

01/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./T.A No. 01/2002

R.A/C.P No.

E.P/M.A No.

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3. Judgment & Order dtd.Received from H.C/Supreme Court
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11. Memo of Appearance.
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SECTION OFFICER (Judl.)

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI

ORDER SHEET

APPLICATION NO. 1 of 2002

Applicant(s)

J. C. Das

Respondent(s)

Union of India & Ors.

Advocate for Applicant(s)

Mr. B. Banerjee, Mr. M. K. Majumder,
Mr. A. Chakraborty & Mr. B. Chakraborty

Advocate for Respondent(s)

Chac -

Notes of the Registry

Date

Order of the Tribunal

2.1.02

Heard learned counsel for the parties.

Issue notice on the respondents to show cause as to why the application should not be admitted and interim order requesting stay of order dated 19.12.2001 (Annexure 5) should not be allowed. List on 18.1.02 for Admission.

In the meanwhile, the Status quo shall be maintained till the next date.

1 C C Sharma

Member

1m

18.1.02

Transfer of the applicant from Silchar CPF Karimganj Division to Technical/Admininistrative Branch is the subject matter of the application. The applicant was appointed as Inspector in the Customs on 19.1.82. The applicant was promoted to the post of Superintendent in the year 1995 and he joined at Silchar Range -I. on 20.12.95.

contd/-

This is application in form
C. F. for Rs. 50/- deposited
vide 19.12.01 No 7.90990
Dated 1.1.2002

Dy. Registrar

7/1/02

7/1/02

Slabs Taken. At Home.

Notice prepared and sent

for D/s for work the Respondent

No 182 by Regd. A/D.

eno

qpl

10084 No

10084 No

67-68

8/1/02

18.1.02

The applicant was again transferred to Lumding within 30 days and the applicant in due compliance of the order joined at Lumding on 1.01.96. Thereafter he was transferred to Karimganj and he joined at Karimganj on 22.3.2000. The applicant made a representation dated 29.12.2000 Annexure-1(A) for transfer to the vacant post of Silchar C.P.F. The authority considered his case and transferred him to Silchar vide order dated 23.1.2001. The applicant joined at Silchar on 1.2.2001. Vide order dated 19th December 2001 the applicant was again transferred from Silchar C.P.F., Karimganj Division to Tech/Adm.Branch, Karimganj Division. The applicant has challenged the transfer order on the ground that ~~when~~ the applicant was transferred to Silchar within 10 months ~~and~~ ^{and} ~~med~~ the action of the respondents as arbitrary and ~~the Respondents~~ violative of the guideline of Annual General Transfer. It is stated that the applicant had started construction house at Silchar and the transfer of the applicant at this stage will affect him adversely. The applicant has made a representation on 29.12.2001, Annexure -1(A) to the authority ^{and} to re-consider the applicant's case ^{and} to retain him at Silchar.

I have heard Mr.M.K.Mazumdar, learned counsel for the applicant and Mr.A.Deb Roy, Sr.C.G.S.C. for the respondents. It is seen from the impugned transfer order, it is Annual General transfer order affecting 24 persons. The authority has invited representation from the affected persons within 15 days from the date of receipt of this order. Accordingly, the applicant has made a representation on 29.12.2001.

contd/-

Notes of the Registry

Date

Order of the Tribunal

18.1.02

After hearing the learned counselⁱⁿ for the parties I am of the view that the interest of justice the applicant's representation should be considered by the authority taking into account his grievances. The authority may dispose of the representation within 1 month from the date of receipt of his representation

Application is disposed of as indicated above. There shall however, be no order as to costs.

K. U. Shari
Member

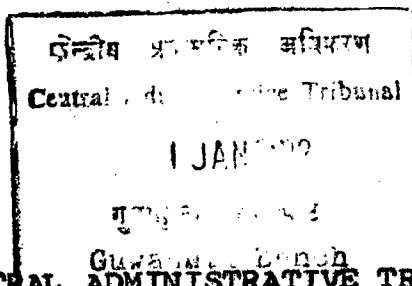
31.1.2002

Copy of the order has been sent to the D/Sec. for issuing the order to the L/Advocates for the parties

lm

JTS
21/01/02

| Notes of the Registry | Date | Order of the Tribunal |
|-----------------------------------------|------|-----------------------|
| <p>✓</p> <p>[Faint, illegible text]</p> | | |



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL.

