

GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No. 177/2001

R.A/C.P No.

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SECTION OFFICER (Judl.)

unitresoo

FORM NO.4
(See Rule 42)

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

ORDER SHEET

88201 APPLICATION NO177...OF 2001.

Applicant (S) Mr. P. Bhowmick for

Respondent (S) U. V. I for

Advocate for Applicants (S) B.K. Sharma, S. Sarma, Mrs D.D.N

Advocate for Respondent (S) CGSC

Notes of the Registry	Date	Order of the Tribunal
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This application is in form
but not in time Condonation
Petition is filed not filed vide
M. P. No C. F.
for Rs. 50/ deposited vide
IPO/BD No. 667924/2
Dated.....
11.5.2001

Dy. Registrar.
DW

23.5.01

Admit. Issue notice. Call for the
records. Notice reutrnable by four weeks.
List on 22.6.2001 for further
orders.

Member

trd

Requirts may
be Hkd.

NS
24/5/01

22.6.01

List on 27.7.01 to enable
the respondents to file written
statement.

Vice-Chairman

lm

27.7.01

Four weeks time is allowed for
filing of written statement. List on
29.8.01 for orders.

Member

lm

7/6/01

Notice prepared and sent to
Despatch Section for issuing the
Respondent No. 1 to 3 by Regd A/D.
Vide D/No 2030532 dated 7/6/01

do
7/6/01

Received
applicant's copy.

07/06/2001

✓
① Service report are
still awaited.

29.8.01

Written statement has been filed. The
applicant may file rejoinder, if any within
2 weeks.

List on 14/9/01 for order.

22
21.6.01

No written statement
has been filed,

22
26.7.01

mb
14.9.01

Written statement has been filed. The
applicant may file rejoinder, within two weeks
from today.

List on 21/11/01 for hearing.


Vice-Chairman


Vice-Chairman

9.12.2001

mb

21.11.2001


W/s has been

submitted by the
Respondent.

List for hearing on 4.12.01 to enable
the learned counsel for the applicant to obtain
instructions and file rejoinder, if any.



Vice-Chairman

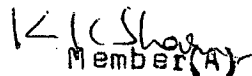
nkm


4.12.01

Mr.S.Sarma, learned counsel for the
applicant submits that he will file rejoinder.

List on 19.12.01 for hearing. Mean-
while, the applicant may file rejoinder, if
any.


Member(J)


Member(A)

mb

19.12.01

On the prayer of learned counsel
for the applicant case is adjourned to
21.12.01 for hearing.


Vice-Chairman

lm

3

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O.A. No. 177/2001

Notes of the Registry	Date	Order of the Tribunal
Rejoinder has been filed by the applicant at 79-86. NS 7/01/02 The case is ready for hearing. 15.1.02.	21.12.01	^{applicant} Sri S.Sarma, learned counsel for the prays for xxx short adjournment on the ground that he would like to file rejoinder Prayer is accepted. List on 16.1.2002 for hearing. <div>Member</div>
	mb	
	16.01.02	On the prayer made by Mr. B.C.Pathak, learned Addl. C.G.S.C. on behalf of Mr. A.Deb Roy, learned Sr. C.G.S.C. who is out of station, the case is adjourned to 22.02.2002. <div>Vice-Chairman</div>
	trd	
	22.2.02	Request has made on behalf of Mr.S.Sarma learned counsel for the applicant that he is unable to attend the Court to-day for his personal difficulty and prays for adjournment. Mr.A.Deb Roy, Sr.C.G.S.C. has no objection. Prayer is allowed. List on 27.2.02 for hearing. <div>Member</div>
15.3.2002 Copy of the Judgment has been sent to the Office for issue the same to the applicant as well as to the Sr. C.G.S.C. by Mr. 15/3/03	lm 27.2.02	Heard learned counsel for the parties. Judgment delivered in open Court. Kept in separate sheets. Application is disposed of. No costs. <div>Member</div>
	lm	

Notes of the Registry

Date

Order of the Tribunal

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 177 of 2001

Date of Decision..... 27.2.2002

1. Shri Pranab Bhowmic and

2. All Assistant Accounts Officer/Section Officers(Group B) Association.

-----Petitioner(S)

Mr.B.K.Sharma, Mr.S.Sarma, Miss .U Das

-----Advocate for the
Petitioner(s)

-Versus-

Union of India & Ors.

-----Respondent(-)

Mr.A. Deb Roy, Sr.C.G.S.C.

-----Advocate for the
Respondent(s)

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

THE HON'BLE

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

Judgment delivered by Hon'ble : ADMINISTRATIVE MEMBER

11/1/02

X

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.177 of 2001

Date of Order : This the 27th Day of February 2002

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

1. Shri Pranab Bhowmick
Section Officer
in the Office of the
Senior Divisional Accountant General,
Nagaland, Kohima
2. All Assistant Accounts Officer/Section Officers
(Group B) Association,
Office of the Sr.Deputy Accountant General(A&E)
Nagaland, Kohima.
Represented by the General Secretary,
Shri Dilip Kumar Dutta ... Applicants.

By Advocate Mr.B.K.Sharma, Mr.S.Sarma, Ms.U.Das

-Vs-

1. Union of India,
Represented by the Comptroller and Auditor General,
New Delhi.
2. Accountant General(A&E)
Assam Maidamgaon
Beltola, Guwahati-28.
3. Sr.Dy.Accountant General(A&E)
Nagaland,Kohima. ... Respondents.

By Advocate Mr.A.Deb Roy, Sr.C.G.S.C.

O R D E R.

K.K.SHARMA MEMBER(ADMN):

The relief claimed by the applicant in this Application is regarding formulation of fair transfer policy treating the present applicants at par with the other AAOs and SOs.

The 14(fourteen) applicants are working as Assistant Accounts Officer and Section Officers in the office of the Sr.Deputy Accountant General (A&E) Nagaland, Kohima, All of them are posted in Nagaland. The applicants claim that they have not been transferred out from Nagaland.

K U Sharma

Several representations filed by the Union and individually, have been ignored. Similarly situated officers like the applicants are being posted to Nagaland only on promotion/ transfer and immediately thereafter they are posted back to their original place of posting according to their choice without touching the present applicants. The applicants stated that the respondents have treated them as a separate cadre/class so far it relates to transfer and posting. In spite of repeated requests to the Respondents to formulate a fair transfer policy applicable to the AAO and SOs serving in N.E. Region treating Nagaland to be tenure posting, however, the Respondents have treated them as a separate cadre, though vacancies are existing outside Nagaland. All the AAOs and SOs have got their common seniority and recruitment rules and they are liable to be transferred any where within the N.E. Region. However, after the applicants were posted in Nagaland, they have never been transferred out from Nagaland. The other officers were being posted to Nagaland from other N.E. States for a period of 18 months and again they have been sent back to their original place of posting. There are 176 Assistant Accounts Officers and Section Officers belonging to the common cadre. Similar matter in O.A.No.86 of 96 dated 21.8.96 regarding the posting of base cadre was adjudicated before this Tribunal. Nagaland is a hard station and there are various difficulties for the persons who are not originally belonging to the State of Nagaland. Admittedly applicants are non-residents of Nagaland. The authority should have considered the case of the applicants by framing a fair transfer policy for all AAOs and SOs for tenure posting in Nagaland. The

contd/-

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AAOs and SOs from other N.E. states were posted in Nagaland for the purpose of promotion. They reverted back to the old place of posting after 18 months.

2. Mr. S. Sarma learned counsel appearing on behalf of the applicant supported the averments made in this application. Mr. A. Deb Roy, Sr. C.G.S.C. relied on written statement and other materials. In the written statement it is stated that the grievance of the applicants is ^{th U} at most of them want transfer to Guwahati only. Mr. S. Sarma argued that the request of the applicants have not been acceded to because of lack of vacancies at Guwahati. Some of the (A&E) offices are deficit offices and some of the surplus. There are less number of Section Officers Grade Examination (SOGE) passed officials to fill the sanctioned posts in the cadre of SOs/AAOs right from the beginning to some offices and there are more SOGE passed officials than the sanctioned strength in some other offices of the common cadre and they have to be posted in other offices as a result of the operation of the common cadre. The Comptroller & Auditor General of India has also suggested to post officials in the station as per their choice, as far as possible and to accommodate the officials/officers as far as practicable in the state from which they passed the examination. Officials (SOs/AAOs) who are posted after transfer generally continue for 18 months in the new place and thereafter transferred and posted to parent office. It is denied that in respect of transfer there is no fair policy. Rotation is done at the periodic interval of 18th months. The Respondents stated that the Transfer policy (Annexure 3 to the written statement) was formulated

10/11/2018
contd/-

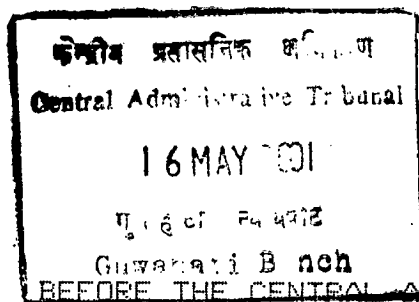
after consultation with the Unions. However, the office of the Sr.Dy.Accountant General Nagaland, Kohima, Imphal did not offer any comment. It is stated that the policy is clear and as far as practical and administratively convenient to the benefit of the officials of the common cadre. However, the fact remains that every representation may not get that favourable consideration. The common Gradation List in respect of the SOs/AAOs for NE Region shows the seniority of the officers and is also referred to while effecting transfer and posting. The effort is to effect the transfer and posting in such a manner that, with minimal disturbance the problem of surplus and deficit is managed. Roster for the entire North East Cadre is not administratively feasible. The applicants have failed to appreciate the problems the others officers like SOs/AAOs in Tripura face with a posting to Nagaland.

3. After hearing the learned counsels for the parties I am of the view that the Respondents have framed transfer policy for accommodating the officers at their choice station of posting. The transfers are being done as per instructions issued by the respondents. The officers posted to Nagaland, I have a feeling that they are being discriminated in the matter of transfer. The Respondents are directed to review the transfer policy in consultation with the Unions and taken into account administrative exigencies and may consider if any changes are possible in the transfer policy. The transfer policy should be fair for all the officers of the N.E. Region and officers posted in Nagaland should be considered for posting to other states of North East.

Subject to the mentioned above the application is disposed of, ^{as above} No order as to costs.

LM

K.K. Sharma
(K.K. SHARMA)
ADMINISTRATIVE MEMBER



Title of the case :

O.A. No. 177 of 2001

BETWEEN

Shri Pranab Bhowmick & Ors. Applicants.

AND

Union of India & ors. Respondents.

I N D E X

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Filed by : Usha Das

Regn.No.:

File : C:\WS7\PRANAB

Date :

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Filed by
the applicant through
Alloha Das
Advocate
8/5/2001

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

O.A.No. of 2001

BETWEEN

1. Shri Pranab Bhowmick
Section Officer
in the office of the
Senior Divisional Account General,
Nagaland, Kohima.
2. All Assistant Accounts Officer/Section Officers
(Group-B) Association,
Office of the Sr. Deputy Accountant General (A&E)
Nagaland, Kohima.
represented by the General Secretary,
Sri Dilip Kumar Dutta.
..... Applicants.

VERSUS

1. Union of India,
Represented by the Comptroller and Auditor General,
New Delhi.
2. Accountant General (A&E)
Assam Maidamgaon
Beltola, Guwahati-28.
3. Sr. Dy. Accountant General (A&E)
Nagaland, Kohima.
..... Respondents.

PARTICULARS OF THE APPLICATION

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

This application is not directed against any particular
order but has been directed against the action of the respondents
by discriminating the applicants, who are presently posted at
Nagaland by treating them as an isolated cadre and not as part of
the common cadre, in respect of transfer. The present applicants
are now holding the posts of Asstt. Accounts Officer and Section

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Officers in the office of the Senior Deputy Accountant General (A&E) Nagaland, Kohima and the respondents inspite of their repeated requests have not yet transferred them out from Nagaland since their initial appointment even though many of their similarly placed colleagues have either not been posted to Nagaland or have been posted for very short tenure. All the AAOs and SOs are belongs to a common cadre having N.E Transfer liability. Nagaland being a hard station it is the duty of the respondents to post all the Asstt. Account Officer and Section Officers, so that the hard posting in Nagaland is equitably rotated. However, contrary to that the respondents inspite of repeated requests never posted out the applicants from Nagaland but, similarly situated persons like that of the present applicants either not posted to Nagaland or posted for short periods only by the respondents on transfer / promotion and put them back to their original place again. This discriminatory and differential treatment meted out to the present applicants has compelled them to believe that Nagaland is a separate cadre so far it relates to transfer and posting and that too in respect of the present applicants only. Several requests have been made by the individual as well as by the Union and apart from empty assurances nothing has been done so far in the matter.

This is the crux of the matter for which the instant application has been preferred by the present applicants seeking an appropriate direction to the respondents to frame a fair policy in respect of the transfer and posting of AAOs and SOs, taking in to consideration the grievances raised by the applicants and/or implement the transfer policy (if any) in respect of posting and transfer of AAOs and SOs to Nagaland on rotation basis, treating the applicants also a part of such rotation and also treating Nagaland as a tenure posting.

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2. LIMITATION:

The applicants declare that the instant application has been filed within the limitation period prescribed under section 21 of the Central Administrative Tribunal Act.1985.

3. JURISDICTION:

The applicants further declare that the subject matter of the case is within the jurisdiction of the Administrative Tribunal.

4. FACTS OF THE CASE:

4.1. That the applicants through this application pray before this Hon'ble Tribunal for a direction to the respondents to frame a fair transfer policy within a reasonable time in respect of all the Asstt Accounts Officer (AAO) and Section Officers (SO) who are in the common cadre comprising of N.E States, having all N.E Transfer liability. The applicants are presently holding the Posts of AAO and SO under the respondent No.3 i.e. the Accountant General (A&E) Nagaland, Kohima. Since long the applicants are being posted at Nagaland and inspite of repeated requests the respondents are bent upon not to transfer the present applicants out from Nagaland showing one after another reason. Representations both through union and individually are being preferred to the respondents but till date inspite of assurances nothing has been done so far in the matter. Similarly situated employees like that of the present applicants are being posted to Nagaland only on promotion/transfer and immediately thereafter they are posted back to their original place of posting according to their choice without touching the present applicants. The aforesaid step-motherly attitude in the same common and composite cadre has compelled the present applicants to believe that contrary to rules, the respondents have treated them as a separate cadre/class so far it relates to

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transfer and posting. The Union espousing the cause of action of their members made several representations highlighting their grievances praying for a fair transfer policy applicable to the AAOs and SOs serving in NE Region treating Nagaland to be tenure posting. However, the respondents have not yet formulated the policy and continued to treat the present applicants who are in the common cadre of AAO and SO as a separate cadre so far it relates to their transfer and posting. Having no other alternative, the present applicants have come before this Hon'ble Tribunal seeking an appropriate relief towards formulation of a fair transfer policy. Hence this application.

4.2. That the applicants are citizen of India and as such they are entitled to all the rights, privileges and protections as guaranteed under the Constitution of India and laws framed thereunder.

4.3. That in the present application the applicant No.1 is holding the post of Section Officer in the office of Senior Divisional Accountant General, Nagaland and the applicant No.2 is the General Secretary of All Asstt. Accounts Officer/Section Officers (Group-B) Association, Nagaland and he represents the interest of the other AAOs and SOs as reflected in Annexure-A to the OA. The cause of action and the relief sought for by the present applicants are similar and therefore, the applicants pray before this Hon'ble Tribunal to allow them to join together in a single application invoking Rule 4(5)(b) of the Central Administrative Tribunal (Procedure) Rules 1987 to minimise the number of litigation and the cost of application.

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4.4. That all the applicants as stated above are holding the posts of AAO and SO in the office of the Senior Deputy Accountant General, (A&E) Nagaland since long. The applicants have noticed the fact that the respondents have been treating them differently so far as it relates to their posting and transfer. The applicants belong to the cadre of AAO and SO which is a common cadre of NE Region comprising of NE States and none of them are permanent resident of Nagaland. All the AAOs and SOs have got their common seniority and recruitment rules and they are liable to be transferred any where within the N.E Region. Admittedly as per the Gazette Notifications dated 18.12.86 and 7.4.95, entire State of Nagaland has been described as a disturbed area. Apart from that the entire state of Nagaland is being treated as tenure station/ hard station taking in to consideration various peculiar situations as well as its Geographical position. It is noteworthy to mention here that Central Govt. Employees posted in Nagaland are getting House Rent Allowances at the rate prescribed for B-Class cities taking in to consideration one of such problems being faced by such employees so far as rented accommodations are concerned. Apart from the aforesaid problems, there are various factors prevailing in Nagaland, which have led to issuance of the Gazette Notifications and same are the reasons for terming Nagaland to be a tenure/ hard station. The applicants who are presently posted in Nagaland are also subjected to such difficulties and same has compelled them to prefer representation to the concerned authority praying for their posting out from Nagaland with a further prayer to post them in any soft station than Nagaland since they have completed years of service at Nagaland.

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Copies of some of the representations preferred by the applicants individually and collectively through Union are annexed herewith and marked as Annexure-1 colly.

Applicants crave leave of this Hon'ble Tribunal to produce relevant documents pertaining to grant of HRA treating Nagaland as B-Class city and tenure/ hard station as well as the Govt Notifications declaring Nagaland to be Disturbed Area at the time of hearing of the case.

4.5. That as stated above, the applicants individually and collectively through union preferred several representations to the concerned authority raising their grievances but the same are yet to yield any result in positive. In fact, considering the plight of the applicants respondent No 3 has recommended their case favourably but same remained only in black and white without any positive response, by the higher authority.

Applicants crave leave of this Hon'ble Tribunal for a direction to the respondents to produce the aforesaid recommendations at the time of hearing of the case.

4.6. That one of such representations dated 1.12.2000 annexed as Annexure-1 colly preferred by the applicant No.2 addressing to the respondent No.2 has been forwarded by the respondents No 3 vide letter dated 4.12.2000. In the said letter the respondent No.3 reminded respondent No.2 about the assurances given to the applicants union during his tour in Kohima in Nov. 1999. The respondent No.3 pointed out the fact that the aforesaid assurances was also reflected in his tour note dated 14.3.2000. In this connection it is pertinent to mention here that the respondent No.1 during his visit in Kohima in the Month of Nov.99 held discussions in respect of various problems including the grievances of the applicants regarding framing of

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fair transfer policy. Discussion was concluded on that subject and an agreed decision was arrived at to formulate a roster maintaining a rotation of staff to office outside Nagaland, but till date nothing has been done so far in the matter.

Copies of the letter dated 4.12.2000 and an extract of the tour note dated 14.3.2000 are annexed herewith and marked as Annexure-2 and 3 respectively.

4.7. That the applicants as stated above have been representing their grievances for a uniform and fair transfer policy before the higher authority but nothing has been done so far to transfer them out from Nagaland on rotation with similarly placed staff in the common cadre. Some of the applicants preferred representations in their individual capacity praying inter-alia for their transfer from Nagaland to any place outside Nagaland on grounds personal to them. On receipt of such representations, the respondents on and often rejected the same stating that there is no vacancy. But in fact even though there exists clear vacancy the respondents are bent upon not to transfer them out of Nagaland. For example one of the applicants Shri Pranab Bhowmik preferred numbers of representations to the concerned authority for consideration of his case and to transfer him to the office of the AG, Assam but his aforesaid representations have been turned down by the Respondent No.2 and by letter dated 1.9.2000, the respondent No.3 intimated him that there is no vacancy and as soon as the vacancy would arise his case would be considered in due course. In fact there were vacancies at that relevant point of time and the respondents have been filling up the vacancies by the vacancies from the other States, by issuing various orders as mentioned in para 4.8 below.

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Copies of the representations dated 25/7/2000 and letter dated 1.9.2000 are annexed herewith and marked as Annexure-4 and 5 respectively.

4.8. That similarly one of the applicants Shri Ashotosh Sarkar, Section Officer, (now AAO), made a prayer before the respondent No.2 for his posting out from Nagaland and to post him in the office of the AG, Assam, Guwahati. But his such prayer even after his repeated requested has been turned down by issuing a letter dated 7.9.2000, by the respondent No 2 stating that there is no vacancy and his turn for transfer has not yet time at that point of time and his case would be considered in due course of time. In fact there were vacancies at that relevant point of time, and the respondents have been filling up the vacancies by the persons from other States, by issuing various orders, of which mention may be made of orders dated 24.1.2000, 3.3.2000, 27.11.2000, 1.1.2001, and 18.1.2001.

Copies of the representation dated 4.8.2000 and orders dated 7.9.2000, 24.1.2000, 3.3.2000, 27.11.2000, 1.1.2001 and 18.1.2001 are annexed herewith and marked as Annexure- 6,7,8,9,10, 11 and 12 respectively.

4.9. That similarly, another applicant Sri Adhir Chakraborty SO (now AAO) made a prayer before the respondents No 1 and 2 for his posting out from Nagaland and to post him in the office of the AG (AE) Assam, Guwahati, But his such prayer even after his repeated requests have been turned by issuing letter dated 11.5.1999, 3.1.2000 and 1.8.2000 by the respondents No 2 stating in first two occasions that there are no vacancy and finally that his turn for transfer is yet to come. In fact there were vacancies at that relevant point of time and the respondents have

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been filling up the vacancies by the persons from other States, by issuing various order as mentioned in para 4.8 above.

