[Signature]

SPEED POST

KENDRIYA VIDYALAYA SANGATHAN

18, Institutional Area,
Shahad Jost, Binqil, Maru
New Delhi-110016.

Dated: 23-07-96

The Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Regional Office.

S. S. Chaur

Subj: Surplus adjustment and transfer of staff within the region.

Sir/Madam,

The proposals for adjustment of teachers within the region received in response to the telegram of even number dated 30-5-96 have been examined in detail in this office. It is observed that in many cases deligation of persons who have been rendered surplus has not been done in accordance with the decision taken in the meeting of Assistant Commissioners hold on 13-5-96 to 15-5-96. According to the decision in the Assistant Commissioners meeting, the guidelines to be adopted for adjustment of surplus teachers were enumerated below:

A. **AUTOMATIC SURPLUS:** Teachers who have been rendered surplus automatically due to the modifications in staff strength are the ones referred to as automatic surplus. In such cases the teacher of the particular category who had the longest stay in the Vidyalaya should move out on transfer.

B. **CREATED SURPLUS:** The term created surplus connotes posting of a teacher when no vacancy existed in that Vidyalaya. In such cases adjustment by transfer should be resorted to only after obtaining the consent of one of the existing incumbents in the cadre.

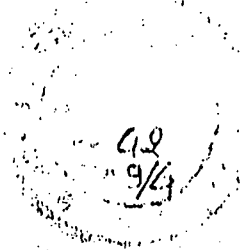
2. Very genuine cases of inter regional transfer have been held back in view of the surplus position and to be dealt from the computerised priority lists. This is so because the Sangathan attaches a lot of importance for adjustment of surplus teachers within the region. Academic, Administrative and Financial implications of the existence of surplus teachers should not be emphasised. Concerted efforts by the Assistant Commissioners are necessary to wipe out the surplus position so that it does not continue to be a drain on our financial resources. Same time no departure from the guidelines framed by the Board of Governors for request transfer in any direction at all.

3. A comparison of the surplus position and the inter regional transfer priority list shows that the surplus position can be reduced by a proper adjustment of surplus teachers. It has therefore been decided that surplus teachers should be transferred to the priority list.

Attested
Principal

Recd. 24/7/96
ONGC

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KENDRIYA VIDYALAYA SANGATHAN

18, Institutional Area,
Shahid Jeet Singh Marg,
New Delhi : 110016.

No. F.1-3/98, KVS (Estt-III)

Dated: 31-3-1998

The Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
All Regional Offices.

Sir/Madam,

Sangathan has since issued a few orders of merger/
closure of Kendriya Vidyalayas. These orders will require
re-deployment of teachers. This process is required to be
initiated and completed by the concerned Assistant Commissioners.
It has been decided that the surplus staff may be transferred
against nearest available vacancies within the region. Proposals
for inter-regional transfer of surplus staff may be sent to this
office wherever it is not possible to redeploy them within the
region for want of vacancies.

An employee, who has the longest stay in the combined
unit will be identified as surplus in respect of mergers.

Yours faithfully,

(Dr. P.K. Tiwari)
Deputy Commissioner (Admn.)

Attested
[Signature]
Principal
Kendriya Vidyalaya
ONGC, [unclear]

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