GUWAHATI BENCH : GUWAHATI.

(An application under section 19 of the Administrative
Tribunals Act 1985)

Original Application No. 041/2002.

Sri Jagadish Chandra Das

. . . Applicant

- Versus -

Union of India & Ors.

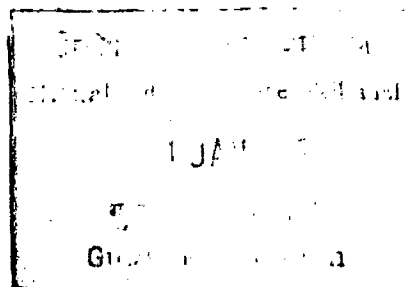
. . . Respondents.

I N D E X

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Filed by :

M. K. Mazumdar
Advocate



Jagadish Chandra Das
Applicant
M.K. Mazumdar
Advocate
1/1/2002
Through

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH.

(An application under Section 19 of the Administrative
Tribunals Act 1985).

O.A. No. _____/2002.

Sri Jagadish Ch. Das.

. . . Applicant

- Versus -

Union of India & Ors.

. . . Respondents.

BETWEEN

Sri Jagadish Chandra Das,
S/o late pulin Ch. Das,
Superintendent,
Customs preventive Force,
Lane No.8, Link Road,
Silchar.

. . . Applicant

- A N D -

1. UNION OF INDIA, represented by
Commissioner of Customs,
North Eastern Region,
Shillong.

2. Assistant Commissioner P&I,
Customs Headquarters,
Shillong.

. . . Respondents.

DETAILS OF THE APPLICATION :

1. Particulars for which the application is made

This application is made for cancellation of
order dated 19.12.2001 issued by the Commissioner of
customs, North Eastern Region, Shillong whereby the
applicant is transferred again to a new place of
posting within the year.

contd..2

Jagadish Chandra Das
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2. Jurisdiction :

The applicant declares that the subject matter of the application is within the jurisdiction of this Hon'ble Tribunal.

3. Limitation :

The applicant declares that the application is within the period of limitation.

4. Facts of the case :

4.1 That the applicant is a citizen of India and as such is entitled to the rights and privileges guaranteed by the Constitution of India.

4.2 That the applicant was appointed on 19.1.82 as Inspector and posted in Divisional Office at Tezpur. In the capacity of Inspector of Customs the applicant served for 13 years in various places of posting.

4.3 That ~~the applicant~~ since his joining at Tezpur he was transferred to Mangaldoi range and he joined there on 8.2.82, thereafter on 28.2.84 the applicant was transferred to Badarpur Range where he served for 3 years and thereafter he was transferred to Bishalgarh in the year 1987 and thereafter to Belonia in the year 1992 and again on 1993 to Silchar. Thus it appears that during the short span of 13 years of service as Inspector the applicant was transferred 5 time which he duly accepted and complied with every direction.

4.4 That the applicant was promoted to the post of Superintendent in the year 1995 and he joined on

Jagadish
Chandra Das

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20.12.95 at Silchar Range-I and since then he has been serving with unblemished record and to the full satisfaction of the authority.

4.5 That since his joining at Silchar Range-I on 20.12.95 he was transferred to Lunding within the period of 30 days and the applicant in due compliance of the order joined at Lunding on 10.01.96. Thereafter he was transferred to Karimganj in the year 2000 and he joined at Karimganj on 22.3.2000.

4.6 That during the days of his frequent transfer at various places the applicant shifted his family at Silchar and settled there with a rented house. That the mother of the applicant being serious patient of old age disease and the wife being the only capable person to look after the children and the mother. The applicant made representation to the authority to transfer him on compassionate ground to the vacant post at Silchar vide his representation dated 29.12.2000 for the first time during 18 years of service.

4.7 That the authority being satisfied with the unblemished record of service of the applicant enquired the matter and on being satisfied, finding the post lying vacant was pleased enough to consider his case and transferred him accordingly to Silchar vide order dated 22.1.2001 under memo No. C No.II(3)9/ET/CC/CELL/SH/2000/2601-45(A) dated 23.1.2001.