Copies of the representations dated 31.3.1999, 3.11.1999, 12.5.2000, 6.12.2000, and letter dated 11.5.1999, 3.1.2000 and 1.8.2000 are annexed herewith and marked as ANNEXURES 13,14,15,16,17,18 AND 19 respectively.

4.10. That from the above it is clear that there has been a step-motherly attitude adopted by the respondents in treating the applicants quite differently. It is pertinent to mention here that as per the service condition all the AAOs and SOs are liable to be transferred and posted to any offices of AG (A&E) in Assam, Nagaland, Manipur, Tripura, Meghalaya etc or any other offices likely to be opened in NE Region. However, so far as the present applicants are concerned after their posting at Nagaland, they have never been transferred out permanently from Nagaland, whereas, other AAOs and SOs like that of the present applicants are being posted to Nagaland from other NE States for a short span of time and again they have been put back to their original place of posting without touching the applicant treating Nagaland to be a base isolated cadre for them.

4.11. That as stated above, the respondents are treating the present applicants as a separate cadre on amongst the 176 AAOs and SOs belonging to the common cadre and without any valid reason. The respondents have sought to term Nagaland as a base cadre for the present applicants. The Hon'ble Tribunal had an occasion to deal with the matter more particularly on the question of being a base cadre while adjudicating a similar matter (OA 86/96). In the said OA preferred by one Shri T.R.Dey raised the issue pertaining to his transfer from AG, Ghy to Sr

DAG Kohima and respondents in their counter placed the fact that Nagaland is the base cadre of Shri T.R.Dey and that is why he has been transferred back to Nagaland again. The Hon'ble Tribunal vide its judgement and order dated 21.8.96 made it clear the terminology "base cadre/base officer" is not applicable to the AAOs and SOs as they have got all NE Region Transfer liability.

A copy of the judgement and order dated 21.8.96 is annexed herewith and marked as Annexure-20.

4.12. That the applicants beg to state that in terms of the aforesaid judgement and order dated 21.8.96 it is clear that the terminology base cadre/base office is not applicable to the present applicants since they have got all NE Region transfer liability as per their recruitment rule. Needless to say that Nagaland is a hard station and there are various difficulties for the persons who are not originally belonging to the State Nagaland. Admittedly applicants are non residents of Nagaland and they are presently facing those difficulties. The respondents are also well aware of the fact that Nagaland is a hard station but knowing fully well the fact as well as inspite of repeated requests made by the present applicants, they are bent upon not to transfer the applicant out from Nagaland.

4.13. That the applicants submit that in view of the various Gazette Notifications it is crystal clear that the State of Nagaland is a disturbed area. The higher authority ought to have considered the case of the present applicants by formulating a fair transfer policy rotating all the AAO and SOs for such tenure posting. Admittedly, Nagaland is a hard station full of terrorist activities and in respect of security, barring the office premises there is no security in the quarter. On the other hand the present applicants even can not think of settling permanently in Nagaland because of statutory bar under 371 (A) of

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Constitution of India of purchasing landed property in Nagaland. Some of the applicants are yet to get their official accommodation and they are facing tremendous problem so far it relates to rented accommodations. Amidst these situation the applicants had to pass their days without any ray of hope of transfer to any softer station than Nagaland.

4.14. That instances are at galore that AAOs and SOs are being posted to Nagaland on transfer, only for the purpose of promotion and immediately thereafter they are posted back to their original place of posting. On the other hand the applicants who got their posting in Nagaland are remaining in Nagaland ever since their entry in service and inspite of their repeated requests none of them has been transferred out from Nagaland to any softer station. Having faced that aforesaid step motherly attitude, the present applicants have reasons to believe that they belong to a separate cadre comprising of the present applicants only. Be it stated here that the applicants belong to the composite cadre of AAO and SO having common seniority and all NE Transfer Liability and common recruitment Rules. In case of initial posting/posting the applicants donot have any say in the matter and the respondent No 2 is the cadre controlling authority and it is mare luck and chance. But it is seen that incumbents posted to Nagaland have to remain in Nagaland without any transfer.

4.15. That the applicants beg to state that the respondents have acted illegally in not transferring the present applicants to any other softer station inspite their repeated requests and for that reason the applicants are compelled to believe that they belong to a separate cadre consisting the present applicants only and if so the respondents may be directed to issue necessary notification declaring Nagaland to be a separate cadre so that

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the promotional avenues of the applicants become much more wider and in case of separation of cadre, they can exercise their option for posting elsewhere.

4.16. That the applicants beg to state that presently altogether 176 AAOs and SOs are there in the composite cadre of AAOs and SOs and in case the respondents formulate a policy making it compulsory to them to accept posting at Nagaland once in a lifetime by rotating 176 AAO and SOs the aforesaid controversy would not have arisen.

In a nutshell the grievances of the present applicants are regarding framing of a fair transfer policy for all AAOs and SOs and to execute the said policy treating the present applicants within the composite and common cadre and to rotate all of them through a hard station like Nagaland, at least once in a life time fixing a minimum length of stay in the said hard station. Alternatively the applicants case in brief is that if the aforesaid relief regarding fair transfer policy is not granted, than the respondents may be directed to issue necessary Office Memorandum treating Nagaland as a separate cadre so that applicants would get their wider scope of promotion and the opportunity to exercise their option upon such separation for being posted elsewhere.

4.17. That this application has been filed bonafide and to secure ends of justice.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1. For that the entire action/inaction in the part of the respondents in not exceeding to the requests made by the applicants and treating them not at par with the other AAOs and SOs are illegal, arbitrary and violative of Article 14 and 16 of the Constitution of India and laws framed thereunder.

5.2. For that there being a common cadre for AAOs and SOs comprising of respondents in treating the present applicants differently without any valid reason is not sustainable in eye of law and appropriate direction need be issued to the respondents to formulate a fair transfer policy treating the present applicants at par with the other AAOs and SOs.

5.3. For that there being number of vacancies available in the softer station than Nagaland it is the duty of the respondents to post the applicants out from Nagaland more so, when the fact of Nagaland being hard station is known to the respondents. Having not done so the respondents have acted illegally and for that appropriate direction is required to be issued to the respondents to frame a fair transfer policy.

5.4. For that respondents are duty bound to post all the 176 AAOs and SOs in Nagaland once in a lifetime on rotation basis fixing a minimum time period for such tenure posting by adopting roster system for the same.

5.5. For that the respondents in view of statutory provision prescribed in the Recruitment Rule regarding all NE Region transfer liability, the base cadre/base office terminology ought to have applied in respect of present applicants.

5.6. For that in any view of the matter the action/inaction of the respondents are not sustainable in the eye of law and liable to set aside and quashed.

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

6.DETAILS OF REMEDIES EXHAUSTED:

That the applicants declare that they have exhausted all the remedies available to them and there is no alternative

remedy available to him.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER COURT:

The applicants further declare that they have not filed previously any application, writ petition or suit regarding the grievances in respect of which this application is made before any other court or any other Bench of the Tribunal or any other authority nor any such application, writ petition or suit is pending before any of them.

8. RELIEF SOUGHT FOR:

Under the facts and circumstances stated above, the applicants most respectfully prayed that the instant application be admitted records be called for and after hearing the parties on the cause or causes that may be shown and on perusal of records, be grant the following reliefs to the applicants:-

8.1. To direct the respondents to prepare a fair and transparent transfer policy and implement for all the AAOs and SOs, including the clause of rotation transfer through a hard station like Nagaland, fixing a minimum and maximum stay period in such hard station and making the same compulsory for all AAOs and SOs at least once in a life time, treating the present applicants at par with the other AAOs and SOs for such rotation and to prepare a roster for the same.

8.2. To direct the respondents not to treat the applicants as a holder of base cadre/base officer of Nagaland and to treat them as a member the common cadre AAOs and SOs.

8.3. To direct the respondents alternatively to issue necessary orders treating A.G (A&E), Nagaland as a separate cadre so that the promotioal avenues of the applicants much more wider and in case of separation of cadre the applicants can exercise their option for posting elsewhere in case the aforesaid

reliefs are not granted to the applicants.

8.4. To direct the respondents to acceded to the requests made by them through their representations within a stipulated time period.

8.5. Cost of the application.

8.6. Any other relief/reliefs to which the applicants are entitled to under the facts and circumstances of the case and deemed fit and proper by this Hon'ble Tribunal.

9. INTERIM ORDER PRAYED FOR:

Pending disposal of the application the applicants particularly the applicant No.2 prays before this Hon'ble Tribunal for an interim direction to the respondents to consider the individual cases of the applicants reflected in the Annexure-A.

10.

11. PARTICULARS OF THE I.P.O.:

- 1. I.P.O. No. : 66 292417
- 2. Date : 11/5/2001
- 3. Payable at. : Guwahati.

12. LIST OF ENCLOSURES:

As stated in the Index.

P.B.

VERIFICATION

I, Shri Dilip Kr.Dutta, son of Late M.R. Dutta, aged about 39 years, at present working as AAO, General Secretary, All AAO/SD Association (II) office of the Sr.Deputy Accountant General (A&E), Kohima, Nagaland, do hereby solemnly affirm and verify that the statements made in paragraphs 1,2,3,4,2,4,10,4,12 to 4,16 and 5 to 12 are true to my knowledge and those made in paragraphs 4,1,4,4-4,9 & 4,11 are also true to my legal advice and the rest are my humble submission before the Hon'ble Tribunal. I have not suppressed any material facts of the case.

I am the applicant No.2 in the instant application and conversant with the facts and circumstances of the case and competent to swear this affidavit for and on behalf of all the applicants listed in Annexure-A on their authorisation.

And I sign on this the Verification on this the 07th day of MAY. of 2001.

Dilip Kumar Dutta
Signature.

NAME, DESIGNATION AND PRESENT PLACE OF POSTING OF
THE PERSON'S WHOM THE ASSOCIATION REPRESENTS.

Sl. No.	NAME	DESIGNATION	PRESENT PLACE OF POSTING.
1.	Sri Sankar Paul	Asstt. Accounts Officer	O/O the Senior Dy.A.G.(A&E), Nagaland, Kohima.
2.	Sri R.M.Dasgupta	- Do -	-Do-
3.	Sri A.K.Das	- Do -	-Do-
4.	Sri P.C.Rabha	- Do -	-Do-
5.	Sri Dilip Kr. Dutta	- Do -	-Do-
6.	Sri Nani Gopal Sen	- Do -	-Do-
7.	Sri Ashutosh Sarkar	- Do -	-Do-
8.	Sri Samarendra Biswas	- Do -	-Do-
9.	Sri Adhir Chakrabarty	- Do -	-Do-
10.	Sri Pranab Bhowmick	Section Officer	-Do-
11.	Sri Pijush Chakrabarty	- Do -	-Do-
12.	Sri Shymal Kr. Biswas	- Do - (New Promotee)	-Do-
13.	Sri Motilal Sinha	Asstt. Accounts Officer	On deputation to Dumduma, Assam.

Attested
by
Advocate.

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Confidential

To

The Comptroller and Auditor General of India
10, Bahadur Shah Zafar Marg
New Delhi 110 002.

(Through proper Channel)

Subj: - Transfer Policy of common cadre S.Os/A.A.O's under Accountant General (A&E), Assam being the Cadre Controlling Authority.

Respected Sir,

I have the honour to state that the following paragraphs for your kind consideration and necessary action.

That Sir, I had been recruited as an Auditor in the o/o the Accountant General (A&E), Nagaland, Kohima on 15.01.83 through S S C Exam. Conducted in 1980 and opted in A&E during departmental bifurcation in 1984. I passed my SOG Examination (Supple.) in 1990 and promoted in common cadre as Section officer in the same office. Thus, I rendered altogether 9 (Nine) years of my sincere service in Accountant General (A&E), Nagaland, Kohima.

As such, I submitted a representation seeking transfer to A.G.(A&E), Assam Guwahati, in home state. Accordingly my representation had been considered and transferred to A.G.(A&E) Assam, Guwahati in 1992. However, the transfer order did not reflect any ambiguity on temporary basis or repatriation to A.G.(A&E), Nagaland Kohima at any occasion. If so, I would certainly think about such temporary transfer. I had been promoted as AAO in 1994 in the A.G.(A&E), Assam.

That sir, recently I have been transferred again to the A.G.(A&E), Nagaland Kohima as the reliever of Sri D. Dutta, AAO, selected on deputation from A.G.(A&E), Nagaland to West Bengal. However, on behalf of Sri Dutta's deputation I have been posted in Nagaland instead of many senior AAO's and Junior SO's/AAO's in the gradation list who never been posted any tenure in such remote places like Kohima and Imphal-reveals that the Cadre Controlling Authority is not in a position to look into the common interest of all common cadre incumbents even working under the establishment. As such transferees from A.G.(A&E), Nagaland are very frequently transfer back to the same office treating as BASE CADRE. Under this circumstances I have submitted a representation (Copy enclosed) to CCA for reconsideration of the issue. However as soon as my release order has been issued.

In this context, it may be mentioned here that the Hon'ble CAT, GHY-Bench in its verdict-(vice Shri T.R.Dey Vrs. A.G.(A&E) Assam) has nullified the Base Cadre terminology and passed an order to maintain uniform statuesque for all S.O's/A.A.O's in Common Cadre.

Attested
h. Bas.
Advocate.

That Sir I have joined on duties in the A.G.(A&E) Nagaland, Kohima as on 03.01.2000 within joining time as the reliever of Shri D.K.Dutta, A.A.O. However, it is understood that Shri D.K.Dutta submitted a representation for retention on the same duty place prior to my joining in A.G.(A&E), Nagaland, Kohima mentioning that he is at present not in a position to proceed on the assignment selected for deputation in West Bengal due to his personal affairs. Accordingly his representation has been considered and I have been absorbed against another vacant post.

Under this circumstances, I would like to draw the sympathetic consideration of the Authority concern on the the ground of my ill fated family mostly school children who are in uncertain of their educational prospect at Kohima in different environment and inadequate provision of Central schools or in Guwahati lack of proper guidance due to my long absence.

As such, I appeal your Highness to look into the matter for reversion of my duty place to A.G.(A&E) Assam, Guwahati so that I may overcome the difficulties.

Dated, Kohima 1st Feb'2000

Encls:-

1. Transfer Order.
2. Representation.

Yours faithfully,



(M.L.Sinha, AAO)
O/O The Accountant General(A&E)
Nagaland, Kohima

Advocate
h. Das
Advocate.

ALL AAOs/SOs (Group "B") ASSOCIATION
O/o The Sr. Deputy Accountant General (A&E)
Nagaland Kohima

ANNEXURE-1

Ref:- ASSN/G-B/AAO-SO/ 99-2000/07-10

Dated:- 9-1-2001

President

Comrade

Ashutosh Sarkar

To

The Comptroller and Auditor General of India,
10, Bahadur Shah Zafar Marg
New Delhi-110002
(Through Proper Channel)

Secretary

Comrade

Dilip Dutta

Subject:- Transfer/Posting Policy of all Common Cadre AAOs/SOs of N.E. Region.

Sir,

I am unanimously desired by the AAOs/SOs of this Association vide resolution No. 06 dated 8-1-2001 to appraise your kind authority one of their long pending demands for adoption a Fair Transfer/Posting policy for all AAOs/SOs who have borne on common cadre of the A.G.(A&E), Assam, Guwahati, comprising all field Offices located in North Eastern Region.

You may perhaps be aware of their legitimate demand as stated above. and in this context I would like to reiterate here that inspite of submission of numerous representations dated 22-01-1997, dated 31-01-2000 dated 19-05-2000 to Hqrs. and dated 01-12-2000 to Cadre Controlling Authority, A.G.(A&E) Assam Guwahati (to be more exact since 1994) which are self explanatory. Unfortunately, no earnest attention has been made to their demand prayed for till date, consequently, the sentiment of my members upshotted into serious morale problems and depression.

The conception behind the adoption of Fair Transfer/Posting Policy are, (1) for common interest, (2) the Govt order/conditions of transfer liability to any state in N.E.R. by all AAOs/SOs borne on the common cadre would strictly be followed, (3) every AAOs/SOs would be made liable to be transferred to either of the two hard posting stations in Kohima or Imphal at least for a minimum period of 3years subject to willingness of the officers who are at present serving in hard posting stations, so that all the AAOs/SOs should honestly share the hard life in Kohima/Imphal, in consistent of responsibility being in the common cadre, (4) the maintenance of composite seniority by CCA, A.G.(A&E), Assam, Guwahati, with respect to further promotion to the post of AO/Sr. AO, would be justified.

In view of the foregoing, I as Secretary of this Association request you may kindly appreciate the view points of my members and direct the CCA, A.G.(A&E) Assam, Guwahati, to evolve a Fair Transfer/Posting Policy within a period of 1(one) month, from the date of receipt of this representation, with-out further discrimination in transfer/posting/promotion among the AAOs/SOs of the common cadre. If no such order passed by the competent authority within the said period all the aggrieved AAOs/SOs of this office are contemplating to seek the help of honourable court of law for redressal of their grievances

Yours faithfully

(DILIP DUTTA)
General Secretary

Copy to:-

- (1) The A.G. (A&E), Assam, Guwahati, for information and necessary action
- (2) The A.G.(A&E), Nagaland, Kohima for information.
- (3) Shri A.B.Sen Secretary General, All India Audit and Accounts Association LIG-15/1089-90, Vesundhara, Post office:- Sahibabad, Dist:- Ghaziabad, Pin 201010, with a request to take up the matter with the C&AG of India and with the O/o of the A.G.(A&E) Assam, Guwahati.

Attested

Advocate.

General Secretary.

ALL ASSISTANT ACCOUNTS OFFICERS/SECTION OFFICERS
(GROUP 'B') ASSOCIATION
OFFICE OF THE SR. DEPUTY ACCOUNTANT GENERAL (A&E)
NAGALND :: KOHIMA.

No. Policy/AAO/SO/Association/06

Date: 1 December 2000

To

The Accountant General (A&E)
Maidamgaon, Belitola
Assam, Guwahati.

(Through proper Channel)

Subject:- Transfer/Posting policy of Common Cadre SOs/AAOs, thereof.

Sir,

I am unanimously desired by the SOs/AAOs (Group 'B') of this Association who are borne on the combined cadre of the Accountant General (A&E), Assam, Guwahati and have been working in the Office of the Sr. Deputy Accountant General (A&E) Nagaland, Kohima to inform you that all S.O/AAO. of this office submitted (January 2000) representation to the C&AG of India urging him to evolve a fair transfer policy for all common cadre borne on SOs/AAOs. In this context I would like to draw your personal attention to para 8 (eight) of the C&AG's note forwarded under Hqr's letter No. 38 Audit (Aud-Plg) 99-2000 dated 20-01-2000. This was followed by reminders submitted by them in May 2000. But unfortunately no response has been received by them till to date resulting in gross resentment. All these aggrieved SOs/AAOs are contemplating to refer the case to the honourable Court of law for a reasonable solution of their long pending and justified demands.

The undersigned as Secretary of this Association requests you as Cadre Controlling Authority (CCA) kindly to let my members know:

1. The principle followed by the CCA for posting of SOs/AAOs who are borne in common cadre in different field Offices. A copy of the approved guiding principles/transfer policy adopted in your office for transfer and posting of these officers in N.E. Region may also please be furnished along with your replies for records and guidance.
2. It has been experienced from the past that circulars calling for willingness/applications for going on deputation to other Offices seldom reach this Office from the Cadre Controlling Authority. Even if these are received occasionally, these are despatched from your Office at such a late stage that one hardly finds time to submit his application in time. I shall be extremely thankful if you kindly let this Association know the reason as to why these circulars are either not sent to this office or if sent why in such a late stage denying the SOs/AAOs of this Office having even a chance to submit their application in time.

Attested
bhas.
Advocate.

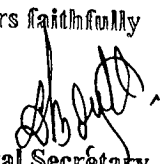
3. More over, often it has been noticed that copies of orders issued from your office releasing SOs/AAOs on deputation/transfer to other offices have not been endorsed/furnished to this office. Consequently the SOs/AAOs of this office remain in ignorance of these developments. Reason as to why such are not being endorsed to this office may also please be made known to this Association.
4. It is also most unfortunate to note that since creation of this office in 1984 no officer/representative of the Cadre Controlling Authority even visited this office (excepting once in the year 1997 for separation of cadre) to know the condition to which the officer borne on common cadre of your office had been working in this office despite their problems being brought to your notice by them through their individual submission on several occasions. I take this opportunity to request you to visit this office atleast to make your self apprised of the working condition prevailing here.

A suitable reply on the above mentioned sensitive points is expected within 15 (fifteen) days from date of receipt of this letter.

Further, you are also requested to visit this Office for a congenial discussion with the Association members in presence of the Accountant General, Nagaland, Kohima your convenient date may be apprised.

With regards

Yours faithfully



General Secretary,
All AAOs/SOs (Group 'B') Association
O/o the Sr. Deputy Accountant General (A&E)
Nagaland, Kohima.

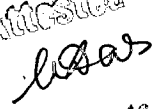
Memo No. Policy/AAO/SO/Association/06

Date: 1 December 2000

Copy to:-

1. Accountant General, Nagaland, Kohima with a request to take up the matter with the Cadre Controlling Authority for solution and let this Association know the date of discussion and development if any.
2. Shri A.B.Sen Secretary General (All India Audit & Accounts Association), 15/1089-90, Vasundhara, Post:- Sahibabad, Dist:- Ghaziabad, U.P.-201010. With a request to take up the matter with the C&AG as well as Cadre Controlling Authority, Guwahati, Assam.