Copy of the order dated 23.1.2001 is annexed as Annexure-1 and representation dated 29-12-2000 is annexed as Annexure - 1-A

contd..4

4.8 That the applicant joined in the present place of posting only on 1.2.2001 and since his joining he has also applied for house building advance for construction of own house and also started treatment of his mother in the hospital.

Copies of application and medical certificate are annexed hereto as Annexures- II and III respectively

4.9 That in the meanwhile the authority have circulated a guideline for annual general transfer of Superintendent/Inspectors etc. vide C No.II(26)20/Et.III/95/43276-301 dated 5.9.2001 by which any illegal and mala fide transfer were sought to be restricted and regulated.

A copy of the Circular dated 5.9.01 is annexed as Annexure- IV

4.10 That the applicant stated that since the above mentioned guideline was circulated after few days of his transfer to Silchar which also ensures that the time for opting any Annual General transfer is due only after completion of 4 years in either case the applicant was shocked to received another transfer order dated 19.12.2001 within 10 months of earlier transfer and the applicant is enclosing a chart of frequent transfer for perusal of the Hon'ble Court.

A copy of the order dated 19.12.2001 is annexed as Annexure- V and a chart of transfer posting is ~~xxxxx~~ annexed hereto as Annexure- VI

Jagadish
Chandra Das

4.11 That the applicant states that the respondent acted illegally and arbitrarily as the applicant have never opted to be forwarded for annual general transfer and the order of transfer dated 19.12.2001 is mala fide and against the policy decision of the Government in the form of guide line. As such the applicant have submitted representation through proper channel to reconsider his case for allowing him to stay at Silchar in modification of the order which is pending for disposal since 21.12.2001.

A copy of the representation is annexed as Annexure- VII

4.12. That the applicant states that, though the transfer has been made on 19.12.2001 and till today no ~~release~~ release order has been issued by the respondent authority and the incumbent who has been transferred to Silchar has not yet been released and on considering the subsequent transfer which dislocates the family should be stayed in the public interest, more so, when the transfer order dated 19.12.2001 has been made in total violation of the guidelines as aforesaid and the mala fide is writ large in the facts and circumstances of the case.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS :

5.1 For that the respondent acted illegally and arbitrarily in not following the guideline of Annual General Transfer in case of the applicant.

Jagadish
Chandra Das

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5.2 For that the applicant was transferred earlier on compassion and there exists no exigency to transfer him within 10 months and as such the action of the respondent is illegal and motivated being violative of the guideline.

5.3 For that the authority never intended to protect the interest of the applicant as in the case of others and similarly situated persons are always considered favourably which is against the provision of equal opportunity and equal treatment and as such the action of the respondents is violated of Article 14 of the Constitution in the matter of transfer and posting.

5.4 For that the respondent all along acted whimsically and arbitrarily in transferring the applicant for 10 times during his service carrier of 2 decades.

6. DETAIL OF REMEDIES EXHAUSTED :

That the applicant states that he has submitted representation against the transfer order dated 19.12.2001 which has not yet been disposed of and hence he approach this Hon'ble Tribunal in order to get just justice.

7. Matter not pending with any court :

The applicant declares that there is no case pending before any other court/Tribunal.

8. RELIEF CLAIMED

That under the facts and circumstances of the case the applicant prays for following relief.

Jagadish
Chandra Das
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8.1 The order No. 61/2001 dated 19.12.2001 issued by the Commissioner of Customs, North Eastern Region, Shillong, transferring the applicant from Silchar CPF to Technical and Administrative Branch Karimganj Division may kindly be set aside and quashed in so far as it relates to the applicant.

9. INTERIM RELIEF :

pending disposal of the Original Application the impugned order No. 61/2001 dated Shillong the 19th December, 2001 (Annexure-5) transferring the applicant from Silchar C.P.F to Technical and Administrative Branch Karimganj may kindly be stayed.

10. The application has been filed through Advocate.

11. Particulars of postal Order :

- i) I.P.O No. 6G 790990
- ii) Date of issue : 1.1.2002.
- iii) Issued from : G.P.O, Guwahati
- ii) Payable at : Guwahati.

12. Particulars of Enclosures :

As stated in the index.

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

I, Sri Jagadish Chandra Das, S/o late pulin Ch. Das, aged about years at present working as Superintendent, Customs ~~and~~ Preventive Force, ~~Kans~~ Silchar do hereby verify that the statements made in paragraphs 4.1 to 4.6 and 4.12 are true to my knowledge and those made in para 4.7 to 4.11 are true to my information being matter of record and I have not suppressed any material facts.

And, I sign this verification on this the 1st Day of January, 2002 at Guwahati.

Jagadish Chandra Das.

GOVERNMENT OF INDIA
OFFICE OF THE COMMISSIONER OF CUSTOMS
NORTH EASTERN REGION :: SHILLONG

ORDER NO. 03/2001

Dated, Shillong the 22nd January, 2001

In partial modification of Order No. 18/2000 dated 15.12.2000 issued under endt. C.No. II(3)9/ET/CC/CELL/SH/2000/3842-949(A) dated 15.12.2000, the following adjustment in the grade of Superintendent of Commissionerate of Customs, NER, Shillong are hereby ordered with immediate effect and until further orders.

| Sl. No. | Name of the officer S/Shri | Place of posting | |
|---------|----------------------------|---------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| | | From | To |
| 1 | B.K. Deb | Disposal Unit Agartala Cus. Division | Tech/Sts/Adj Unit Agartala Cus Division |
| 2. | N.G. Sen | Tech/Sts/Adj Unit Agartala Cus Division | Disposal Unit Agartala Cus. Division & In-charge of Agartala LCS |
| 3 | J. Dohling | Shillong Customs Division | Shellabazar LCS Shillong Cus. Division |
| 4 | K.N. Daimary | Hatisar LCS Guwahati Cus. Division | Tech/Sts/Adj Unit Imphal Cus. Division |
| 5 | K.K. Taneja | Tech/Sts/Adj Unit Imphal Cus. Division | A/S, Narc/Intt Unit Imphal Cus. Division |
| 6. | D. Mushahary | Internal Audit Branch Central Excise, Shillong | Customs Hqrs. Audit Hqrs. Office, Shillong In addition of Disposal Unit, Hqrs. Shillong |
| 7. | L.H. Fahriem | Aizawl Customs Division | CC's Cell Customs Hqrs. Shillong |
| 8. | C. Shullai | CC's Cell Customs Hqrs. Shillong | Statistics Branch Customs Hqrs. Shillong In addition of Law/Appeals Hqrs. Office, Shillong |
| 9. | S.N. Singh | A/S, Narc/Intt Unit Imphal Customs Division | Moreh CPF Imphal Customs Division |
| 10. | J. G. Das (No. 2) | Disposal Unit Karimganj Customs Division | Silchar CPF Karimganj Customs Divn. |

*Order of Transfer
by
Advocate*

-2-

The following officers will hold additional charges of the Branches/Units as shown against their names.

1. Shri J.C. Das (No.1) Supdt (Tech/Sts/Adj) Unit, Karimganj- Disposal Unit
Karimganj Cus. Div
2. Shri K.N. Daimary, Supdt.(Tech/Sts/Adj) Unit, Imphal - Law Disposal Unit
Imphal Cus. Div.

The concerned officers should be relieved latest by 02.02.2001 and compliance report is to be sent to Hqrs.

SDP
(K.K. DAS)
COMMISSIONER OF CUSTOMS
NORTH EASTERN REGION
SHILLONG

C.NO. II(3)9/ET/CC/CELL/SH/2000/ 2691-45(A)

Dated :- 23.01.2001

Copy forwarded for information and necessary action to :-

1. The Commissioner of Central Excise, Shillong
2. The Commissioner (Appeals), Customs and Central Excise, Guwahati
3. The Additional Commissioner(P&V), Customs and Central Excise, Shillong
4. The Additional Commissioner (Tech), Central Excise, Shillong.
5. The Deputy Commissioner (P&I), Customs Hqrs. Shillong.
6. The Deputy/Assistant Commissioner, Customs/ Central Excise _____ (All).

Copy meant for the concerned officer(s) is/are enclosed herewith for causing delivery.