General Secretary
All AAOs/SOs (Group 'B') Association
O/o the Sr. Deputy Accountant General (A&E)
Nagaland, Kohima.

Attested

Advocate.



V. RAVINDRAN
Accountant General

कोहिमा - ७९७००१

OFFICE OF THE ACCOUNTANT GENERAL (AUDIT), NAGALAND
KOHIMA - 797001

Phone : 222206 (O) 222018 (R) Fax : 0370-222947

D.O. No. Admn/A&E/9-19/2000-2001/4564
Date 12-2000

Dear D J

Please find enclosed a self explanatory representation No. Policy/AAO/SO/Association/06 dated 1-12-2000 received from the Secretary, All AAOs/SOs (Group 'B') Association, O/o the Sr. Deputy Accountant General (A&E), Nagaland, Kohima regarding the transfer policy being adopted by your office on the transfer and posting of SOs/AAOs. belonging to the Common Cadre under your control.

The Staff Association of this office had earlier brought this issue to the notice of the C&AG of India during his tour in Kohima in November 1999, which was also reflected in para 8 (eight) of the C&AG's tour note. My D.O. No. Admn/A&E/6-8/99-2000/7431 dated 14th March 2000 addressed to the Pr. Director (Staff), also refers.

A visit by you to my office at your earliest convenience would go a long way in alleviating the frustration and resentment of the SOs/AAOs under your cadre control posted to this office.

Encls:- As above

Best wishes

Your sincerely

Shri D.J. Bhadra, IA&AS
Accountant General (A&E)
Assam, Maldamgaon, Betola,
Guwahati-28

Redu

Attested
[Signature]
Advocate.

Action:- ADAI (GCS), AG Manipur, Dlr (Comm State)

F AG Nagaland

1. It was brought to CAG's attention that there were considerable vacancies in the audit office. CAG was of the view that some flexibility could be given to the Accountant General for utilisation of 17 vacancies. AG would formulate a proposal to this effect for consideration at Headquarters.

Action:- PD (Staff), AG Nagaland

2. The issue of separate cadres for Nagaland offices was raised. CAG was of the view that while adequate staff was not available for manning the separate cadres for Nagaland office. AG should work out a proposal for separate cadres.

Action:- PD (Staff) AG Nagaland

3. The issue of vacant post of Group Officer was raised. CAG assured that a Group Officer would be posted shortly.

Action:- DAI, AC(P)

4. CAG stated that funds would be provided on a priority basis for various works like borewell in the office, phased repair of the official quarters of the staff, water-proofing of the roof of the office, boundary wall etc. He desired that the necessary proposals be sent by the AG.

Action:- PD (Staff), AG Nagaland

5. It was brought to CAG's attention that to solve the Y2K problem the computers needed to be upgraded for which Rs. 4.75 lakhs was required. CAG desired that this should be examined in Headquarters.

Action:- DAI (RC), AG Nagaland. Dir (EDP)

6. While reviewing the schedule of preparation of Audit Report, CAG desired that the bond copy should be sent to Headquarters by 16 January 2000.

Action:- ADAI (GCS), AG Nagaland, Dir(RSNE)

7. It was brought to CAG's attention that demands for deputation were taking considerable time in reaching Kohima and hence the willingness of staff was rarely sent on time. Accordingly a concern was expressed that the last date for receiving the willingness of staff for deputation should be extended by 15 days in case of Nagaland. It was further stated that the cadre controlling authority was reluctant to send the staff in Nagaland office on deputation. CAG was of the view that the staff in Nagaland office could go on deputation. Furthermore, wherever possible the last date for receipt of willingness for deputation could be extended by 15 days.

Action:- PD (Staff), AG Nagaland

Attested
by
Advocate.

8. It was pointed out that staff who had cleared the SOG examination did not get opportunity to work outside Nagaland. CAG was of the view that a roster could be maintained for rotation of the staff to offices outside Nagaland.

Action:- DAI, PD(Staff), AG Nagaland

9. It was brought to CAG's attention that the staff was under constant threat of unlawful elements. CAG was of the view that in serious cases the AG could recommend to the cadre controlling authority to allow the staff to work in Guwahati/ Shillong on temporary basis. Any decision on the individual case should be taken by the cadre controlling authority within 2-3 days of receipt of the recommendation from AG Nagaland.

Action:- DAI, PD (Staff), AG Nagaland

10. It was brought to CAG's attention that although Nagaland had been declared as a disturbed area, yet "Disturbed Area Allowance" was not being paid. CAG desired that this issue be taken up with the Government.

Action:- PD (Staff)

11. It was brought to CAG's attention that while staff of other Central Government establishments like Department of Posts, Department of Telecom etc. were drawing HRA at "B" class city rates, this was not the case with staff of IAAD. CAG desired that this issue should be examined at Headquarters.

Action:- PD (Staff), AG Nagaland

12. On the issue of recognition of staff associations CAG stated that staff associations should apply in separate categories as there was no provision for composite association.

Action:- PD (Staff), AG Nagaland

G Meeting with members of PAC and COPU.

1. CAG was of the view that the PAC could discuss in detail the financial health of the state government appearing in the audit report. This was relevant in the context of precarious financial position of the state.

Action:- ADAI (GCS), AG Nagaland

2. CAG was of the view that wherever there were arrears in discussion of audit reports, PAC and COPU should take up the latest report for discussion. Furthermore these Committees could meet during the period when the legislature was in session. This could ensure the presence of members of the committees and officials of the state government.

Action:- ADAI (GCS), AG Nagaland

3. It was stated that although the State Government was required to take action on the recommendations of the Committees, it rarely did so. CAG was of the view that while auditing various departments, AG would specifically obtain information from the Government on the action taken on the recommendations and this would be reported in the subsequent Audit Report.

Action:- ADAI (GCS), AG Nagaland

Attested
[Signature]
Advocate.

To

ANNEXURE— 4

36

The Accountant General, (A&E), Assam,
Maidamgaon, Beltola,
Guwahati - 781 029.

(Through Proper Channel)

Subject : Prayer for transfer/repatriation.

Respected Sir,

With due respect and in humble submission I beg to state that on 6-8-99 and 24-1-2000 I had represented for my transfer/repatriation on humanitarian grounds. In my earlier representations I have already exhaustively explained the reasons due to which I am earnestly requesting for my transfer to Guwahati.

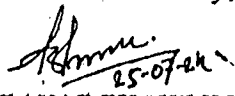
All my representations were duly forwarded by the Accountant General, Nagaland, Kohima vide No. Admn/A&E/6-8/97-99/1285, dated 27-8-99 and D.O. No. Admn./A&E/6-8/99-2000/7000, dated 31-1-2000 but no positive development in this regard has since been communicated to me.


Respected Sir, once again I would like to state that the health condition of my parents have further deteriorated for want of proper medical treatment at my home town.

Sir, I, therefore, would request your benign authority to kindly consider my transfer to Guwahati as a very special case and allow me to perform my duties to my sick parents.

Dated Kohima the 25th July, 2000

Yours faithfully,


(PRANAB BHOWMICK)
Section Officer


Attested
Advocate

OFFICE OF THE SR. DY. ACCOUNTANT GENERAL (A&E)
NAGALAND, KOHIMA

No. Admn/A&E/6-8/Repatria/2000-01/ 2-043 Dated Kohima, the 1-9- 2000

To,

Shri Pranab Bhowmick, S.O

Subject:- Representation of Shri Pranab Bhowmick, S.O.

With reference to your representation dated 25-7-2000 on the subject cited above I am to inform you that the same has been forwarded demi-officially to the Cadre Controlling Authority (C.C.A) on 27-7-2000 and in reply to the same the Accountant General (A&E)- Assam, Guwahati has informed vide letter No.DAG(A)/Con-C/99/R&T/44 dated 23-8-2000 that there is no vacancy at Guwahati office in the cadre of S.O. and your case will be considered in due course

Attested.
[Signature]
Advocate.

[Signature]
17/9/2000
ACCOUNTS OFFICER (A)

From
Ashutosh Sarkar,
Asstt. Accounts Officer, 38

O/o. the Sr. Dy. Accountant General, (A&E),
Nagaland, Kohima.

To

The Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi - 110 002.

(Through Proper Channel)

Subject : Prayer for transfer enabling staying of husband and wife at the same the station for the interest of rearing of Twin Daughters.

Respected Sir,

With due respect and in humble submission I beg to lay before you the following few lines on the subject as cited above, for favour of your kind and sympathetic help please.

That Sir, I am enclosing herewith the copies of my representation dated 28-10-98 and subsequent reminders dated 19-2-99, 30-7-99 and 5-1-2000 addressed to the Accountant General, (A&E), Assam being the Cadre Controlling Authority (CCA), with the hope that considering merits of my case the CCA would consider my transfer case on priority basis.

But Sir, I am to inform that , unfortunately, the CCA has neither informed me regarding the development of my transfer case as yet nor acknowledged the receipt of my representation, though some of my junior officers have been transferred from Kohima.

That Sir, the arbitrary attitude of the CCA left me with no alternatives, but to seek the kind intervention of the Comptroller & Auditor General of India vide my representation dated 27-1-2000 (Copy enclosed) with a request to evolve clear cut fair transfer/posting policy/roster for all the AAOs/SOs in common cadre, by the CCA, but till now I remain to be obliged in this regard.

Sir, I would once again request your benign authority to kindly advice the CCA , i.e., the O/o. the Accountant General, (A&E), Assam to kindly consider my transfer case immediately.

Sir, for such an act of help on the part of the Comptroller & Auditor General of India, I would remain ever grateful to you.

That Sir, otherwise I will be left with no alternative, but to knock the door of a Court of Law against the CCA.

Thanking you Sir,

Encl:- As above
Dated Kohima,
the 4th August, 2000.

Yours faithfully,

(ASHUTOSH SARKAR)
Asstt. Accounts Officer,
O/o. the Sr. Dy. Accountant General, (A&E),
Nagaland, Kohima

Amended
by
Advocate.

OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029.

No.DAG(A)/Con-c/99/R&T/56

Date: 7.9.2000

To

The Asstt. Comptroller & Auditor General (N)
O/O the Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
Indraprastha Head Post Office,
NEW DELHI - 110 002.

Sub: Transfer of Shri A.Sarkar, AAO

Madam,

I am to invite a reference to Headquarters office letter No. 2074-GE-II/44-99 dt. 30.8.2000 on the subject cited above and to state that at present there is no vacancy at Guwahati in the cadre of SO/AAO, Moreover, his turn for transfer and repatriation has not yet come as there are other SOs/AAOs awaiting for transfer to Guwahati from Nagaland.

As per record of this office, his spouse ^{Diphu} is working as a music teacher in ~~Dispur~~ High School, Karbianglong (outside Guwahati), However, his case will be considered in due course.

Accountant General has seen this.

Yours faithfully

Sd/-
Deputy Accountant General(A)

Memo No. DAG(A)/Con-c/99/R&T/57

Date: 7.9.2000

Copy forwarded to:

Shri A.Sarkar, AAO, O/O the Sr.DAG(A&E) Nagaland, Kohima for information.

Attested
Advocate.

X. Siddhartha Singh
Deputy Accountant General(A)

**OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029.**

Admn.1/Order No.186

Date: 24.01.2000

Without prejudice to the claim of their seniors and also subject to the condition that their seniority in the cadre Section Officer will be fixed later, the following officials of common cadre of North Eastern Zone offices are hereby promoted to officiate as Section Officers in the scale of pay of Rs. 5500-175-9000/- p.m. and posted in the offices indicated against their names:-

Sl. No.	Name	Office to which attached	Office to which posted
01.	Shri. Bidyut Sen Purkayastha	A.G(A&E)Assam, Guwahati	A.G.(A&E) Assam, Guwahati .
02.	Shri. Paul Tigga	A.G(A&E)Assam, Guwahati.	A.G(A&E)Assam, Guwahati .
03.	Shri. Uttam Chakraborty	A.G(A&E)Tripura., Agartala.	A.G(A&E)Meghalaya,etc., Shillong in place of Shri. Sanjib Kr. Roy, AAO.

On promotion Shri. Uttam Chakraborty (Sl. No. 3 above) will release Shri. Sanjib Kr. Roy, A.A.O. who is repatriated to the o/o the Sr. D.A.G(A&E)Tripura , Agartala vide this office Admn.1 Order No. 125 dt. 29.10.99 and Shri. Bimal Ch. Das, AAO may be retained in the O/o the Sr. D.A.G(A&E)Tripura ,Agartala for the time being .

The promotion will take effect from the date(s) they take over charge in the offices as indicated against their names.

The officers are liable to be transferred and posted to any of the offices of the Accountant General(A&E) in Assam , Nagaland, Tripura, Manipur, Meghalaya etc., or any other offices likely to be opened in future in the North Eastern Region.

On their promotion, the officers are required to exercise option, if any, in the matter of fixation of their pay within one month in terms of G.I.D. No. 19 below FR-22(I)(a)(1).

The officers are required to intimate this office whether they accept the promotion or not within 10.02.2000 positively, failing which their promotion will be treated as refused.

[Authority: AG's order dt. 21.01.2000 at P/10^N of file no. DAG(A)/Panel/SO/98].

Sd/-
DEPUTY ACCOUNTANT GENERAL (A).

Attested
hds.
Advocate.

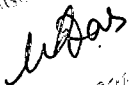
Memo No. Admn.1/3-5/99-2000/2783-2800

Date: 24.01.2000

1. The Pr. Director of Audit, N.F.Railway, Maligaon, Guwahati-781 011.
- 2) The Sr. Deputy Accountant General (A&E), Tripura, Agartala with 4(four) spare copies. He is requested to release Shri. Uttam Chakraborty and to intimate the date of joining of Shri. Sanjib Kr. Roy, AAO.
- 3) The Sr. Deputy Accountant General (A), Meghalaya etc., Shillong with 4(four) spare copies. He is requested to release Shri Sanjib Kr. Roy, Asstt. Accounts Officer and to intimate the date of joining of Shri Uttam Chakraborty.
- 4) The Secretary to A.G.(A&E), Assam, Guwahati.
- 5) Private Secretary to A.G.(A&E) Assam, Guwahati.
- 6) P.A. to Deputy Accountant General (A)
- 7) Steno to Deputy Accountant General(P&F).
- 8) A.A.O. Hindi Cell.
- 9) A.A.O- Confidential Cell.
- 10) S.O./Admn-II.
- 11) P.A.O (Local).
- 12) Posting Group,
- 13) Service Book Group,
- 14) Gradation List Group,
- 15) Budget Group.
- 16) Concerned Officers.
- 17) Admn.1/Order Book.


Sr. Accounts Officer(A).

Attested


Advocate.

OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029

Admn.1/Order No. 227

3 March 2000

The following officials are hereby promoted to officiate as Section Officer (Group - 'B' - Non - Gazetted) in the scale of pay of Rs. 5500 - 175 - 9000/- p.m. with effect from the date they take over charge as Section Officer in the offices indicated against their names:-

Sl.No.	Name S/Shri./Smtl.	Office to which attached	Office to which posted
01.	Kalipada Paul	Sr. D.A.G(A&E) Tripura, Agartala	A.G(A&E) Meghalaya etc., Shillong
02.	Bhaakar Bhattacharjee	Sr. D.A.G(A&E) Tripura, Agartala	A.G(A&E) Meghalaya etc., Shillong
03.	Nihar Bhattacharjee	Sr. DAG (A&E) Tripura, Agartala	A.G (A&E) Assam Guwahati.

On promotion, they are liable to be transferred/posted to the offices of AG(A&E) of North Eastern Zone and any other offices likely to be formed in future in this Region under N. E. Circle.

On their promotion, they are required to exercise option, if any, in terms of G.I.D. 19 below FR-22(1)(a)(1) within one month from the date of joining in the post of Section Officer.

The above mentioned officials are to intimate this office whether they accept the promotion or not by 31st March 2000 positively failing which their promotion will be treated as refused.

Further, the under-mentioned officer is hereby transferred to the office as indicated below:-

Sl.No.	Name	Office to which attached	Office to which transferred
01.	Gitesh Ch. Nandy, AAO	A.G.(A&E) Meghalaya etc., Shillong	Sr. DAG(A&E) Tripura, Agartala.

The above transfer is in PUBLIC INTEREST.

[Authority :- AG's Order dt. 2.3.2000 at P/12^N of file No. DAG(A)/Position/SO-Sr.A.O]

DEPUTY ACCOUNTANT GENERAL(A).

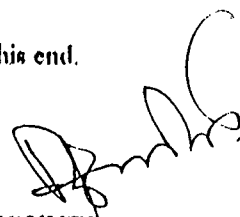
Accepted
libas
Advocate.

Memo No. Admn.1/3 5/98 99/4142-56

3 March 2000

Copy forwarded for information and necessary action to:

1. The Pt. Director of Audit, N.E. Railway, Maligaon, Guwahati - 781 011.
2. The Sr. DAG(A&E) Tripura, Agartala, with 5 spare copies. He is requested to release Shri Kalipada Paul, Shri Bhaskar Bhattacharjee and Shri Nihar Bhattacharjee with the direction to report to the O/O the AG(A&E) Meghalaya, Shillong and AG(A&E) Assam, Guwahati respectively and also intimate this office the date of joining of Shri Gitesh Ch. Nandy, AAO.
3. The Sr. DAG(A), O/O the AG(A&E) Meghalaya etc., Shillong with 2 spare copies. He is requested to intimate this office the date of joining of Shri Kalipada Paul and Shri Bhaskar Bhattacharjee. He is also requested to release Shri Gitesh Ch. Nandy, AAO and intimate this office the date of release of the above officer.
4. The Secretary to Accountant General(A&E) Assam, Guwahati -29.
5. The Secretary to Accountant General(A&E) Meghalaya, Shillong - 1.
6. The Establishment Officer, O/O the Accountant General(A&E) Meghalaya, Shillong - 1.
7. The PAO, O/O the Accountant General(A&E) Assam, Guwahati 29
8. The Sr. A.O. Record Section.
9. The SO/AAO Record Section, Confidential Cell, Admn. II
10. The Private Secretary to Accountant General(A&E) Assam, Guwahati -29.
11. P.A. to DAG(A).
12. Concerned Officials (Local).
13. Posting Group, Fixation Group, Gradation List Group.
14. AAO Hindi Dell, Hindi version of this order may be issued from his end.
15. Admn.1 Order Book.


Sr. ACCOUNTS OFFICER(A).

Attested
by
Advocate.

OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029.

Admn. 1 Order No.220

27 November 2000

The following Assistant Accounts officers/Section Officers of the Common Cadre are hereby transferred and posted in the same capacity in the offices indicated against their names.

Sl. No	Name of the Officer	Office to which attached	Office to which posted
01.	Shri Tapan Choudhury, Asstt. Accounts Officer	O/o the A.G.(A&E), Assam, Guwahati	O/o the Sr. D.A.G.(A&E) Tripura, Agartala.
02.	Smt. Anindita Dhar, Asstt. Accounts Officer	O/o the Sr. D.A.G.(A&E) Tripura, Agartala.	O/o the A.G.(A&E), Assam, Guwahati
03.	Shri Nirmalendu Bhattacharjee, Asstt. Accounts Officer	O/o the A.G.(A&E) Meghalaya etc, Shillong	O/o the Sr. D.A.G.(A&E) Tripura, Agartala.
04.	Smt. Kalpana Mazumdar, Asstt. Accounts Officer	O/o the Sr. D.A.G.(A&E) Tripura, Agartala.	O/o the A.G.(A&E) Meghalaya etc, Shillong
05.	Shri Amit Chakravarty, Section Officer	Sr. D.A.G.(A&E) Nagaland Kohima	O/o the Sr. D.A.G.(A&E) Tripura, Agartala.
06.	Shri Swapan Kr. Nath, Asstt. Accounts Officer	O/o the Sr. D.A.G.(A&E) Tripura, Agartala.	Sr. D.A.G.(A&E) Nagaland Kohima

The officers under Sl. No. 1, 4 & 6 should move first.

The above transfer is in public interest.

[Authority : A.G.'s Order dt. 24.11.2000 at P/35th of File No.DAG(A)/Con-C/99/R&T]

64/-
DEPUTY ACCOUNTANT GENERAL (A)

Memo No. Admn.1/3-5/99-2000/3229-40

27 November 2000

Copy forwarded for information and necessary action to:

- 1) The Pr. Director of Audit, N.F. Railway, Maligaon, Guwahati-781 011.
- 2) The Sr. Deputy Accountant General (A&E), Tripura, Agartala with 3(three) spare copies. He is requested to release Smt. Kalpana Mazumdar, A.A.O. and Shri Swapan Kumar Nath, A.A.O. immediately. He is also requested to intimate this office the date of joining of Shri Tapan Choudhury, A.A.O. and Shri Amit Chakravarty, Section Officer in his office.

Attested
[Signature]
Advocate.