7. The C.A.O. Customs and Central Excise, Shillong
8. The Sr. P.A. to the Commissioner of Customs, Shillong
9. The PAO/ACAO(Accts), Customs and Central Excise, Shillong
10. The Administrative Officer(Customs) Hqrs. Office, Shillong
11. The Superintendent.
12. The Branch-in-Charge, ET II & III/Accts. I & II/Confd/Vig Branch of Hqrs. Office, Shillong
13. Shri _____ Superintendent for compliance
14. The General Secretary, Customs and Central Excise Group 'B' Executive Officers' Association, Shillong.
15. Guard File.

(V. KEZO)
DEPUTY COMMISSIONER (P&I)
NORTH EASTERN REGION

*Copy to be sent to
Advocate*

To

The Commissioner of Customs,
N.E. Region, Shillong.

(Through the Proper Channel)

Sub:- Humble prayer of Shri J.C. Das, Superintendent
(Disposal), Customs Division, Karimganj for
transfer at Silchar on compassionate ground.

Sir,

In an earnest expectancy of being forwarded with kind consideration, I beg to lay before you the following few lines for favour of your kind perusal and sympathetic consideration.

That Sir, my wife is an employee in the Department of P.H.E. under the State Govt. of Assam and she has been posted at Silchar. She has been staying there in a rented house along with my family members (i.e. my age old widow mother, my younger sister and my two children).

That Sir, my mother often suffers from variety of physical disabilities due to age-old ailment. She, therefore, needs better nursing and medical facilities. There is no male members in my family at Silchar except two of my little children

Moreover, I have to maintain double establishments, one at Silchar (rented house) and other at Karimganj (rented house) which causes economic hardship.

In the light of above exasperating circumstances, I therefore, humbly pray with an humility to have pity on my confronted problems by forming transfer to the vacant post at Silchar C.P.F. from the present place of posting and for this act of benevolence, I shall always remain grateful to you.

Dated, Karimganj,
the 29th Dec/2000

Yours faithfully,

Jagadish Chandra Das.

(JAGADISH CHANDRA DAS)
Superintendent (Disposal)
Customs Division, Karimganj.

*Consolidated to be done
P. Jay
Advocate.*

(125)
CUSTOMS DIVISION: Karimganj. Annexure-II

To,
The Commissioner of Customs,
N.E. Region,
Shillong.

Through the Deputy Commissioner,
Customs Division, Karimganj.

Sir,

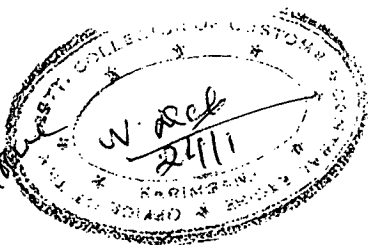
Subject: - Forwarding of Application for
House-building Advance (in proper form).

Enclosed please find herewith the application
for house-building advance (in proper form) in
respect of J. C. Das, Superintendent (Disposal),
Customs Division, Karimganj, for favour of
necessary action at your end.

Encl - As stated above.
(36 sheets)

Yours faithfully,

J.C. Das
24/01/2001
(J. C. DAS)



Certified to be true
By
Attache

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Annexure - III

9

LIFE LINE HOSPITAL

N. S. Avenue, Silchar Pin-788005

Phone : 33083



To show it may even concern.
 This is to certify that Suti gamin
 Bala Das 85 yrs age mother of D.C. Das
 Silchar Link Road Lane No. 8. is
 treated in this hospital on old basis
 and we for different physical ailments
 due to old age she needs careful
 nursing

[Signature]

Medical Officer
 Life Line Hospital
 Silchar Road, Silchar

*Confirmed to be true
 P. B. Advocate*

LIVE WITH GOOD HEALTH



GOVERNMENT OF INDIA

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

C.No.II(26)20/Et.III/95/43276-301

Dated: 5/9/01

To
The Deputy/Assistant Commissioner () Cus./C-Ex-
Hqs. Office, Shillong.
The Deputy/Assistant Commissioner of Customs, Karimganj, (All)
The Deputy/Assistant Commissioner of C. Ex. _____ (All)
The Superintendent () _____

Subject: Option for Annual General Transfer of Superintendent /Inspector Grade- C/ regd.