- 3) The Sr. Deputy Accountant General (A), O/O. the A.G.(A&E), Meghalaya, Shillong-1 with 2 (two) spare copies. He is requested to release Shri Nirmalendu Bhattacharjee, A.A.O. on resumption of duty by Smt. Kalpana Mazumdar, A.A.O. He is further requested to intimate this office, the date of joining of Smt. Mazumdar, A.A.O. in his office.
- 4) The Deputy Accountant General(A), o/o the Sr. Deputy Accountant General (A&E) Nagaland, Kohima. with 2(two) spare copies. He is requested to release Shri Amit Chakraborty, A.A.O on resumption of duty by Shri Swapati Kr. Nath, A.A.O. The date of joining of Shri Nath, A.A.O. in his office may be intimated to this office.
- 5) The Establishment Officer, o/o the AG(A&E) Meghalaya etc., Shillong-793 001
- 6) The Accounts Officer(A), o/o the Sr. Deputy Accountant General (A&E) Tripura, Agartala
- 7) The Accounts Officer (A), o/o the Sr. Deputy Accountant General (A&E) Nagaland, Kohima
- 8) The Secretary to A.G.(A&E), Assam, Guwahati
- 9) Private Secretary to A.G.(A&E) Assam, Guwahati
- 10) P.A. to Deputy Accountant General (A)
- 11) Asstt. Accounts Officer, Confidential Cell
- 12) Section Officer, Admn-2
- 13) The Hindi Officer, I/c Hindi Cell- Hindi version of this order may be issued from his end.
- 14) Shri Tapan Choudhury, Asstt. Accounts Officer (Local)
- 15) Service Book group.
- 16) G.L. Group.
- 17) Budget Group
- 18) Admn 1 Order Book.

[Signature]
27/11
SR. ACCOUNTS OFFICER (A)

Attested at
libas
discreet.

46

01 January 2001

15/10/1971

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(1) (2) (3)

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Sd/-

1 January 2001

1 January 2001

1 January 2001

Sd/-

1 January 2001

1 January 2001

- 1 January 2001

Sr. Accounts Officer(Admin).

W.B.A.

**OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029.**

Admin Order No. 250

Date: 18th January 2001

Without prejudice to the claim of their seniors and also subject to the condition that their seniority in the cadre Section Officer will be fixed later, the following officials of common cadre of North Eastern Zone offices are hereby promoted to officiate as Section Officers (Group-B, Non-Gazetted) in the scale of pay of Rs. 5500-175-9000/- p.m. and posted in the offices indicated against their names:-

Sl. No.	Name	Office to which attached	Office to which posted
01.	Shri Sanjoy Saha	Sr. D. A.G.(A&E) Tripura Agartala	Sr. D. A.G.(A&E) Nagaland, Kohima.
02.	Md. Strazuddin Ahmed	A.G. (A&E) Assam, Guwahati.	A.G (A&E) Assam, Guwahati.
03.	Shri Shyamal Kanti Biswas	Sr. D. A.G.(A&E) Nagaland, Kohima.	Sr. D. A.G.(A&E) Nagaland, Kohima.

The promotion will take effect from 1st February/2001 or the date(s) of taking over charge whichever is later in the offices as indicated against their names.

The officers are liable to be transferred and posted to any of the offices of the Accountant General(A&E) in Assam, Nagaland, Tripura, Manipur, Meghalaya etc., or any other offices likely to be opened in future in the North Eastern Region

On their promotion, the officers are required to exercise option, if any, in the matter of fixation of their pay within one month in terms of G.O. No. 19 below FR-22(IXA)(1).

The officers are required to intimate this office whether they accept the promotion or not within 28.02.2001 positively, failing which their promotion will be treated as refused.

[Authority: AG's order dt 16.01.2001 at P/30th of file no. DAG(A)/Con-C/Panel/SC/08].

Sd/-

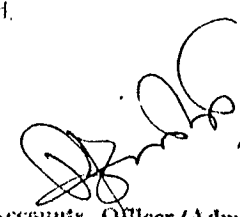
Sr. DEPUTY ACCOUNTANT GENERAL (A).

Memo No. Admin.1/3-5/99-2000/ 3849-3863

Dated: 18th January 2001

Copy forwarded to:

- 1) The Pr. Director of Audit, N.E.Railway, Maligaon, Guwahati-781 011.
- 2) The Sr. Deputy Accountant General (A&E), Tripura, Agartala with 2(two) spare copies. He is requested to release Shri Sanjoy Saha
- 3) The Sr. Deputy Accountant General(A&E), Nagaland, Kohima with 2(two) spare copies. He is requested to intimate the date of joining of Shri Biswas & Shri Saha in his office.
- 4) The Sr. Deputy Accountant General (A), O/O. the Accountant General (A&E), Meghalaya, Shillong-1
- 5) The Sr. Deputy Accountant General(A&E), Manipur, Imphal.
- 6) The Secretary to A.G.(A&E), Assam, Guwahati.
- 7) The Pay & Accounts Officer, O/O. the A.G. (A&E), Assam, Guwahati
- 8) Private Secretary to A.G.(A&E) Assam, Guwahati.
- 9) P.A. to Sr. Deputy Accountant General (A)
- 10) A.A O- Confidential Cell
- 11) Hindi Officer, PC- Hindi Cell- Hindi version of this order may be issued from his end.
- 10) S.O- Admin-II
- 11) Service Book, Gradation List, Budget & Posting Group.
- 12) Concerned officer.
- 13) Admin I/Order Book


Sr. Accounts Officer (Admin)

Attested
Advocate.

To

The Accountant General(A&E),
Assam,
Maidangaon, Beltola,
Guwahati- 28

= 37 =

Adm/A&E/27/18 48

1/4/29

ANNEXURE— 13

(Through the Accountant General(A&E), Nagaland, Kohima)

Subject Prayer for transfer to Accountant General(A&E), Assam, Guwahati, on extreme compassionate ground, as a special case.

Sir,

In inviting a reference to my transfer application dated 27-1-99 on the subject cited above, I beg to state the following few lines for your kind consideration of my transfer at Guwahati, as a special case :-

That sir,

(1) I am the only Section Officer, who could not stay with family since 13 years, due to ill health of my wife, which is well known to all

(2) My unilateral transfer case was forwarded to you. After establishing the genuiness of my case obtaining expert medical opinion(related documents are lying with Administration section of Accountant General(A&E), Nagaland, Kohima) from the competent medical authority

(3) I was then willing to go on transfer to a lower post in the cadre of Accountant even relinquishing the financial loss and future carrier prospect.

(4) As per Govt of India's Circular(Chapter-57 of Swamy's Manual on Establishment & Administration), both the husband and wife who are Govt. servants serving in different station, should be posted in the same station, so that both the spouse-could stay in the same place, subject to Administrative conveyance. However, in any case if, their transfer could not be considered under the said provision and due to administrative reasons, they may keep silent on ground of financial benefit. But in my case, I could not bring my family due to her critical ill health and consequently, we have to stay in different places, causing financial loss, mental anxieties and physical problems

Contd. -- (2)

Anested
G. B. S. A.
Advocate.

In view of the facts stated above, I would like to request your self, Kindly to consider my transfer case sympathetically as prayed for, treating as a special case, for which I shall be very grateful to you

Thanking you, Sir,

Dated 31-3-99

Yours faithfully,

ACB
31/3/99

(ADHIR CHAKRABARTY)
SECTION OFFICER
O/o THE ACCOUNTANT GENERAL(A&F)
NAGALAND, KOHIMA

Copy to

No Admin/A&F/6-8/97-99/138 dt. 22-4-99

Attached
lidas
Enclosure.

To

The Accountant General(A&E),
Assam, Maidangaon, Beltola,
Guwahati-28.

(Through the Accountant General(A&E), Nagaland, Kohima)

Subject: Prayer for transfer to Accountant General(A&E), Assam, Guwahati on
extreme compassionate ground, as a special case.

- Ref:- (1) Representation dated 27-1-99 forwarded vide No. Admn/A&E/4-8/97-
99/1584 dated 3-2-99.
(2) Representation dated 31-3-99 forwarded vide No. Admn/A&E/6-8/97-99/138
dated 22-4-99.
(3) Representation dated 4-6-99 forwarded vide No. Admn/A&E/6-8/97-99/510
dated 17-6-99.
(4) Representation dated 30-7-99 forwarded vide D.O. letter No. Admn/A&E/6-
8/97-99/935 dated 6-8-99.
(5) Accountant General(A&E), Assam, Guwahati letter No. DAG(A)/7-8/93-
24(part) 18 dated 11-5-99.

Sir,

In inviting a reference to the aforesaid letters and the subject cited above, I
would like to earnestly request your benign self, Kindly to consider my transfer case
sympathetically, considering the genuineness of the case, as I have been requesting
your kind authority for transfer from various cadre, since last 13 years, due to ill
health of my wife.

Thanking you Sir,

Yours faithfully,

Dated:- 15-11-99
Place:- Kohima

ACB
3/11
(ADHIR CHAKRABARTY)
SECTION OFFICER
O/O THE A.G.(A&E),
NAGALAND, KOHIMA

REGISTERED

An advance copy of the representation has been forwarded to Sri.D.J.Bhadra, IA&AS
, Accountant General(A&E), Assam, Maidangaon, Beltola, Guwahati-28 for favour
of kind sympathetic consideration.

ACB
3/11
(ADHIR CHAKRABARTY)
SECTION OFFICER
O/O THE A.G.(A&E),
NAGALAND, KOHIMA

Forwarded vide D.O. Letter No. Admn/A&E/6-8/97-99/2050
dated 17-11-99.

Attested
hBas.
Advocate.

To

The Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi- 110 002.

(Through Proper Channel)

Sub:- Representation for transfer to Accountant General(A&E), Assam, Guwahati from last 14 years in various Cadre, on extreme compassionate ground, as a special Case.

Sir,

In inviting a reference to my representation dated 27.1.2000, on the subject cited above, I beg to state the following few lines for your kind and sympathetic consideration.

That Sir, I have submitted my transfer (unilateral) application to the A.G.(A&E), Nagaland, Kohima on 7.8.85, on the ground of wife's illness with Medical Certificate from the registered Medical Practitioner for onward transmission to A.G. (A&E), Assam, Guwahati. But after issue of several reminders, it has been forwarded only on 3.7.92, after obtaining expert medical opinion from the competent medical authority and willingness for transfer to the lower post of Accountant as a junior most. In response to that letter, the A.G.(A&E), Assam etc., Shillong has intimated vide letter No.Admn.1/2-3/Vol.II/91-92/3083 dated 22.9.92 and Admn.1/2-3/Vol.II/93/608 dated 11.5.93 that due to adverse vacancy position in the cadre of Accountant, my case could not be considered at that time, but it has been assured that my case may be considered as and when vacancy position permits. But, I am sorry to say that till 7.8.97 i.e. prior to the date of my promotion as S.O., nothing has been received in this regard from their end.

That Sir, I have been promoted as S.O. on 8.8.97 and posted in the Office of the Accountant General(A&E), Nagaland, Kohima by the A.G. (A&E), Assam, Guwahati as a Cadre Controlling Authority. Accordingly, I have submitted my transfer application on 29.5.98 for onward transmission to Cadre Controlling Authority, but it has not been considered due to non-completion of tenure period of 18 months vide A.G.(A&E), Nagaland Memo. No.68 dated 13.8.98. However, I have submitted representation (Through proper channel to A.G.(A&E), Assam, Guwahati) on 27.1.99, 31.3.99, 4.6.99, 30.7.99, 3.11.99, and jointly 1.3.2000 and 15.3.2000, out of which two replies have been received from their end on 11.5.99 and 6.12.99 stating that there is no vacancy in the Cadre of S.O./A.A.O. but, I came to know that 2 officials from A.G.(A&E), Assam, Guwahati and one official from A.G.(A&E), Tripura, Agartala

...2/-

Attested
libas.
Advocate.

have been promoted as S.O. and posted to A.G.(A&E), Assam, Guwahati vide No.Admn.1/Order No.86 dated 24.1.2000 and No.Admn.1/Order No.227 dated 3.3.2000 respectively, whereas I have been deprived from the same, on the analogy that vacancy does not exist in the Cadre of S.O./A.A.O.

That Sir, I have a 12 years old daughter, who is also staying with her mother at Karimganj (Assam) without any male member to look after them. My daughter is now studying in Class-VIII without proper guidance, for which I am spending my days with several mental anxieties and worries. It is also very difficult for me to attend them frequently from Kohima, as the communication facility from Kohima to Karimganj is very poor (24 hours journey).

In view of the facts stated above, I would like to request your benign self, to seek your kind interference in my transfer case with request to advice the Cadre Controlling Authority to consider my transfer case sympathetically, treating as a Special case, as the genuineness of the case has already been established by the expert medical authority.

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

Yours faithfully,

AD
12/5/2000

(ADHIR CHAKRABORTY)
Section Officer,
Office of the A.G. Nagaland, Kohima.

Copy to:-

The Accountant General(A&E), Assam, Maidangaon, Beltola, Guwahati-28 with a request to consider my long pending transfer case at your earliest.

(ADHIR CHAKRABORTY)
Section Officer.

Attested

hda

Advocate.

Reminder.

= 42 =

ANNEXURE—16

To

The Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi - 110002.

(Through Proper Channel)

Sub:- Representation for transfer to the Office of
the A.G.(A&E), Assam, Guwahati in respect of
Shri Adhir Chakrabarty, Section Officer.

Sir,

In inviting a reference to my representation
dated 1-9-2000 forwarded to you and copy endorsed to
A.G.(A&E), Assam, Guwahati Vide letter No.Admn/A&E/6-8/
Repatriat/2000-01/2056-57 dated 4-9-2000, on the subject
cited above, I am to earnestly request your benign ~~authori~~
authority to consider my prayer for transfer to Guwahati
office very sympathetically on humanitarian ground as a
special case by deploying at least the newly promoted
Section Officers under common cadre, and save me for all
the mental agonies and anxieties which I have suffering
from the last 15 years and for this act of your kindness,
I shall remain grateful to you.

Encl:- 12 Pages

Yours faithfully,

DATED : 6-12-2000

AG
6/12/2000
(ADHIR CHAKRABARTY)
SECTION OFFICER
O/O THE ACCOUNTANT GENERAL(A&E), NAGALAND,
KOHIMA.

Copy for information & necessary action to :-

The Accountant General(A&E), Assam, Maidamgaon,
Beltola, Guwahati - 781029.

AG
6/12/2000
(ADHIR CHAKRABARTY)
SECTION OFFICER
O/O THE A.G.(A&E), NAGALAND, KOHIMA.

Accepted
W.D.S.
Advocate.

43 =

ANNEXURE-17

OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM, MAIDAMSON, BELTOLA,
GUWAHATI-29.

No- DAG (A)/7-8/93-94 (part)/18

Date- 11 MAY 1999
11-5-99

To

Shri Adhir Chakraborty,
Section Officer,
O/O the Sr. Deputy Accountant General (A&E),
Nagaland, Kohima- 797001.

A representation dt. 31-3-99 has duly been received vide Nagaland office letter No. Admn/A&E/6-8/97-99/138 dt. 22-4-99 wherein Shri Adhir Chakraborty has sought transfer to Guwahati office.

His case has been considered and it is found that there is no vacancy in the cadre of S.O./A.A.O at Guwahati. His case will perhaps be considered in due course.

Further, he is hereby advised to try for deputation to other departments at Guwahati if he so feels the urgency for a transfer out of Nagaland.

Attested
L. Das
Advocate.

N. Siddhartha Singh
By: Accountant General (A).

= 44 =

ANNEXURE - 18

OFFICE OF THE SR. DEPUTY ACCOUNTANT GENERAL, (A&E)
NAGALAND : : KOHIMA.


No. Admn/A&E/6-8/97-99/ 5013

Dated 3rd January 2000

To

Shri Adhir Chakraborty,
Section Officer, PF-III.

In inviting a reference to your application dtd. 3-11-99 regarding transfer to the O/o the Accountant General (A&E), Assam, Guwahati I am to inform you that due to non-availability of vacancy in Guwahati Office, your case cannot be considered at present as intimated by Deputy Accountant General, Assam, Guwahati.


Accounts Officer (Admn.)

Reply to my representation dt. 3-11-99
A.G. (A&E), Assam, Guwahati's D.O. dt. 6-12-99

"In this connection, it may be stated here that there is no vacancy in Guwahati Office at present. Hence, his case cannot be considered at this stage. However, his representation has been kept on our record. The person concerned may be informed accordingly."

Attested

Advocate.

= 45 =
महालेखाकार (ले एवं ह) असम का कार्यालय
CONFIDENTIAL
OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
मैदामगांव, बेलतोला, गुवाहाटी - 781 029
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029

ANNEXURE—19

No.D.A.G(A)/Con-C/99/R&T/36

Date:-31-07-2000

To

The Administrative Officer (APP),
O/O the Comptroller and Auditor General of India,
10, Bahadur Shah Zafar Marg,
Indraprastha Head Post Office,
New Delhi-110 002.

Subj:- Transfer of Shri Adhir Chakraborty, S.O from Kohima to Guwahati.

Sir,

I am to invite a reference to Hqr. Office letter No.699/N(APP)/25-2000/Vol.V dt.12-07-2000 on the subject cited above and to state that the turn of Shri Adhir Chakraborty, S.O. for transfer and repatriation has not yet come as there are many senior S.O.s/A.A.Os waiting for transfer to Guwahati from Nagaland.

In this connection, this office letter .D.A.G(A)/Con/Ghy/Policy/Transfer/96/17 dt.4-7-2000 may please be referred to.

Accountant General has seen this.

Yours faithfully,

Sd/-

Sr. Deputy Accountant General (Admn).

01 AUG 2000
Dated: 31-07-2000

Regd Memo No. DAG(A)/Con-C/99/R&T/37

Copy to Shri Adhir Chakraborty, S.O O/O the Sr. D.A.G. (A&E) Nagaland, Kohima-

797 001 for information please.

Attested
[Signature]
Advocate.

[Signature]
Sr. Deputy Accountant General (Admn).

= 46 =

ANNEXURE-20

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

DESPATCH NO. 2695

By Hand
DATED GUWAHATI, THE 21/8/96

✓ ORIGINAL APPLICATION NO.
MISC. APPLICATION NO.
CONTEMPT PETITION NO.
REVIEW APPLICATION NO.
TRANSFER APPLICATION NO.

86/96

Sri T. R. Dey

APPLICANT(S)/
PETITIONER(S)

VERSUS

U.O.I. M ors.

RESPONDENT(S)

To

Sri Tridib Ranjan Dey,
S/o Late Tarini Mohan Dey
Udalbakra, Kahilipara,
Guwahati - 34

Sir,

I am directed to forward herewith a copy of Judgment/Order dated
21.8.96 passed by the Bench of this Tribunal comprising of

Hon'ble

Vice-Chairman and

Hon'ble

Sri G. L. Sanghvi

Member, Administrative

in the above noted case for information and necessary action, if any.

Please acknowledge receipt.

Yours faithfully,

[Signature]
SECTION OFFICER (JUDICIAL) 21/8/96

Encl : As stated above.

21/8/96

[Signature]
Advocate.

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 86 of 1996.

Date of Order : This the 21st Day of August, 1996.

Hon'ble Shri G.L.Sanglyine, Administrative Member.

Sri Tridib Ranjan Dey,
son of late Tarini Moran Dey,
Udalbakhra, Kahilipara,
Guwahati - 34.

... Applicant

By Advocate S/Shri J.L.Sarkar &
M.Chanda.

- Versus -

1. Union of India
through the Comptroller & Auditor General,
New Delhi.
 2. Accountant General (A&E)
Assam, Shillong.
 3. Accountant General (A&E)
Nagaland, Kohima.
 4. The Deputy Accountant General,
Administration,
Office of the A.G.(A&E), Guwahati,
Christian Basti, Guwahati-5.
- ... Respondents.

By Advocate Shri G.Sarma, Addl.C.G.S.C.

O R D E R

G.L.SANGLYINE, ADMINISTRATIVE MEMBER,

Each of the 7 States of the North Eastern Region has its own Accountant General. Each of the individual Accountants General is a cadre controlling authority in respect of staff upto the level of Supervisors. Section Officers as well as Assistant Accounts Officers have common respective cadres for all 7 States and the Accountant General (A&E) Assam, Shillong is the cadre controlling authority of these two cadres.

contd. 2...

Attested
by
Advocate.

2. The applicant was initially appointed as a Stenographer in the office of the Accountant General (A&E) Nagaland, Kohima. He was promoted to Section Officer on 23.5.90 and he was posted in the same office, namely, Accountant General(A&E) Kohima. It is understood during the course of hearing that the post of Section Officer is a non-gazetted post. The applicant was transferred to Guwahati in the office of the Accountant General(A&E), Assam on compassionate ground on 3.1.92 as Section Officer. While he was serving in that office in Guwahati he was promoted to the gazetted post of Assistant Accounts Officer (AAO for short) on 4.2.94. He continued in the post till he was transferred to the office of the Accountant General (A&E) Nagaland, Kohima vide the impugned order dated 31.5.96. By virtue of the interim order in this O.A. he has not yet been relieved.

According to the respondents since the applicant has already stayed at Guwahati for more than four years he was transferred back to his base office in Nagaland where a vacancy was available. Further according to them, the applicant was due for such transfer as he was a seniormost among the Section Officers and AAOs transferred to Guwahati from Nagaland office reckoning with reference to their dates of joining at Guwahati. According to the applicant the nomenclature "base office" used by the respondents in the written statement is misleading and it has been intended only to frustrate the fair policy of transfer and posting. He contends that the post of AAO carries an all North Eastern Region transfer liability as evident from

Attested
libas
Advocate.

contd. 3...

para 3 of his appointment letter dated 4.2.94 and, therefore, the question of sending him back to base office as claimed by the respondents does not arise. Further, he claims that this concept of base office as far as it relates to the AAO was raised only in order to discriminate against him. I find that the contention of the respondents regarding 'base office' is based on the letter No.108-N.2/127-88 dated 28.2.90 from the Comptroller and Auditor General of India to the Accountant General(A&E), Assam. This letter reads as below :

"Subject: Posting of Section Officers/Assistant Accounts Officer to the office of the Accountant General(A&E) Tripura, Agartala.

Sir,

I am directed to refer Shri S.K. Chakraborty, Accountant General(A&E), Tripura d.o. letter No.Estt/Restructt/1-1/1983/Vol.II/2665 dated 26.12.1989 addressed to you on the subject mentioned above and to request that as far as possible the Section Officer Grade Examination passed staff of Accounts and Entitlement offices in North Eastern region on their promotion as Section Officers may be posted in the offices from which they passed the above examination."

At the time of issue of the impugned transfer order the applicant is an AAO. I therefore find that this instruction contained in the letter quoted above cannot apply to him.

Apparently, initially reference was made with regard to the posting of Section Officers and AAOs to the office of the Accountant General(A&E), Tripura, Agartala. But the effective decision of the Comptroller and Auditor General of India is only in respect of Section Officers of North Eastern Region and these instructions relate particularly to the posting

contd. 4...

2000-11-11
Advocate.

of the staff on their first promotion to the post of Section Officer. The contention of base office raised by the respondents in respect of posting and transfer of AAO is therefore unfounded. No other transfer policy has been shown by the respondents apart from the above. Further the appointment letter of the applicant also does not show that the AAOs are compulsorily liable to be transferred to their 'base office'. On the other hand, they have all North Eastern Region transfer liability.

4. The applicant is of the view that fair policy of transfer and posting of AAOs had not been adopted by the respondents. When the AAOs have all North Eastern Region transfer liability fairness demands that the longest stayee officer should be transferred to hard stations like Kohima but in actual facts, at the choice of the dealing officers concerned, several officers have the privilege of remaining at the same stations such as Shillong and Guwahati and they have never been posted out. He has cited examples of officers both junior and senior to him who were after promotion retained in the same stations and have never been transferred or posted to hard stations such as Kohima. The respondents refuted by stating that there were vacancies in the respective base offices of those officers to accommodate them and therefore the question of transferring them to other stations does not arise. They also submitted list of officers as per Annexure-G to the written statement. During the course of hearing the applicant pointed out to the remarks 'posted in his base office' made by the respondents in column 7 of the list against serial No.2.

...contd. 5...

Shri Dibakar Choudhury and No.3, Shri Kali Sadhak Bhatta-
charjee and submitted that wrong statement has been made
by the respondents as these officers have not yet been
posted out of Guwahati though they have stayed longer than
him in Guwahati office. Learned counsel for the respondents
could not furnish supporting transfer orders of the two
AAOs. The applicant claims that this is a clear case of
discrimination against him. It is also his contention that
AAOs in the cadre should be posted by rotation on the
longest stayee basis. I am not convinced by the contention
of the applicant that he has been discriminated against
while he was transferred to Kohima by the impugned order.
The respondents had issued a Circular No.DAG(A)/1-3/94-95/378
dated 2.9.94 calling for options ~~to~~ be exercised by various
categories of officers. The applicant exercised his option
dated 17.9.1994 in respect thereto and his choice is
Accountant General(A&E) Assam as first preference and
Accountant General(A&E), Nagaland, Kohima as second prefe-
rence. In other words it is a clear indication that he
wants to remain in Guwahati failing which he has no objection
to be transferred to Kohima. He has therefore no case to
resist his transfer to Kohima. (The next question is when
Guwahati is his first choice why the applicant could not
be retained in Guwahati.) Going by the contentions of the
respondents in this O.A. it appears that this was not due
to discrimination but it is a result of misconception of
the aforesaid "base office" transfer policy which is not
applicable to the transfers and postings of AAOs.

contd. 6...

27/10/05
L. Das
Advocate

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5. Another contention of the respondents is that the application is liable to be dismissed as the applicant had approached this Tribunal without submitting any representation to the competent authority against the impugned order and therefore he had not exhausted the official remedies. The contention of the applicant is that he had no time for filing representation or opportunity to approach the competent authority as he had received the impugned order on 6.6.96 directing his release with effect from the afternoon of 7.6.96. Thus it is seen that it is true that the applicant had not given any opportunity to the respondents to re-consider the case of his transfer.

6. Other contentions of the applicant relate to his personal problems such as construction of his house and illness of his mother. These are best left to be considered by the respondents.

7. The respondents have submitted that the options received in response to the Circular dated 2.9.94 have not yet been acted upon. I have held as above that the 'base office' transfer policy is not applicable to the AAOs but it pertains to the posting of the newly promoted Section Officers. In the light of the above I consider that it will be fair and reasonable for the respondents to re-consider on merit the case of transfer of the applicant and they are accordingly directed hereby.^{1/} For this purpose the applicant may submit a representation to the competent authority of the respondents within seven days from today. Further the respondents are directed to dispose of the

contd. 7...

- 7 - - 53 =

64

representation of the applicant, if any, within three weeks from the date of its receipt. The operation of the impugned order is stayed till disposal of the representation and will stand automatically vacated after the disposal of the representation. Further, it is made clear that if the applicant fails to submit the representation within the stipulated time mentioned above, the respondents are at liberty to enforce the operation of the impugned order.

The application is disposed of with the directions mentioned above. No order as to costs.

Sd/- MEMBER (ADMN)

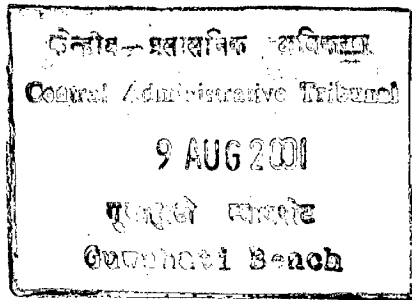
TRUE COPY

N. Sumno
21/8/96.
Section officer (Judicial)
Central Administrative Tribunal
Gwahati Bench, Guwahati.

kh/s

Attested
U. Das
Advocate.





IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : : : GUWAHATI

OA No. 177 OF 2001

Shri P Bhowmick & Others

-Vs-

Union of India & Others

-And-

In the matter of :

Written statements herewith submitted by the
respondents

The respondents beg to submit the written statement as follows:

1. That with regard to para No. 1, the respondents beg to state that the Common Cadre of the NorthEastern Region in respect of the Section Officers / Asstt. Accounts Officers consists of the O/O the Accountant General (A&E), Assam, Guwahati, O/O the Accountant General (A&E), Meghalaya etc, Shillong, O/O the Sr. Dy. Accountant General (A&E), Nagaland, Kohima, O/O the Sr. Dy. Accountant General (A&E), Manipur, Imphal and O/O the Sr. Dy. Accountant General (A&E), Tripura, Agartala. The Office of the Sr. Dy. Accountant General (A&E), Nagaland, Kohima is treated as part of the common NE cadre for the purpose of transfer & posting of the Section Officers / Assistant Accounts Officers. The transfer and posting of the officers from other offices to Nagaland office and also from the Nagaland Office to other Offices bears this out (**Annexure - 1**). The requests / representations of the applicant No. 1 and the other officers as shown in

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- 55 -

some of the annexures to the O. A. No. 177/2001 have not been acceded to because of lack of vacancies at Guwahati, for which the applicants had asked for, at that point of time. The practical operation of the common cadre has been premised on the fact that some of the (A&E) offices are deficit Offices and some are surplus. This means that there are less number of Section Officers Grade Examination (SOG E) passed officials to fill the sanctioned posts in the cadre of SOs / AAOs right from the beginning in some offices and there are more SOGE passed officials than the sanctioned strength in some other offices. And as such, officials who have passed the SOG Examinations from other offices of the common cadre have to be posted in other offices as a result of the operation of the common cadre. Moreover, taking the administrative convenience into consideration, the Office of the Comptroller & Auditor-General of India has also suggested to post officials in the station as per their choice, as far as possible to accommodate the officials / officers as far as possible, in the same Office from which he / she has passed the SOG Examination. Combining these two aspects the transfer and posting is effected.

Any officials (SOs / AAOs) who are posted after transfer generally continue for 18 months in the new place and thereafter transferred and posted to parent / other Office. As such, the statement that there is no 'transparent and fair policy in respect of the transfer and posting' is baseless. Rotation is also done at the periodic interval of 18 months, which is treated as tenure in respect of the posted official at Nagaland and other offices.

2. That with regards to para 2 & 3, the respondents beg to offer no comments.
3. That in regard to para 4.1, the respondents beg to state that there is a policy on the transfer & posting of the SOs / AAOs the NE Common Cadre for the Accounts & Entitlement (A&E) Offices (**Annexure - 2**) and that before such a policy was formulated and came into operation all the Accountants General (A&E) of the NE Region vide this office Demi-Official No. DAG (A) / Con-C / Policy / Transfer / 96 / 101 - 104 dated 8.9.1998 were consulted with a request to offer their comments and modifications (**Annexure - 3**). Accordingly, the Policy was framed taking the response of those Offices, which replied into consideration. However, the

- 56- 67

Office of the Sr. Dy. Accountant General (A&E), Nagaland, Kohima and the Office of the Sr. Dy. Accountant General (A&E), Manipur, Imphal did not offer any comment. The Policy also takes into consideration the instructions of the Office of the Comptroller & Auditor General of India vide their No. 108-N.2 / 127-88 dated 28.2.1990 and No. 1334-NGE (APP) /104-95 dated 1.10.96 (**Annexure - 4A & 4B**). The policy is transparent and fair and is operated as far as practical and administratively convenient to the benefit of the officials of the common cadre and without prejudice to any one office and as such its operation may not be seen in isolated manner as the applicants seek to present.

4. That with regard to para 4.2 & 4.3 the respondents offer no comments.
5. That with regard to para 4.4, the respondents beg to state that the statement of the applicant that the SOs / AAOs of the O/O the Sr. Dy. Accountant General (A&E), Nagaland, Kohima are not being transferred out to the other states of the common cadre, is not true. In fact, there are a number of AAOs who have been transferred out from That with regard to para 4.5, the respondents beg to submit m Nagaland and are presently working in other Offices like Guwahati and Shillong as shown at Annexure - 1. Any representation for transfer and posting received from the officers from other field offices of the NE Region is duly considered and acted upon as per the policy and administrative convenience. However, the fact remains that every representation may not get that favourable consideration which is expected by the individual officer (s) who may fail to see it from the administrative perspective.
6. That with regard to para 4.5, the respondents beg to submit the comments what have already been made against the foregoing para 4.4 above.
7. That with regard to para 4.6, the respondents beg to state that taking the interest of the entire cadre and administrative convenience into consideration transfer and posting is effected. As such, all representations and request are duly considered. However, it may be pointed out that a common Gradation List

(Annexure - 5) in respect of the SOs / AAOs for NE Region is maintained, which shows the seniority of the officers and is also referred to while effecting transfer and posting. As far as possible, without creating administrative instability in all the offices of the NE region, the effort is to effect the transfer and posting policy in such a manner that with minimal disturbance the problem of surplus and deficit is managed. Roster for the entire North East Cadre is not administratively feasible in as much as it will vitiate the principle of posting an officer in his station of choice and from where he / she passed the SOG Examination. As such, formulation of a roster for the purpose of staff rotation as suggested by the applicants may not apply. Further, it would create huge administrative problems as well as disturbance in all the offices. The applicants have failed to appreciate the problem in its holistic perspective and ignore the plight of other officers from the surplus offices like Tripura who go to Nagaland and are transferred back to Tripura only after the tenure of 18 months. In fact, the SO / AAO cadre Officers of the Tripura Office, which is a surplus office, have also resented their posting to Nagaland at times (Annexure - 6). In this situation, if the Cadre Controlling Authority accord preference to individual officers of only Nagaland Office, it would lead to huge disturbance and administrative instability in all the offices. As such rotational roster may not apply. In fact, the very premise of the common cadre is directed to deal with the problem of surplus in some offices and deficit in others. And If this purpose is served without creating large number of disturbances, then the Honb'le Central Administrative Tribunal, Guwahati Bench, Guwahati would appreciate the policy of the Cadre Controlling Authority.

8. That with regard to paras 4.7, 4.8 and 4.9, the respondents beg to submit to offer no comments.

9. That with regards to para 4.10, the respondents beg to submit the comments what have already made against the foregoing paragraph 1 above.

10. That with regards to para 4.11, the respondents beg to state that the Honb'le Administrative Tribunal, Guwahati Bench, Guwahati, vide their said order para 7

had pointed out that the 'Base Cadre' terminology as per the Circular of the Office of the Comptroller & Auditor- General of India "pertains to the posting of the newly promoted Section Officers" and as such may not apply to the posting of the AAOs. As such, the terminology of the base cadre is applied to the posting of the newly promoted SOGE passed officials. Moreover, the instruction of the Office of the Comptroller & Auditor- General of India that an official should be accommodated at the same station as per choice has also to be taken into consideration.

11. That with regards to para 4.12, the respondents beg to submit the comments that have already made against the foregoing paragraph 4.11 above.

12. That with regards to para 4.13, the respondents beg to offer no comments.

13. That with regards to para 4.14, the respondents beg to submit the comments what have already made against the foregoing paragraph 1 above.

14. That with regard to para 4.15, the respondents beg to state that the contention of the applicants that the Cadre Controlling Authority has acted illegally is not true. The Representations of Shri M L Sinha, AAO (placed as Annexure - 1 to the O. A. No. 177/2001), of Shri Pranab Bhowmick, Section Officer (placed as Annexure 4 to the O. A. No. 177/2001) and that of Shri Adhir Chakrabarty, Section Officer (placed as Annexure 16 to the O. A. No. 177/2001) invariably seek posting at the O/O Accountant General (A&E), Assam, Guwahati (Annexure 7A, 7B & 7C) and not to any other Offices like Tripura, Maghalya, Manipur of the common cadre. Yet another representation of Shri. Smti Mira Sarkar, W/o of Shri Ashutosh Sarkar, AAO, O/o of the Sr. Dy. Accountant General (A&E), Nagaland, Kohima also seeks posting at O/O Accountant General (A&E), Assam, Guwahati ((Annexure - 8). As such, for lack of vacancy and administrative inconvenience, their request were not considered at that point of time. It may also be pointed out that every officer on their transfer from the Office from where they passed the Section Officer Grade Examination to other offices of the common cadre represents

for getting posted at Guwahati only and if posted at Guwahati they do not want further transfer from here.

15. That with regard to para 4.16, the respondents beg to state that at present there are 173 Officials in the Cadre of SOs / AAOs and not 176 as stated. This is because of the fact that 3 posts in the O/O Accountant General (A&E), Assam, Guwahati have been kept in abeyance by the O/O Comptroller & Auditor – General of India. More over, 173 also include 23 number of Supervisors who do not come under the purview of the NE Region transfer liability and are controlled by the respective offices. The transfer and posting of the rest 150 SOs / AAOs is done as per the existing policy. The contention that cadre separation would create wider scope of promotion is misplaced because of the fact that whenever eligible candidates i.e. the Section Officer Grade Examination passed candidate are available from the Nagaland Office, he / she is taken into the Panel for promotion as per eligibility.

16. That with regards to para 4.17, the respondents beg to offer no comments.

17. That with regard to paras 5.1 to 5.6, the respondents beg to state that in view of the position explained in preceding paras, the ground mentioned in paras 5.1 to 5.6 have no merit.

18. That with regard to paras 6, 7 and 8 the respondents have no comments to offer.

19. That with regard to paras 8.1 & 8.2, the respondents beg to state that the existing transfer and posting policy is fair and transparent and take the larger common interest of the combined cadre into consideration. Transfer and posting is effected with the aim of creating least administrative instability, as well as to minimize and mitigate human problems of the concerned officers.

20. That with regard to para 8.3, the respondents beg to state that the contention that cadre separation would create wider scope for promotion is misplaced because of the fact that whenever, eligible candidates i.e. the Section Officer Grade Examination passed candidate is available from the Nagaland Office, he / she is taken into the Panel for promotion as per eligibility list. Moreover, Separation of Cadre is to be done in consultation with all the Offices of the combined cadre and as such it is not agreeable to the surplus offices as well as other deficit offices.

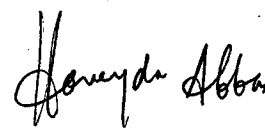
21. That with regard to paras 8.4 & 8.5 and paras 9 to 12, the respondents beg to offer no comments.

In view of the submissions brought out above, it is submitted that the O. A. is without merit and this Hon'ble Tribunal may be pleased to dismiss the O.A. with cost. It is accordingly prayed.

VERIFICATION

I, Shri _____ being
authorised do hereby verify and declare that the statement made in this written
statements are true to my knowledge, information and believe and I have not
suppressed any material fact.

And I sign this verification on this _____ day of _____ 2001.

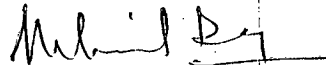

Declarant

- 61 -

Annexure - I

The following AAOs / SOs have transferred and posted from Nagaland and posted to other Offices.

Name of the Officer	Posted at
1. Shri. Tapash Chakraborty, AAO.....	AG (A&E), Assam, Guwahati
2. Shri. Subhash Ch. Dey, AAO.....	AG (A&E), Assam, Guwahati
3. Shri Kanan Behari Deb, AAO	AG (A&E), Assam, Guwahati
4. Shri Kamal Ch. Nag, AAO.....	AG (A&E), Assam, Guwahati
5. Shri Dipak Ch. Roy, AAO.....	AG (A&E), Assam, Guwahati
6. Shri D. Issac, AAO	AG (A&E), Meghalaya, Shillong
7. Shri. H. Tythul, AAO	AG (A&E), Meghalaya, Shillong



Asstt. Accounts Officer (Confidential Cell)

O/O Accountant General (A&E), Assam, Guwahati

Asstt. Accounts Officer

महालेखा विभाग (अ. & व.) अ. अ. अ.
Office of the Asstt. Accounts Officer, Assam

महानगर, गुवाहाटी-28
Maidamgoni, Guwahati-28.

Annexure - 2 (25)

- 62 -

OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029.

POLICY FOR TRANSFER/POSTING OF COMMON CADRE OFFICERS IN THE
NORTH EASTERN REGION.

1. As per Headquarters office letter No. 108-N.2/127-88 dt. 28.2.90 as far as possible the Section Officers Grade Examination passed staff of Accounts and Entitlement Offices in North Eastern Region on their promotion as Section Officers are to be posted in the Offices from which they passed the above examination.
2. As per Headquarters office letter No. 1334-NGE(APP)/104-95 dt. 01.10.96, the AAOs/Aos/Sr.Aos are to be posted to the office of their choice as far as possible. If however, it is not possible to post them to the office of their choice they are posted to other offices on rotation basis for a specific period.
3. The tenure of posting in the outstation deficit offices for the first and second time for SAs/AAOs is 18 months as per agreement held on 10-4-1974 between the Association and the Accountant General.
4. (a) On review, the aforesaid policy, it is further decided that the tenure of posting for Sr. AOs/A.Os in the outstation offices for the second time and above will be one year subject to the condition that the officers can avail of regular leave of 30 (thirty) days only. Leave availed in excess of 30 (thirty) days will be added to the tenure of 12 months.
(b) The common cadre officers, who have never served at outstation offices may be transferred, subject of course to item (2) above, first from the bottom of the seniority list of that office.
(c) The officers who have already served once at outstation offices in their respective cadres and after being posted back to their base offices have remained in their base office for the longest period may be selected first in order of station seniority for posting to outstation offices in order to facilitate smooth repatriation of their colleagues.
(d) When a batch of officer in a particular cadre rejoins their base office on the same day after completing 1st/2nd time transfer, the junior most officer from such a batch may be picked up for 2nd/3rd time transfer, if any.
(e) Officers, who are due to retire within two years may be exempted from the aforesaid transfer liabilities.
(f) Posting of a particular Common Cadre Officer to an outstation Office may be kept in abeyance in case of unforeseen incidents like sudden accidents, demise of family members, serious illness or for urgent administrative reasons.

[Authority: A.G.'s order dt. 22.3.2000 at P/12^N and P/34^C of File No. DAG(A)/Con-C/Ghy/Policy/Transfer/96].

X. Siddhartha Singh
Deputy Accountant General (Admin).

Annexure-3
CONFIDENTIAL

Policy Doc
(SRA)

(2%)

63-
V

D.O.No.DAG(A)/Con-C/Policy/Transfer/96/101404

Dated Guwahati, September 08, 1998.

O.A CFP 1008

Dear

I would like to draw your attention to the issue of timely repatriation of Sr.A.Os/A.Os/A.A.Os/S.Os to their parent offices after completion of their tenure of 18 months/12 months. As you are aware, from the level of Section Officers onwards, there is a common cadre for transfer and posting.

To streamline the whole process as well as to remove any perceived inconsistencies I propose to adopt the following policy for transfer/posting of Common Cadre Officers in the North Eastern Region:

(1) The officials passing S.O.G Examination in N.E.Region will be posted in the Offices from which they passed the said Examination, as far as possible.

(2) The tenure of posting in the outstation deficit offices for the first and second time for S.Os/AAOs will remain 18 months as per existing policy.

(3) The tenure of posting for Sr.A.Os/A.Os in the outstation offices for the second time and above will be one year subject to the condition that the Officers can avail of regular leave of 30(thirty) days only. Leave availed in excess of thirty days will be added to the tenure of 12 months.

(4) The common cadre officers who have never served at outstation offices may be transferred first from the bottom of the seniority list of that office on the line presently in vogue.

(5) The officers who have already served once at outstation offices in their respective cadres and after being posted back to their base offices have remained in their base office for the longest period may be picked up first in order of seniority for posting to outstation offices in order to facilitate smooth repatriation of their colleagues.

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(6) When a batch of officers in a particular cadre rejoins their base office on the same day after completing 1st/2nd time transfer, the juniormost officer from such a batch may be picked up for 2nd/3rd time transfer, if any.

(7) Officers who are due to retire within two years may be exempted from the aforesaid transfer liabilities.

(8) Posting of a particular common cadre officer to an outstation office may be kept in abeyance in case of unforeseen incidents, like sudden accidents, demise of family members, serious illness or for urgent administrative reasons.

I would request you to kindly convey to me your comments, if any, on the above modalities of transfer/posting of common cadre officers at your earliest so that a workable policy can be framed at this end.

Yours sincerely,

o/c JMS
8/9

(1) Shri Sward Vashum,
Accountant General (A&E),
Meghalaya, Mizoram, etc,
Shillong.

By name
to

(2) A.G., Tripura

(3) A.G., Manipur

(4) A.G., Nagaland

Admin 1/29-Ael 712

Serial 7 001101

सर्व व्यवहार भारत के
नियंत्रक-महालेखापरीक्षक को
सम्बोधित किया जाए।
All communications should be
addressed to the Comptroller
and Auditor General of India.
सारा या पता: अजंता
Telegraphic Address: ARGB.

पत्र सं.

108-N.2/127-88

No.

भारत के नियंत्रक-महालेखापरीक्षक का कार्यालय,
नई दिल्ली-110002

OFFICE OF THE COMPTROLLER
AND AUDITOR GENERAL OF INDIA,
Bharat Ke Niyantak-Mahalekha
Parikshak Ka Karayalay,
NEW DELHI-110002

Annexure - 4A

दिनांक
Dated

29 FEB 1991

से प्रक
From

भारत के नियंत्रक-महालेखापरीक्षक
नई दिल्ली-110002

THE COMPTROLLER AND AUDITOR GENERAL OF INDIA,
NEW DELHI-110002

से प्रक
The

The Accountant General(A&E),
Assam,
SHILLONG-793001

विषय:
Subject:

Posting of Section Officers/Assistant Accounts Officer to the
office of the Accountant General(A&E) Tripura, Agartala.

Sir,

I am directed to refer Shri S.K.Chakraborty,
Accountant General(A&E), Tripura d.o. letter No.Estt/Restructt/
1-1/1983/Vol.II/2665 dated 26.12.1989 addressed to you on the
subject mentioned above and to request that as far as possible
the Section Officer Grade Examination passed staff of Accounts
and Entitlement offices in North Eastern region on their promotion
as Section Officers may be posted in the offices from which they
passed the above examination.

Yours faithfully,

R.N. Bandyopadhyay
(R.N.BANDYOPADHYAY)
ADMINISTRATIVE OFFICER (N)

S.P.A.G.
10/1

60/11

A.D.
2/3

Adm / Admin
2/3



By SPEED POST

NO. 1334-NOL(A)/177

By AS(A&E)/Adm/261, dt 8/10/96

भारत के नियंत्रक-महानेखा परीक्षक का कार्यालय
OFFICE OF THE COMPTROLLER
AND AUDITOR GENERAL OF INDIA

Annexure - 4B
दिनांक
Date

7-10-96

-66- 17

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To

The Accountant General(A&E)
Assam,
Shillong- 793001.

Subject

Posting of SOs/AAOs etc. in the offices of North
Eastern Region.

Sir,

I am directed to refer to your Fax Msg. No.
Admn.1/Policy/Transfer/96/1789 dated 6/9/96 on the subject
mentioned above and to state that the policy of transfer
followed by your office is not confirmed.

The AAOs/AOs/Sr.AOs may be posted to the office of
their choice as far as possible. If however, it is not
possible to post them to the office of their choice they may
be posted to other offices on rotation basis for a specific
period.

Yours faithfully,

(MEENAKSHI SHARMA)
ASSTT COMPTROLLER &
AUDITOR GENERAL (N)

2
0.8/10/96
S. S. Sharma (A)
C.C.

10, बहादुरशाह जफर मार्ग, नई दिल्ली-110002
10, Bahadurshah Zafar Marg, New Delhi-110002

Asstt. Accounts Officer As on 01.03.2000
Scale of Pay :- 6,500-200-10,500/- P.M.

Sl. No	Full Name & Educational qualification	Whether belongs to SC/ST if not, say neither	Date of Birth	Date of commencement of continuous Govt. Service	Date of continuous appointment/ promotion * to the cadre	Date of Successful completion of probation	Year of passing S/JGE	Post in which confirmed and date of confirmation	Pay & Date of Last increment	REMARKS
1	SHRI RATHINDRA KUMAR DAS B.A.(HON)	NEITHER	03-Feb-54	26-Oct-76	28-Feb-94 *	28/02/96	MAY'90	AUDITOR 28-Feb-84	7900 01-Nov-99	
2	SHRI L. NOKUL SINGH B.S.C.	NEITHER	16-Aug-57	25-Jan-80	28-Feb-94 *	28/02/96	MAY'90	AUDITOR 01-Mar-83	7500 01-Feb-00	ON DEPTN. TO O/O THE INTERNAL AUDIT WING OF WEST BENGAL W.E.F. 01/12/99.
3	SHRI MEGNAD SAHA B.S.C.	NEITHER	25-Jan-54	11-Mar-80	28-Feb-94 *	28/02/96	MAY'90	AUDITOR 28-Feb-84		
4	SHRI SES KANTO SHARMA B.A.	NEITHER	27-Aug-47	06-Jun-67	28-Feb-94 *	28/02/96	MAY'90	ACCTT 29-Feb-84	7700 01-Oct-99	
5	SHRI RATHINDR/ CHANDRA DHAR B.A.	NEITHER	23-Aug-54	04-Oct-80	28-Feb-94 *	28/02/96	MAY'90	AUDITOR 28-Feb-84	7500 01-Feb-00	ON DEPUTATION TO COM' JSSIONER OF BORDER, GUWAHATI W.E.F. 08-08-98; EXTENDED UPTO 07/08/2001.
6	SHRI LOKAPRIYA DAS B.S.C.	NEITHER	06-Jan-56	23-Dec-80	02-Mar-94 *	02/03/96	May 90	ACCTT 29-Feb-84	0	
7	SHRI DILIP KUMAR DAS(III) B.S.C.	NEITHER	03-Apr-56	31-Dec-80	28-Feb-94 *	28/02/96	May 90	ACCTT 29-Feb-84	7700 01-Apr-99	
8	SHRI SANKAR PAUL B.COM.	NEITHER	01-Mar-59	05-Oct-83	28-Feb-94 *	28/02/96	MAY'90	ACCTT 01-Apr-88	7500 01-Feb-00	
9	SHRI NIHARENDU CHAKRABORTY B.A.(HONS)	NEITHER	01-Aug-43	31-Dec-66	11-May-94 *	11/05/96	DEC'90	ACCTT 01-Mar-72	8700 01-May-99	
10	SHRI SARBANANDA TALUKDAR B.S.C.	NEITHER	01-Dec-48	21-Jun-71	11-May-94 *	11/05/96	Dec 90	ACCTT 01-Mar-75	8100 01-May-99	
11	SHRI SIDDHESWAR BARUAH B.S.C.	NEITHER	01-Mar-49	06-Nov-72	13-May-94 *	13-05-96	Dec 90	ACCTT 01-Mar-76	8300 01-May-99	ON DEPUTATION TO O/O THE C&AG NEW DELHI W.E.F. 01/10/95. FURTHER EXTENDED 31-3-2001 (AN).
12	SHRI SUBHENDU NATH B.S.C.	NEITHER	14-Dec-51	05-May-76	11-May-94 *	11/05/96	DEC'90	ACCTT 29-Feb-84	0	
13	SHRI PRASANTA DUTTA B.S.C.	NEITHER	16-Apr-52	18-Oct-76	14-Jun-94 *	14/06/96	DEC'90	AUDITOR 28-Feb-84	8400 01-Oct-99	
14	SHRI M. GUNINDRA SINGH B.S.C.	NEITHER	01-Feb-57	07-Jun-78	14-Jun-94 *	14/06/96	DEC'90	AUDITOR 01-Mar-83	7700 01-Jun-99	ON DEPUTATION TO AVIATION RESEARCH CENTRE, DOOM DOOMA, TINSUKIA W.E.F. 26/07/2000.
15	SHRI MATILAL SINHA B.S.C.	NEITHER	01-Sep-56	45-Jan-83	17-Jun-94 *	17/06/96	DEC'90	ACCTT 01-Apr-88		
16	SHRI SWAPAN KUMAR NATH B.S.C.	NEITHER	31-Jul-60	23-Apr-85	30-Jun-94 *	30/06/96	DEC'90	ACCTT 01-Apr-88	7300 01-Apr-99	
17	SHRI AMIYA BHUSAN DAS B.COM(HON)	NEITHER	01-Feb-54	02-Feb-77	22-May-95 *	22/05/97	NOV'91	ACCTT 28-Feb-84	7900 01-Aug-99	
18	SHRI JANARDHAN GOSWAMI B.COM.	NEITHER	01-Jun-56	26-Jun-79 AN	01-Jun-95 *	01/06/97	NOV'91	ACCTT 28-Feb-84	7700 01-Jun-99	
19	SHRI PH. SUBHASH CH. SHARMA B.S.C.	NEITHER	01-Mar-57	20-Jun-81	22-May-95 *	22/05/97	NOV'91	ACCTT 01-Mar-87	7300 01-May-99	
20	SHRI ABUL HASHEM SHEIKH B.A(HON)	NEITHER	27-Dec-56	30-Nov-82	22-May-95 *	22-05-97	Nov 91	ACCTT 01-Apr-88	7300 01-May-99	
21	SHRI SUBHAS CH. DEY BA	SC	05-Aug-55	31-Dec-82	25-May-95 *	25-05-97	Nov 91	ACCTT 01-Mar-87	7300 01-May-99	
22	SHRI L. BOYAIMA SINGH B.S.C.	NEITHER	01-Mar-61	04-Jan-83	25-May-95 *	25/05/97	NOV'91	C/T 01-Apr-88	7300 01-May-99	
23	SHRI RAMANI MOHAN DASGUPTA B.A.	NEITHER	28-Dec-56	06-Jul-77	25-May-95 *	25/05/97	Nov 91	ACCTT 01-Apr-88	7300 01-May-99	
24	SHRI KANAN BEHARI DEB B.A.	NEITHER	01-May-51	01-Oct-83	25-May-95 *	25/05/97	NOV'91	ACCTT 01-Apr-88	7300 01-May-99	
25	SHRI ARINDAM K. MAAR DAS B.COM.	NEITHER	17-Jan-51	25-Oct-83	25-May-95 *	25/05/97	NOV'91	C/T 01-Apr-88	7300 01-May-99	
26	SHRI SATYA BRATA DHAR B.A.	SC	30-Nov-64	29-Aug-85	29-Jul-95 *	29/07/97	NOV'91	C/T 01-Aug-91	7300 01-Jul-99	
27	SHRI SANJIB KUMAR ROY B.A.	NEITHER	05-Aug-57	06-Aug-86	31-Jul-95 *	31-7-97	Nov 91	C/T 06-Aug-88	7300 04-Jul-99	
28	SHRI TAPASH CHAKRABARTY BA	NEITHER	05-Jan-63	26-Aug-86	31-Jul-95 *	31/07/97	NOV'91	C/T 26-Aug-88	7300 01-Jul-99	ON DEPUTATION TO R.T.I. SHILLONG, W.E.F. 11/02/94 EXTENDED FOR ONE YEAR 12/02/2000 TO 11-2-2001.
29	SHRI RAMANUJ CHAKRABARTY	NEITHER	01-Aug-61	17-Nov-86	31-Jul-95 *	31/07/97	NOV'91	C/T 01-Aug-91	7300 01-Jul-99	
30	SHRI PH. JUGINDRA SINGH B.A.	NEITHER	01-Jul-61	06-Mar-87	31-Jul-95 *	31/07/97	NOV'91	C/T 01-Apr-89		DEPUTATION TO E.E., MANIPUR CENTRAL DIVN.-I, C.P.W.D., TULIHAI AIRPORT.
31	SHRI K. IBOTHAM SINGH B.A.	NEITHER	01-Apr-63	06-Mar-87	21-Sep-95 *	21/09/97	NOV'91	C/T 01-Apr-89	7300 01-Sep-99	
32	SHRI GITESH CH. NANDI P.U.	NEITHER	01-Jul-48	11-Mar-66	24-Jun-95 *	24/06/96	NOV'92	ACCTT 01-Mar-79	7900 01-Jun-99	
33	SMTI VERONICA LYNDOH B.A.B.T.	ST	01-Jul-51	02-Mar-71	21-Jun-96 *	21/06/96	NOV'92	ACCTT 29-Feb-84	7700 01-Jun-99	

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34	SHRI SANTOSH KUMAR SAHA	B.A.	NEITHER	17-Oct-51	28-Nov-72	24-Jun-96 *	24/06/98	NOV '92	ACCTT	28-Feb-84	7500	01-Jul-99	
35	SHRI TAPAN CHOUDHURY	B.COM	SC	16-Dec-57	30-Aug-80	24-Jun-96 *	24/06/98	NOV '92	ACCTT	31-Mar-87	7300	01-Aug-99	
36	SMTI KALPANA MAZUMDAR	B.A.	NEITHER	23-Dec-55	06-Jan-81	28-Jun-96 *	28/06/98	NOV '92	ACCTT	31-Mar-87	7300	01-Jul-99	
37	SHRI L. BIDYA CHANDRA SINGH	B.SC.LLB	NEITHER	01-Sep-57	09-Jun-81	21-Jun-96 *	21/06/98	NOV '92	ACCTT	01-Mar-87	7300	01-Jun-99	
38	SHRI PRATAP CH. RABHA	B.A.	ST	01-Sep-57	18-Nov-82	21-Jun-96 *	21/06/98	NOV '92	ACCTT	01-Apr-88	7300	01-Jun-99	
39	SHRI RAM AYODHYA PRASAD		SC	12-Apr-56	12-Jul-82	21-Jun-96 *	21-6-98.	Nov 92	C/T	01-Apr-88	7100	01-Jun-99	
40	SHRI NIKHIL CH. DEY	BA	NEITHER	01-Apr-53	12-Dec-75	21-Jun-96 *	21-6-98.	Nov 92	PEON	01-Jul-79	7100	01-Jun-99	
41	SHRI AJOY KR. DEB		NEITHER	04-Jan-62	20-Jan-86	21-Jun-96 *	21/06/98	NOV '92	C/T	28-Sep-89	7100	01-Jun-99	
42	SHRI DILIP KUMAR DUTTA	M.COM.	NEITHER	25-Nov-60	18-Aug-86 AN	21-Jun-96 *	21/06/98	NOV '92	C/T	17-Aug-88	7100	01-Jun-99	
43	SHRI DEBASISH DEB PURKAYASTHA		NEITHER	21-Oct-62	27-Oct-86	21-Jun-96 *	21-6-98.	Nov 92	C/T	01-Aug-91	7100	01-Jun-99	
44	SHRI PROMOTH DAS		NEITHER	28-Jul-61	06-Nov-86	21-Jun-96 *	21-6-98.	Nov 92	C/T	12-Aug-89	7100	01-Jun-99	
45	SHRI KAMAL CH. NAG	B.COM	NEITHER	20-Oct-64	12-Aug-87	21-Jun-96 *	21/06/98	NOV '92	C/T	01-Aug-91	7100	01-Jun-99	SURNAME CHANGED FROM ROY TO GANGULY VIDE ADMN.1 ORDER NO.1301 DATED 05-11-99.
46	SHRI GOURPADA GANGULY		SC	21-May-57	17-Nov-86	21-Jun-96 *	21-6-98.	Nov 92	C/T	01-Aug-91	7100	01-Jun-99	
47	SHRI DIPAK CH. ROY	B.A.	SC	01-May-62	10-Nov-87	24-Jun-96 *	24/06/98	NOV '92	C/T	10-Nov-89	7100	01-Jun-99	
48	SMTI MADHABI (DHAR) DEB		NEITHER	04-Mar-67	06-Jun-88	30-Jul-96 *	30/07/98	NOV '92	C/T	01-Aug-91	7100	01-Jul-99	
49	SHRI NIRMALENDU BHATTACHARJEE	B.A.	NEITHER	28-Sep-50	06-Jun-74	30-Jun-97 *	ON PROB.	NOV '93	ACCTT	01-Mar-79	8100	01-Jul-99	
50	SHRI B. ROLES WAHLANG	B.A.	ST	01-May-51	27-Dec-72	30-Jun-97 *	ON PROB.	NOV '93	ACCTT	29-Feb-84	7700	01-Jun-99	
51	SHRI HALINE ROY NONGRUM	B.A.	ST	01-Jul-50	14-May-71	30-Jun-97 *	ON PROB.	NOV '93	ACCTT	29-Feb-84	7500	01-Jun-99	
52	SHRI MADHUSUDAN SAHA	B.SC	NEITHER	15-Jul-53	22-Jun-78	02-Jul-97 *	ON PROB.	NOV '93	ACCTT	28-Feb-84	7500	01-Jul-99	ON DEPUTATION TO FINANCE DEPTT. GOVT. OF WEST BENGAL, CALCUTTA. I W.E.F. 25/01/2000 (F/N).
53	SHRI BISHNUPADA SAHA	B.SC.	NEITHER	16-Jun-54	29-Jan-80	30-Jun-97 *	ON PROB.	NOV '93	ACCTT	28-Feb-84			
54	SHRI TILAK MAHANTA	M.COM	NEITHER	01-Dec-57	18-Nov-82	30-Jun-97 *	ON PROB.	Nov 93	ACCTT	31-Mar-87	7100	01-Jun-99	
55	SMTI PURNIMA DAS	B.SC	NEITHER	12-Jan-60	30-May-83	30-Jun-97 *	ON PROB.	Nov 93	ACCTT	01-Apr-88	7100	01-Jun-99	
56	SHRI DEBANANDA BORA	B.SC	NEITHER	01-Dec-56	03-Dec-83	30-Jun-97 *	ON PROB.	NOV '93	ACCTT	01-Apr-88	7100	01-Jun-99	
57	SHRI ARUN KUMAR NATH		NEITHER	28-Dec-62	23-May-85	30-Jun-97 *	ON PROB.	NOV '93	C/T	28-Sep-89	0		ON DEPUTATION TO (ELECT.) DIVN., C.P.W.D., SILCHAR WEF 1 03/10/97 (AN). FURTHER EXTENDED UPTO 03-10-2001.
58	SHRI GOPAL KRISHNA DEY		NEITHER	01-Jan-63	04-Jun-85	30-Jun-97 *	ON PROB.	NOV '93	C/T	28-Sep-89	0		
59	SHRI BIMAL CHANDRA DAS	B.SC.	SC	31-Dec-63	28-Aug-86	30-Jun-97 *	ON PROB.	NOV '93	C/T	28-Aug-88	6900	01-Jun-99	
60	SHRI DAWA SANG LAMA	B.COM	NEITHER	27-Feb-62	17-Feb-86 AN	30-Jun-97 *	ON PROB.	Nov 93	C/T	28-Sep-89	6900	01-Jun-99	ON DEPUTATION TO E.E., TEZPUR CENTRAL ELECTRICAL DIVN., C.P.W.D., TEZPUR W.E.F. 01/07/2000.
61	SHRI UJJAL TARAFDAR		NEITHER	16-Feb-62	19-Dec-85 AN	30-Jun-97 *	ON PROB.	Nov 93	C/T	28-Sep-89	0		ON DEPTN. TO O/O THE DY. DIRECTOR, ETDC CHENNAI, 41 W.E.F. 29/12/98
62	SHRI D. ISSAC	M.A.	NEITHER	02-Aug-60	07-Aug-86 AN	30-Jun-97 *	ON PROB.	NOV '93	C/T	08-Aug-88	0		
63	SHRI NILODHWAJ MISHRA	B.COM	NEITHER	08-Jan-60	14-Feb-86	30-Jun-97 *	ON PROB.	Nov 93	C/T	01-Aug-91	6900	01-Jun-99	
64	SHRI SUDIP ROY		NEITHER	11-Mar-62	25-Sep-86	30-Jun-97 *	ON PROB.	Nov 93	C/T	01-Aug-91	6900	01-Jun-99	
65	SHRI NIRMAL KANTI DEY		NEITHER	01-Sep-61	27-Oct-86	30-Jun-97 *	ON PROB.	NOV '93	C/T	01-Aug-91	6900	01-Jun-99	
66	SHRI ASHIM DAS CHOUDHURY		NEITHER	01-Apr-64	12-Jan-87	30-Jun-97 *	ON PROB.	Nov 93	C/T	01-Aug-91	6900	01-Jun-99	
67	SHRI NIHAR LODH		NEITHER	01-Dec-64	04-Nov-86	30-Jun-97 *	ON PROB.	NOV '93	C/T	15-Dec-89	6900	01-Jun-99	
68	SHRI HAUKHOLAM TYTHUL	B.A.	ST	01-Mar-65	15-Dec-87	30-Jun-97 *	ON PROB.	NOV '93	C/T	01-Aug-91	6900	01-Jun-99	
69	SHRI PURNENDU BARMAN	B.COM	SC	05-Jan-64	13-Oct-87	30-Jun-97 *	ON PROB.	Nov 93	C/T	01-Aug-91	0		ON DEPTN. TO U.G.C., N.E. REGIONAL OFFICE AT GHY. W.E.F. 09/06/2000
70	SHRI DILIP KUMAR ROY	B.COM	SC	01-Jan-64	28-Oct-87	30-Jun-97 *	ON PROB.	Nov 93	C/T	01-Aug-91	6900	01-Jun-99	
71	SHRI ASHISH CHAKRABORTY (II)		NEITHER	01-Jul-61	14-Dec-87	30-Jun-97 *	ON PROB.	NOV '93	C/T	01-Aug-91	6900	01-Jun-99	
72	SHRI ANAND BAHADUR THAPA		NEITHER	04-Mar-64	18-Nov-87	30-Jun-97 *	ON PROB.	NOV '93	C/T	01-Aug-91	6900	01-Jun-99	
73	SHRI PRIYOTOSH CHOUDHURY		NEITHER	03-Aug-62	01-Jan-88	30-Jun-97 *	ON PROB.	NOV '93	C/T	01-Aug-91	0		ON DEPUTATION TO O/O THE C&AG, NEW DELHI W.E.F. 30-9-96, FURTHER EXTENDED UPTO 31-3-2001.
74	SHRI KAMALENDU BHATTACHARJEE		NEITHER	28-Dec-62	15-Dec-87	30-Jun-97 *	ON PROB.	Nov 93	C/T	01-Aug-91	6900	01-Jun-99	
75	SHRI RATAN DAS		NEITHER	31-Aug-64	29-Jan-88	30-Jun-97 *	ON PROB.	Nov 93	C/T	01-Aug-91	6900	01-Jun-99	

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76	SHRI SIBAPADA BHATTACHARJEE		NEITHER	27-Nov-64	07-Dec-87	30-Jun-97	ON PROB	NOV'93	C/T	01-Aug-91	0	ON DEPUTATION TO EXECUTIVE ENGINEER, SILCHAR CENTRAL DIVISION, CPWD I WEF 06-11-95, EXTENDED UPTO 05-11-2000.
77	SHRI RAMESH KUMAR BISWA		NEITHER	14-Jan-67	23-May-88	30-Jun-97	ON PROB	NOV'93	C/T	01-Aug-91	6900 01-Jun-99	
78	SHRI N. BUDHI CHANDRA SINGH	B.SC	SC	01-Jan-66	05-Aug-88	30-Jun-97	ON PROB	NOV'93	C/T	05-Aug-90	6900 01-Jun-99	
79	SHRI THOMAS SEBASTIAN	B.COM	NEITHER	08-May-63	23-Dec-88	18-Feb-98	AN	ON PROB	NOV'93	C/T	01-Oct-92	6900 01-Feb-00
80	SHRI SANJOY BHATTACHARJEE (I)		NEITHER	25-Feb-67	01-Dec-88	24-Feb-98		ON PROB	NOV '93	C/T	01-Oct-92	6900 01-Feb-00
81	SHRI R.K. BIDUR SINGH	M.COM.	NEITHER	01-Jan-46	03-Jan-72	10-Aug-98		ON PROB	DEC '94	AUDITOR	01-Mar-75	8100 10-Aug-99
82	SMTI ANJALI (BORA) DUTTA	B.A	SC	01-Mar-57	27-Sep-77	10-Aug-98		ON PROB	Dec 94	STENO	01-Apr-88	7300 01-Aug-99
83	SHRI SAMIR BHATTACHARJEE	B.COM	NEITHER	18-Jan-57	04-Nov-81	15-Jan-99		ON PROB	Dec 94	ACCTT	31-Mar-87	7100 01-Jan-00
84	SMTI RUBY SARMA	B.A	NEITHER	01-Oct-57	19-Dec-83	06-Jan-99		ON PROB	Dec 94	ACCTT	01-Apr-88	6900 01-Jan-00
85	SHRI NANI GOPAL SEN	B.A	NEITHER	09-Jan-61	26-Aug-86	07-Jan-99		ON PROB	DEC '94	C/T	26-Aug-88	6700 01-Jan-00
86	SHRI ASHIM KUMAR BISWAS		NEITHER	01-Jul-65	30-Oct-85	06-Jan-99		ON PROB	DEC '94	C/T	28-Sep-89	6700 01-Jan-00
87	SHRI BIJIT KUMAR BHATTACHARJEE	B.SC.	NEITHER	28-Dec-62	24-Oct-86	06-Jan-99		ON PROB	DEC 94	C/T	01-Aug-91	6700 01-Jan-00
88	SHRI GAUTAM MAZUMDER		NEITHER	25-Aug-62	20-Oct-86	06-Jan-99		ON PROB	DEC 94	C/T	01-Aug-91	6700 01-Jan-00
89	SHRI DILIP RANJAN CHAKRAVORTY	B.A.	NEITHER	23-Jan-62	25-Jan-88	06-Jan-99		ON PROB	DEC '94	C/T	25-Jan-90	ON DEPTN. TO EX. ENGR.(ELECT)CPWD GHY, W.E.F. 03/06/97 EXTENDED I UPTO 02/06/2001
90	SHRI AJOY KUMAR SARKAR		SC	01-Jan-61	04-Jun-87	06-Jan-99		ON PROB	Dec 94	C/T	01-Aug-91	6700 01-Jan-00
91	SHRI DILIP KUMAR DHAR	B.SC	NEITHER	08-Mar-62	15-Dec-87	06-Jan-99		ON PROB	DEC '94	C/T	01-Aug-91	6700 01-Jan-00
92	SHRI SEBARIUS NONGBAH		ST	26-Feb-68	23-Oct-87	06-Jan-99		ON PROB	DEC 94	C/T	01-Aug-91	6700 01-Jan-00
93	SMTI ANINDITA DHAR	B.A.	NEITHER	31-Jul-65	11-Nov-88	25-Jan-99		ON PROB	DEC '94	C/T	11-Nov-90	6700 01-Jan-00
94	SHRI NARAYAN CHANDRA DAS	B.A.	SC	07-Nov-64	17-Mar-89	28-Jan-99		ON PROB	DEC '94	C/T	17-Mar-91	6700 01-Jan-00
95	SHRI NAHAMONI KHAYI	S.L.C.	ST	01-Mar-58	25-Oct-89	21-Apr-99		ON PROB	DEC '94	C/T	25-Oct-91	6500 21-Apr-99
96	SHRI ARUN KUMAR CHOUDHURY		NEITHER	21-Feb-67	21-Nov-88	08-Apr-99		ON PROB	DEC '94	C/T	01-Oct-92	0 DEPUTATION WITH H.U.D.A. PANCHKULA (HARIYANA) W.E.F. 11-08-98 TO 10-8-99 AND H.V.P.N.LTD. PANCHKULA (HARIYANA) W.E.F. 11-8-99 FOR A I PERIOD OF ONE YEAR.
97	SHRI SUKESH RANJAN DEB		NEITHER	25-Dec-62	20-Dec-88	08-Apr-99		ON PROB	DEC '94	C/T	01-Oct-92	6500 08-Apr-99
98	SHRI STEVEN JOSPAR SWER		ST	03-Mar-63	16-Dec-88	16-Apr-99		ON PROB	DEC '94	C/T	01-Jul-93	6500 16-Apr-99
99	SHRI JYOTIRMAI PURKAYASTHA	B.SC.	NEITHER	01-Jan-47	07-May-71	19-Aug-99		ON PROB	JAN '96	AUDITOR	01-Mar-74	7900 19-Aug-99
100	SMTI SUDIPTA KUNDU		NEITHER	10-Jan-50	08-Dec-76	30-Aug-99		ON PROB	Jan 96	AUDITOR	01-Nov-82	7100 01-Dec-99
101	SHRI K.NILKAMAL SINGH	B.A.	NEITHER	01-Mar-56	23-Jan-80	AN	30-Aug-99	ON PROB	JAN '96	AUDITOR	01-Mar-83	7100 30-Aug-99 DOB&DOJ GOVT.SERVICE CORRECTED VIDE NO. ESTT. (A&E) 9-23/96-97/5881 DT: 30/07/97 FROM SR. DAG(A&E) MANIPUR.
102	SHRI APURBA KUMAR GOGOI	B.SC	NEITHER	21-Nov-56	24-Nov-82	30-Aug-99		ON PROB	JAN 96	ACCTT	01-Apr-88	6700 30-Aug-99 PAY FIXED AT RS.6700/- W.E.F. 30-8-99 AND REFIXED AT RS.7100/- W.E.F. 01-04-2000.
103	SHRI N.SACHIBHUSAN SINGH	B.SC.	NEITHER	01-Mar-57	04-Jan-83	30-Aug-99		ON PROB	JAN '96	ACCTT	01-Mar-87	6900 30-Aug-99
104	SHRI ASHUTOSH SARKAR		NEITHER	26-Nov-57	19-Jul-77	28-Feb-00		ON PROB	JAN '96	C/T	01-Nov-82	7100 01-Mar-00
105	SHRI DEBABRATA CHOUDHURY	B.SC.(HON)	NEITHER	25-Jun-66	01-Mar-89	23-Feb-00		ON PROB	JAN '96	ACCTT	01-Mar-91	6500 13-Mar-00
106	SHRI JATIN CHANDRA BAISHYA		SC	01-Sep-58	02-Dec-86	23-Feb-00		ON PROB	JAN 96	C/T	01-Aug-91	6500 23-Feb-00
107	SHRI SAMARENDRA BISWAS		NEITHER	24-Feb-64	24-Nov-87	23-Feb-00		ON PROB	JAN '96	C/T	24-Nov-89	6700 01-Jan-00
108	SHRI MANIK LAL BHATTACHARJEE	M.A.	NEITHER	01-Jan-63	24-Feb-88	23-Feb-00		ON PROB	JAN '96	C/T	24-Feb-90	6500 23-Feb-00 PAST SERVICE AS CONST. IN TRIPURA APBN W.E.F. 26/11/81 TO 23/02/88 I IS COUNTED AS QUALFG.SERVICE FOR PEN.
109	SHRI RANJIT DAS		SC	01-Jan-64	23-Sep-87	10-Apr-00		ON PROB	JAN 96	C/T	01-Aug-91	6025 01-Mar-99
110	SHRI ARAVINDAKSHAN C.B.		NEITHER	10-Jan-65	21-Oct-87	23-Feb-00		ON PROB	JAN '96	C/T	01-Aug-91	6500 23-Feb-00
111	SHRI SANJOY BHATTACHARJEE (II)	B.COM.LLB	NEITHER	25-Jan-64	21-Mar-89	AN	23-Feb-00	ON PROB	JAN '96	C/T	21-Mar-91	6500 23-Feb-00
112	SHRI PRASENJIT DEB (I)	B.COM.	NEITHER	03-Aug-67	07-May-90	23-Feb-00		ON PROB	JAN '96	C/T	07-May-92	6500 23-Feb-00
113	SHRI ARABINDA SARKAR	M.COM.	SC	18-Sep-65	21-Dec-90	AN	23-Feb-00	ON PROB	JAN '96	C/T	21-Dec-92	6500 23-Feb-00

Section Officer (Group "B" Non-Gazetted) As on 01.03.2000
Scale of Pay:- Rs.5500-175-9,000/- P.M.

Sl. No.	Full Name & Educational qualification	Whether belongs to SC/ST if not, say neither	Date of Birth	Date of commencement of continuous Govt. Service	Date of continuous appointment/promotion * to the cadre	Date of Successful completion of probation	Year of passing SOGE	Post in which confirmed and date of confirmation	Pay & Date of Last increment	REMARKS
1	SMTI EVERGREEN WOOD KHARBULI B.A.(HONS)	ST	16-Oct-57	02-Jan-91	26-Mar-97 *	26/03/99	JAN '96	C/T 01-Jul-93	6025 01-Mar-00	
2	SHRI P RAGHUMANI SINGH B.SC.	NEITHER	24-Jan-55	08-Dec-76	07-Aug-97 *	07/08/99	DEC '96	AUDITOR 01-Mar-83	7250 01-Aug-99	
3	SHRI TH. BOHAL SINGH B.SC.(D)	NEITHER	01-Mar-54	19-May-78	12-Sep-97 *	12/09/99	DEC '96	AUDITOR 01-Mar-83	7250 01-Sep-99	
4	SHRI PRASENJIT DEB (II)	NEITHER	04-May-53	03-Oct-75	07-Aug-97 *	30/03/99	DEC '96	C/T 01-Mar-78	6550 01-Mar-00	
5	SMTI UTTAMA DAS B.A.,L.L.B	NEITHER	06-Apr-62	21-May-79	07-Aug-97 *	07/08/99	DEC '96	C/T 29-Feb-84	6550 01-Apr-99	
6	SHRI NEPAL KANTI CHKRAVORTY B.COM.	NEITHER	01-Feb-61	06-Oct-83	18-Aug-97 *	18/08/99	DEC '96	ACCTT 01-Apr-88	6550 01-Jan-00	
7	SHRI NAROTTAM MAZUMDER	NEITHER	16-Dec-56	06-Dec-82	07-Aug-97 *	08/08/99	DEC '96	C/T 01-Apr-88	6200 01-Jan-00	
8	SHRI ADHIR CHAKRABORTY	NEITHER	07-Apr-61	01-Mar-84	08-Aug-97 *	08/08/99	DEC '96	C/T 01-Apr-88	6200 01-Aug-99	
9	SHRI SANTOSH KUMAR BASAK	NEITHER	02-Aug-57	10-Jun-85	07-Aug-97 *	07/08/99	DEC '96	C/T 01-Apr-88	6200 01-Jan-00	
10	SHRI KMALESH CHOUDHURY	NEITHER	28-Sep-62	03-Jun-85	07-Aug-97 *	07/08/99	DEC '96	C/T 28-Sep-89	6200 01-Jan-00	
11	SHRI SANKAR DEY	NEITHER	14-Jan-62	01-May-85	13-Aug-97 *	13/08/99	DEC '96	C/T 01-Apr-88	6200 01-Jan-00	
12	SMTI MANJITA(BHATTACHARJEE)ROY CHOUHURY B.A.(HONS)	NEITHER	01-Jan-62	30-Aug-65	04-Dec-97 *	04/12/99	DEC '96	C/T 28-Sep-89	6200 01-Jan-00	
13	SHRI RANJIT KUMAR ROY B.COM HONS	NEITHER	01-Jan-64	05-Nov-85	07-Aug-97 *	07/08/99	DEC '96	C/T 28-Sep-89	6200 01-Nov-99	
14	SMTI ARCHANA DEB B.A.	NEITHER	12-Nov-60	23-Dec-85 AN	18-Aug-97 *	18/08/99	DEC '96	C/T 01-Aug-91	6200 01-Jan-00	
15	SHRI SUBHAS PAUL	NEITHER	15-Apr-64	07-Nov-86	19-Sep-97 *	19/09/99	DEC '96	C/T 01-Aug-91	6200 01-Sep-99	
16	SHRI DEBASHISH ROY	NEITHER	09-Jul-63	03-Dec-88	19-Sep-97 *	19/09/99	DEC '96	C/T 01-Aug-91	6200 01-Sep-99	
17	SHRI SUBHASISH DAS CHOUDHURY B.SC.	NEITHER	09-Jan-63	03-Dec-86	12-Nov-97 *	12/11/99	DEC '96	C/T 01-Aug-91	6200 01-Jan-00	
18	SHRI BHISMABRATA BHATTACHARJEE	NEITHER	28-Dec-63	30-Oct-87	12-Nov-97 *	12/11/99	DEC '96	C/T 30-Oct-89	0	DEPTN. TO THE O/O THE C&AG NEW DELHI W.E.F. 10/07/99
19	SHRI DEVASISH BHATTACHARJEE	NEITHER	27-Dec-63	23-Nov-87	12-Nov-97 *	12/11/99	DEC '96	C/T 01-Aug-91	5850 01-Nov-99	
20	SHRI KESHAB GUPTA ROY	NEITHER	01-Mar-65	01-Dec-87	27-Feb-98 *	27/02/20	DEC '96	C/T 01-Aug-91	5850 01-Feb-00	
21	SMTI SIPRA GHOSH	NEITHER	04-Oct-63	02-Nov-87	26-Feb-98 *	26/02/20	DEC '96	C/T 01-Aug-91	5850 01-Feb-00	
22	SHRI AJOY PAUL (I)	NEITHER	27-Dec-62	01-Jul-88	26-Feb-98 *	26/02/20	DEC '96	C/T 01-Aug-91	0	ON DEPUTATION TO EXECUTIVE ENGINEER, MEGHNA DIVISION, CENTRAL WATER COMMISSION, SILCHAR W.E.F. 22-01-2000 FOR A PERIOD OF ONE YEAR.
23	SHRI PRANAB SHOWMICK	NEITHER	18-Jan-66	20-Apr-89	26-Feb-98 *	26/02/20	DEC '96	C/T 20-Apr-91	6025 01-Feb-00	
24	SHRI PIJUSH CHAKRABORTY	NEITHER	01-Jan-65	20-Apr-89	26-Feb-98 *	26/02/20	DEC '96	C/T 20-Apr-91	6025 01-Feb-00	
25	SHRI ASHIT DHAR	NEITHER	25-Mar-65	08-Sep-87	08-May-98 *	ON PROB.	DEC '96	C/T 01-Aug-91	5675 01-May-99	
26	SHRI NIRJYAS DAS	NEITHER	14-Jul-64	01-Jul-88	01-May-98 *	ON PROB.	DEC '96	C/T 01-Aug-91	5675 01-May-99	
27	SHRI NARAYAN DEB NATH	NEITHER	15-Jan-62	14-Mar-86	21-Aug-98 *	ON PROB.	DEC '96	C/T 28-Sep-89	6025 01-Nov-99	
28	SHRI DHIREN KR. PRADHAN	NEITHER	09-Aug-63	05-Feb-91	14-Aug-98 *	ON PROB.	DEC '96	C/T 01-Jul-93	5850 01-Jan-00	ON DEPTN. BASIS AS EDP-F IN RTI SHG. W.E.F. 18/01/98 EXTD. FOR ONE YEAR W.E.F. 10/01/2000
29	SHRI SHAMBHU KUMAR NATH	NEITHER	27-Aug-65	03-Jul-92	14-Aug-98	ON PROB.	NOV '96	C/T 01-Jan-95	5675 01-Aug-99	
30	SHRI BINODE CHANDRA BHAGAWATI B.A HONS	NEITHER	21-Oct-48	02-Sep-70	14-Aug-98 *	ON PROB.	NOV '97	ACCTT 01-Mar-73	0	ON DEPUTATION TO C&AG, NEW DELHI W.E.F. 01-02-2000 FOR A PERIOD OF ONE YEAR.
31	SMTI LAKSHMI BHATTACHARJEE B.SC.HONS	NEITHER	13-Mar-48	15-Jul-71	04-Mar-99 *	ON PROB.	NOV '97	ACCTT 01-Mar-75	7600 01-Apr-99	
32	SHRI JAHARBRATA BHATTACHARJEE B.A (HONS)	NEITHER	28-Jun-53	28-Jun-76	05-Mar-99 *	ON PROB.	NOV '97	ACCTT 29-Feb-84	7425 01-Mar-00	
33	SHRI RABINDRA CHAKRABORTY	NEITHER	12-Mar-56	21-Jan-80	23-Apr-99 *	ON PROB.	NOV '97	ACCTT 01-Mar-84	6725 23-Apr-99	
34	SHRI L. RAJEN SINGH B.A.	NEITHER	01-Feb-57	02-Jan-82	30-Mar-99 *	ON PROB.	NOV '97	ACCTT 01-Mar-87	0-00 01-Apr-99	
35	SHRI AMIT CHAKRAVARTY	NEITHER	04-Feb-64	01-Aug-86	23-Apr-99 *	ON PROB.	NOV '97	C/T 01-Aug-88	6200 23-Apr-99	
36	SHRI BIDYUT SEN PURKAYASTHA	NEITHER	18-Aug-60	27-Oct-86	25-Jan-00 *	ON PROB.	NOV '97	C/T 01-Aug-91	6200 25-Jan-00	
37	SHRI PAUL TIGGA B.SC	ST	01-Dec-65	06-Nov-90	25-Jan-00 *	ON PROB.	NOV '97	ACCTT 23-Feb-94	6200 25-Jan-00	

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38	SHRI UTTAM CHAKRABORTY	B.A.	NEITHER	02-Jan-70	12-Apr-90	10-Feb-00	ON PROB.	NOV.97	C/T	12-Apr-92	5500	10-Feb-00
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SY-DAG@/DO/62 U-31-1-501

PH : 4359

महालेखाकार (लेखा एवं हक)

त्रिपुरा, अगरतला-799006

ACCOUNTANT GENERAL (A & E)

TRIPURA, AGARTALA

तार : एकाउंटेंट्स

Telegram : ACCOUNTS

अ. स. पत्र संख्या/D.O. No. Estt(A&E)/3-11,
/2000-2001/1470.

दिनांक/Dated, the 20/12/2000.

26 DEC 2000

J. C Sarkar
Sr. Dy. Accountant General

Dear Shri, Singh,

Kindly refer to Admn. I order No. 220 dated 27th November, 2000 regarding transfer and posting of SO/AAO's.

In this connection, General Secretary Accounts Association (Category-II) of this office represented for ensuring uniform transfer policy, the contents of which summarized as under.

(a) The Agartala office being an excess office in S.O/A.A.O cadre, members of this unit is bearing the transfer liabilities on rotation basis to other deficit offices in NER. It is a fact that Kohima Office like Agartala Office is an excess Office in S.O/A.A.O cadre as 5/6 members of S.O/A.A.O cadre passed SOGE from Kohima Office have been posted to Guwahati Office and retained there for long period which resulted in creation of artificial vacancies in Kohima office. As the Kohima Office is actually not a deficit office, S.O/AAO, members of Agartala Office cannot be involved in any way to fill up the artificial vacancies of Kohima Office. This Association demands to the Administration to impress upon the Cadre Controlling Authority to fill up the vacancies of Kohima Office by maintaining a roster of transfer among the members of S.O/A.A.O who passed SOGE from Kohima office. Recently cadre controlling authority i.e. Accountant General(A&E) Assam, Guwahati had issued an order effecting transfer and posting of 6(Six) S.O/A.A.O members wherein one of their member Shri Swapan Kr. Nath A.A.O has been transferred to Kohima Office vice Shri Amit Chakraborty, S.O. transferred to Agartala which is an injustice towards the member of this unit as Kohima Office is not a deficit Office at all.

(b) The Association has also urged upon the local Accountant General to impress upon the Cadre Controlling Authority to modify the above mentioned order in the line pointed out above and to arrange for immediate release of Shri Amit Chakraborty, S.O from Kohima Office. At the same time the Association urges upon for the formulation of a specific transfer policy for S.O/A.A.O. cadre of NER on priority basis in consultation with all Association of North Eastern Region.

(c) The General Secretary of the said Association has stated that if the Administration fails to provide justice in the instant case, the Association will resist the injustice through their organizational action.

The above position is brought to your notice for necessary action.

This issues with the approval of Accountant General.

Shri L.S Singh,
Dy. Accountant General(Admn).
Office of the Accountant General (A&E).
Assam, Guwahati.

With regards
Yours sincerely

Smile

AAO/compd

Annexure - 7A (70)

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The Accountant General, (A&E), Assam,
Guwahati - 781 029.

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(Through proper channel)

Subject : Prayer for transfer.

Respected Sir,

With due respect and humble submission I beg to state that on 6/8/99 I represented for my transfer/repatriation on humanitarian ground, which I have explained in my representation. Also Sir, my representation was forwarded by the Accountant General, Nagaland to your kind authority vide No. Admn/A&E/6-8/97-99/1285, dated 27-8-99 but no development in this regard has since been communicated to me.

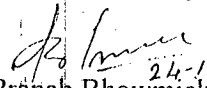
Sir, once again I would like to state that the health condition of my parents deteriorated further for want of proper medical treatment at my home town. Moreover, I can not bring them here at Kohima due to the varying weather condition for which my transfer to the O/o. the Accountant General, (Assam), Guwahati is badly needed.

I, therefore, request to your benign authority to kindly consider my transfer as a very special case and allow me to perform my duties to my sick parents at their old age who are completely dependant on me and thus oblige me.

Thanking you in anticipation Sir,

Dated Kohima,
The 24/1 January, 2000.

Yours faithfully,


(Pranab Bhowmick)
Section Officer

24-1-2000

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Confidential

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To

The Comptroller and Auditor General of India
10, Bahadur Shah Zafar Marg
New Delhi 110 002.

(Through proper Channel)

Sub: Transfer Policy of common cadre S.O's/A.A.O's under Accountant General (A&E), Assam being the Cadre Controlling Authority.

Respected Sir,

I have the honour to state that the following paragraphs for your kind consideration and necessary action.

That Sir, I had been recruited as an Auditor in the o/o the Accountant General (A&E), Nagaland, Kohima on 15.01.83 through S S C Exam. Conducted in 1980 and opted in A&E during departmental bifurcation in 1984. I passed my SOG Examination (Supple.) in 1990 and promoted in common cadre as Section Officer in the same office. Thus, I rendered altogether 9 (Nine) years of my sincere service in Accountant General (A&E), Nagaland, Kohima.

As such, I submitted a representation seeking transfer to A.G. (A&E), Assam Guwahati, in home state. Accordingly my representation had been considered and transferred to A.G. (A&E) Assam, Guwahati in 1992. However, the transfer order did not reflect any ambiguity on temporary basis or repatriation to A.G. (A&E), Nagaland Kohima at any occasion. If so, I would certainly think about such temporary transfer. I had been promoted as AAO in 1994 in the A.G. (A&E), Assam.

That sir, recently I have been transferred again to the A.G. (A&E), Nagaland Kohima as the reliever of Sri D. Dutta, AAO, selected on deputation from A.G. (A&E), Nagaland to West Bengal. However, on behalf of Sri Dutta's deputation I have been posted in Nagaland instead of many senior AAO's and Junior SO's/AAO's in the gradation list who never been posted any tenure in such remote places like Kohima and Imphal-reveals that the Cadre Controlling Authority is not in a position to look into the common interest of all common cadre incumbents even working under the establishment. As such transferees from A.G. (A&E), Nagaland are very frequently transfer back to the same office treating as BASE CADRE. Under this circumstances I have submitted a representation (Copy enclosed) to CCA for reconsideration of the issue. However as soon as my release order has been issued.

In this context, it may be mentioned here that the Honble CAT, GITY-Bench in its verdict-(vice Shri T.R. Dey Vrs. A.G. (A&E) Assam) has nullified the Base Cadre terminology and passed an order to maintain uniform statusque for all S.O's/A.A.O's in Common Cadre.

That Sir I have joined on duties in the A.G.(A&E) Nagaland, Kohima as on 01.01.2000 within joining time as the reliever of Shri D.K.Dutta, A.A.O. However, it is understood that Shri D.K.Dutta submitted a representation for retention on the same duty place prior to my joining in A.G.(A&E) Nagaland, Kohima mentioning that he is at present not in a position to proceed on the assignment selected for deputation in West Bengal due to his personal affairs. Accordingly his representation has been considered and I have been absorbed against another vacant post.

Under these circumstances, I would like to draw the sympathetic consideration of the Authority concerned on the ground of my ill fated family mostly school children who are in uncertainty of their educational prospect at Kohima in different environment and inadequate provision of Central schools or in Guwahati lack of proper guidance due to my long absence.

As such, I appeal your Highness to look into the matter for reversion of my duty place to A.G.(A&E) Assam, Guwahati so that I may overcome the difficulties.

Dated, Kohima 1st Feb 2000

Encls.

1. Transfer Order.
2. Representation.

Yours faithfully,

M.L. Sinha

(M.L. Sinha, AAO)
O/O The Accountant General(A&E)
Nagaland, Kohima

Advocate

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Annexure-7 (b)

File

To.

The Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi- 110 002.

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(Through Proper Channel)

Sub:- Representation for transfer to Accountant General (A&E),
Assam, Guwahati from last 14 years in various Cadre,
on extreme compassionate ground, as a special Case.

Sir,

Noted.

In inviting a reference to my representation dated
27.1.2000, on the subject cited above, I beg to state the
following few lines for your kind and sympathetic consideration.

That Sir, I have submitted my transfer (unilateral)
application to the A.G. (A&E), Nagaland, Kohima on 7.8.85, on
the ground of wife's illness with Medical Certificate from
the registered Medical Practitioner for onward transmission
to A.G. (A&E), Assam, Guwahati. But after issue of several
reminders, it has been forwarded only on 3.7.92, after obtaining
expert medical opinion from the competent medical authority
and willingness for transfer to the lower post of Accountant
as a junior most. In response to that letter, the A.G. (A&E),
Assam etc., Shillong has intimated vide letter No. Admn.1/2-3/
Vol.II/91-92/3083 dated 22.9.92 and Admn.1/2-3/Vol.II/93/608
dated 11.5.93 that due to adverse vacancy position in the
cadre of Accountant, my case could not be considered at that
time, but it has been assured that my case may be considered
as and when vacancy position permits. But, I am sorry to say
that till 7.8.97 i.e. prior to the date of my promotion as
S.O., nothing has been received in this regard from their end.

That Sir, I have been promoted as S.O. on 8.8.97 and
posted in the Office of the Accountant General (A&E), Nagaland,
Kohima by the A.G. (A&E), Assam, Guwahati as a Cadre Controlling
Authority. Accordingly, I have submitted my transfer
application on 29.5.98 for onward transmission to Cadre Contr-
olling Authority, but it has not been considered due to non-
completion of tenure period of 18 months vide A.G. (A&E),
Nagaland Memo. No.68 dated 13.8.98. However, I have submitted
representation (Through proper channel) to A.G. (A&E), Assam,
Guwahati on 27.1.99, 31.3.99, 4.6.99, 30.7.99, 3.11.99, and
jointly 1.3.2000 and 15.3.2000, out of which two replies
have been received from their end on 11.5.99 and 6.12.99
stating that there is no vacancy in the Cadre of S.O./A.A.O.
but, I came to know that 2 officials from A.G. (A&E), Assam,
Guwahati and one official from A.G. (A&E), Tripura, Agartala

...2/-

Maidamaon, Beltola, Guwahati-28.

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have been promoted as S.O. and posted to A.G.(A&E), Assam, Guwahati vide No.Admn.1/Order No.86 dated 24.1.2000 and No.Admn.1/Order No.227 dated 3.3.2000 respectively, whereas I have been deprived from the same, on the analogy that vacancy does not exist in the Cadre of S.O./A.A.O.

That Sir, I have a 12 years old daughter, who is also staying with her mother at Karimganj (Assam) without any male member to look after them. My daughter is now studying in Class-VIII without proper guidance, for which I am spending my days with several mental anxieties and worries. It is also very difficult for me to attend them frequently from Kohima, as the communication facility from Kohima to Karimganj is very poor (24 hours journey).

In view of the facts stated above, I would like to request your benign self, to seek your kind interference in my transfer case with request to advice the Cadre Controlling Authority to consider my transfer case sympathetically, treating as a Special case, as the genuineness of the case has already been established by the expert medical authority.

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

Yours faithfully,

16/12/2000
(ADHIR CHAKRABORTY)
Section Officer,
Office of the A.G. Nagaland, Kohima.

Copy to:-

The Accountant General(A&E), Assam, Maidamgaon, Beltola, Guwahati-28 with a request to consider my long pending transfer case at your earliest.

(ADHIR CHAKRABORTY)
Section Officer.

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REGISTERED

(275) - 78- Annexure - 8 89
From: Mrs. Mira Sarkar
Music Teacher,
Diphu Government Girls High School,
Diphu, Karbianglong.

To,
The Accountant General (A&E),
Assam, Guwahati.

(Through proper channel)

Sub: Prayer for transfer of my husband Shri. Ashutosh Sarkar, Section Officer presently posted in the office of the Accountant General (A&E), Nagaland, Kohima.

Respected Sir,

With due respect and humble submission I beg to lay before you the following few lines for favour of your kind and sympathetic consideration.

That Sir, I am the wife of Shri. Ashutosh Sarkar working in Diphu Government Girls High School under the State Government of Assam and residing in a rented house with 4(four) years old TWIN DAUGHTERS without being looked after by any male member and my husband is posted in the office of the Accountant General (A&E), Nagaland, Kohima since his joining i.e. in the year 1977 almost 23 (twenty three) years elapse. This year my twin daughters have been admitted in the school, due to their ill health since birth they require constant proper care and nursing. As a result it seems quite difficult on my part to deal with the day to day problems in the interest of rearing of our twin daughters. Besides, my old aged ailing widowed mother-in-law along with 2(two) unmarried sister-in-law are staying at my husband's home town at Bordubi Road (near Tinsukia) and they are solely dependant on my husband. By virtue of posting in different places I cannot attribute my moral rights to the family members.

That Sir, I have had a discussion with the authority of Education Department of the Government of Assam who assured my transfer to Guwahati in case my husband's transfer case could be considered to Guwahati by your good self.

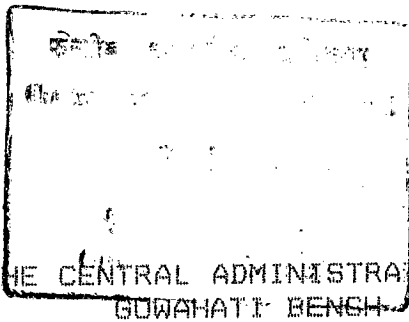
In view of the difficulties being experienced by me I fervently pray to your kind authority to consider my husband's transfer case to the office of the Accountant General (A&E), Assam, Guwahati so as to enable me to stay with my husband along with other family members and also in the interest of rearing of our twin daughters.

Thanking you Sir.

Yours faithfully,

Mira Sarkar
(Mira Sarkar) 20/9/99

ACCOUNTS OFFICER (A)



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

OA No. 177/2001

Pranab Bhowmic & Ors.

VS

Union of India & Ors.

Rejoinder to the Written Statement filed by the Respondents.

1. That the applicants have received the copy of the Written Statement and have gone through the same. The statement which are specifically admitted herein below, rests may be treated as total denial.
2. That with regard to the statement made in para 1 of the Written Statement the applicants beg to state that all AAO's/SO's of A&E office of N.E. Region belongs to Common Cadre and having N.E. transfer liabilities as per the service condition and accordingly all promotion and transfer maintained by the Res.No.2 and a common gradation list maintained for this purpose. The promotion to the post of SO's have been issued on the basis of vacancies arises in the common cadre. Therefore, the question of lack of vacancy and the question of deficit and surplus office as well as parent office in case of newly promoted SO does not arise. Moreover, the term deficit and surplus office is not correct in a common cadre. It is apprehended that the SO/AAO have been promoted considering the seniority under common cadre and composite strength of NE Region and the transfer/posting are being effected by the Respondent No.2 according to

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Filed by
Usha Das,
Advocate
3/1/02

strength of the field offices. As the SO/AAO is under common cadre and common cadre seniority, there posting should have effected on the basis of common seniority according to their choice posting/rotation vide Respondent No.1 letter dated 1.10.96 (Annexure-4b), whereas Respondent No.2 passes order of transfer violating the Respondent No.1 letter quoted above.

Moreover, agreement held on 10.04.74 between Association and the Accountant General regarding tenure posting of hard station only like Kohima/Imphal. If it is correct the 'transparent and fair policy of the transfer and posting' then why respondent No.3 issued letter to respondent No.1 on 21.3.2000 and why respondent No.2 did not reply this Association letter dated 1.12.2000, hence it is pertinent to state that request for adoption of fair transfer policy by this Association is not baseless.

3. That with regard to the statement made in para 2 of the Written Statement the applicants offer no comment on it.

4. That with regard to the statement made in para 3 of the Written Statement the applicants beg to state that no transfer policy on transfer of SOs/AAOs as mentioned in Annexure-2 has been communicated to Respondent No.3 and the Respondent No.2 has arbitrarily framed a transfer and posting policy on 22.3.2000 and placed to Hon'ble Central Administrative Tribunal. Moreover, the fact as stated in Annexure-3 that a reference was made to respondent No.3 for his comments on the policy framed by the respondent No.2 is not known to the Association. Had the above mentioned fact

been brought to the notice of Respondent No.3, than the Respondent No.3 would have not communicated his view for a fair and transparent transfer policy for common cadre. Hence the claim of framing a transparent transfer policy by Respondent No.2 is arbitrarily and policy framed by the respondent No.2 is not at all transparent, Annexure-6 , para(b) may be stated as another concrete evidence which over ruled the claim that a Transparent Transfer Policy framed by Respondent No.2 after considering the comments from other field offices.

Further, it may be stated that para-3 of Annexure-3 the agreement held on 10.4.74 between Association and Accountant General regarding tenure posting of hard station only like Kohima/Imphal. Again, if the transfer policy made by the respondent No.2 is fair and transparent than why such policy had not been brought to the notice of the Association, inspite of their request vide letter dated 1.12.2000 and copy of the letter dated 9.1.2001.

Prior to 22.3.2000 at Annexure-2 there was an instruction issued by respondent No.1 for transfer in respect of AAO on choice posting/rotation basis vide Annexure-4b, than why such instruction has not been followed by the respondent No.2 for transfer. Moreover, the transfer policy made by the respondent No.2 on 22.3.2000 Annexure-2 where there is point for choiceable place of posting on rotation basis, than why such rotation has not been done by the respondent No.2 in respect of the applicants on the basis of common seniority.

The applicants further beg to state that through this rejoinder they have challenged the legality and validity of the transparent posting policy as submitted by

the respondents in their written statement . In fact, those transfer policy does not cover the case of the present applicants.

5. That with regard to the statement made in para 4 of the Written Statement the applicants offer no comment on it.

6. That with regard to the statement made in para 5 of the Written Statement the applicants beg to state that the fact stated in Annexure-1 is true, but their transfer had not been done as per the instruction issued by the respondent No.1 (Annexure-4b) because no seniority has been followed at the time of their transfer. Moreover initial promotion in respect of some SO's have not been followed as per instruction issued by the respondent posted to A.G. (A&E), Nagaland.

Due to lack of fair and transparent transfer policy ,the replies furnished by the respondent No.2 case of Shri A.Chakraborty, AAO, Shri A.Sarkar, AAO and Shri P.Bhowmic, SO is irrelevant . In spite of considering the case of the above mentioned applicants, the respondent No.2 has promoted/transferred some SO/AAO at Guwahati who are either junior or newly promoted than the above mentioned applicants.

7. That with regard to the statement made in para 6 of the Written Statement the applicants deny the correctness of the same and reiterate and reaffirm the statement made above as well as in the OA.

8. That with regard to the statement made in para 7 of the Written Statement the applicants beg to state that it may be seen that two officers under serial 45 & 47 gradation list (Annexure-5) were transfer from Nagaland behind the Senior Officers under Serial No.23,25,38 & 42 of gradation list (Annexure-5). As such it reveals that the respondent No.2 did not follow the gradation list on transfer/posting cases. Hence, the reply of respondent No.2 claiming 'referred to (gradation list Annexure-5) while effecting transfer and posting' is fully baseless.

The conception behind the adoption of fair transparent transfer/posting policy are for common interest, the Govt. order/conditions of transfer liability to any state in N.E. Region by all AAOs/SOs born on the common cadre would strictly be followed, every AAOs/SOs would be made liable to be transfer to either of the two hard posting stations in Kohima/Imphal (decision made on 10.4.74) at least for a minimum period of two years and maximum three years subject to willingness of the officers who are present serving in hard posting stations, so that all the AAOs/SOs should honestly share the hard life in Kohima/Imphal, in consistent of responsibility being in the common cadre, the maintenance of composite seniority by respondent No.2 to which will solve the problems of hard posting for some officers only. Further, respondent No.2 whereas maintains gradation list of all the SO's/AAO's under common cadre in entire N.E.Region for their seniority and promotions, the expression on non-feasibility of roster maintenance for 150 officers is completely vague and unreasonable.

9. That with regard to the statement made in para 8 and 9 of the Written Statement the applicants reiterate and reaffirm the statement made above and as well as in the OA.

10. That with regard to the statement made in para 10 of the Written Statement the applicants beg to state that the contention of respondent No.2 in respect of the cadre of Section Officers is contradictory as, if the Section Officers is a base cadre, than why their names included in the composite seniority list (Gradation List) and same service condition of AAO and how the Section Officers (on initial appointment as S.O.) are being posted to other field offices under common cadre instead of their base office.

11. That with regard to the statement made in para 11, 12, & 13 of the Written Statement the applicants reiterate and reaffirm the statement made above as well as in the O.A..

12. That with regard to the statement made in para 14 of the Written Statement the applicants beg to state that as per the agreement between Association and Accountant General on 10.4.74 (Annexure-2 para-3), the place of Kohima/Imphal is termed as hard place of posting. Therefore, the claim of the applicants for their choiceable place of posting at Guwahati after rendering several years (instead of 18 Months) of service in Kohima is fully justified. Moreover, there are so many SOs/AAOs (as per composite gradation list) who have been posted in Kohima/Imphal (Hard place) violating the agreement dated 10.4.74.

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13. That with regard to the statement made in para 15 of the Written Statement the applicants beg to state that had there been a fair and transparent policy on rotation basis among all 150 SDOs/AADs of common cadre (on basis of gradation list seniority) than the question of separation of cadre would have not been arisen. The arbitrary transfer/posting/rotation policy framed by the respondent No.2 is the main reasons for claiming the separation of cadre and it is justified.

14. That with regard to the statement made in para 16, 17 & 18 of the Written Statement the applicants reiterate and reaffirm the statement made above as well as in the O.A..

15. That with regard to the statement made in para 19 of the Written Statement the applicants beg to state that if the transfer policy is fair and transparent than why A.G. (A&E), Tripura has expressed their resentment (Annexure-6) and why one post of S.O./AAD is lying vacant in Sr. DAG (A&E), Nagaland since September 2000, whereas so many SOGE passed candidates are waiting for promotion.

16. That with regard to the statement made in para 20 of the Written Statement the applicants beg to state that had there been a fair and transparent policy on rotation basis among all 150 SDOs/AADs of common cadre (on basis of gradation list seniority) than the question of separation of cadre would have not been arisen. The arbitrary transfer/posting/rotation policy framed by the respondent No.2 is the main reasons for claiming the separation of cadre and it is justified.

VERIFICATION

I, Shri Dilip Kr. Dutta, son of Late M.R. Dutta, aged about 39 years, at present working as AAO, General Secretary, All AAO/SD Association (II) office of the Sr. Deputy Accountant General (A&E), Kohima, Nagaland, do hereby solemnly affirm and verify that the statements made in paragraphs 1 to 12 are true to my knowledge and those made in paragraphs are also true to my legal advice and the rest are my humble submission before the Hon'ble Tribunal. I have not suppressed any material facts of the case.

I am the applicant No.2 in the instant application and conversant with the facts and circumstances of the case and competent to swear this affidavit for and on behalf of all the applicants listed in Annexure-A on their authorisation.

And I sign on this the Verification on this the 3rd day of Jan. of 2002.

Signature.

Dilip Kr Dutta