The Annual General Transfer for 2001 of Superintendents and Inspectors posted in different formations & Headquarter Offices of Customs and Central Excise Commissionerates, Shillong is proposed to be made in December 2001. The concerned officers who are due for transfer as per the accepted guidelines for transfer of this Commissionerate will be considered for transfer.

Briefly the accepted guidelines for transfer in respect of Superintendents/Inspectors are reiterated below for the benefit of the officers.

Superintendents who have completed their tenure as below will be considered for transfer:

- (i) in the same station for a continuous period of 4(four) to 6 (six) years,
- (ii) in the same Section/Office for a continuous period of 2 (two) years &
- (iii) in the customs formation for a continuous period of 4(four) years;

Similarly Inspectors who have completed their tenure as below will be considered for transfer.

- (i) in the Divisional Hqs. Office, for a continuous period of 6 (six) years,
- (ii) in the Ranges outside the Divisional Office for a period of 3(three) years,
- (iii) in any L.C.S /P.P. for a continuous period of 2(two) years,
- (iv) in Central Excise/Customs Hqs. Office for a period of 6(six) to 8(eight) years &
- (v) in the Customs formation for a continuous period of 4(four) years;

It is therefore, requested to forward the options of officers for posting in Customs & Central Excise in order of preference for next posting indicating the reasons therefore. Options in the prescribed pro forma (enclosed) should reach this office on or before 28.09.2001. Options received after 28.09.2001 will not be taken into consideration for Annual General Transfer of 2001. It is, therefore, requested to take personal initiative to send this office on or before the said date. While forwarding the pro forma, it may be ensured that the same is duly verified by the Head of Office.

Please acknowledge receipt.

Combined to be sent
P.S. /
Advocate

(B. THAMAR)
ADDITIONAL COMMISSIONER(P&V)
CUSTOMS & CENTRAL EXCISE
SHILLONG



**COMMISSIONER OF CUSTOMS
NORTH EASTERN REGION
SHILLONG**

MG Road (Northbrook Road), Shillong - 793 001, Meghalaya.
Phone: 0364-229005/210103, Fax: 0364-229007, E-mail: cusshg@sancharnet.in

ORDER NO. 61/2001

Dated, Shillong, the 14th, December, 2001

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

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

| Sl. No. | Name of the officer | Place of posting | | Remarks |
|---------|---------------------|--------------------------------------------------------|--------------------------------------|----------------------------------------------|
| | | From | To | |
| (1) | (2) | (3) | (4) | (5) |
| 1. | S/Shri M. K. Boso. | Computer Welfare, A/E, Dhubri Central Excise Division. | Dhubri CPF, Guwahati Division. | Vice B. Sarkar released to Central Excise |
| 2. | Abhijit Ghosh. | Tech. Branch, Dhubri Central Excise Division | Ghasuapara L.C.D. Guwahati Division | Vice J. Lams released to Central Excise |
| 3. | P. S. Das | Tech./Sts. Branch Agartala Division | Sonamura CPF, Agartala Division | Vice S. K. Roy released to Central Excise |
| 4. | Pareshi Debnathi. | Dharmnagar Range, Silchar Central Excise Division | Tech./Sts. Branch, Agartala Division | Vice P. S. Das |
| 5. | B. Patir | Service-Tax Range-II, Guwahati Central Excise Division | Law/Disposal, Aizawl Division | Vice D. N. Doley released to Central Excise. |
| 6. | D. R. Saha | BRPL-II Range, Dhubri Central Excise Division | Law/Disposal, Guwahati Division. | Vice J. Lams released to Central Excise |

Confirmed to be true
Advocate

FROM: COMMISSIONER, CUSTOMS 0364-223440

TO: 910384300000

PAGE: 02

2

| (1) | (2) | (3) | (4) | (5) |
|-----|---------------------------|------------------------------------------------------------------------|--------------------------------------------------------------------------------|---------------------------------------------------------|
| 7. | P. R. Mullick. | <u>Audit Branch</u> Central Excise Hqrs. office Shillong | <u>Badarpur CPF</u> Karimganj Division | Against vacancy |
| 8. | Ranjit Bhattacharjee | <u>Silchar -I Range</u> Silchar Central Excise Division | <u>Silchar CPF</u> Karimganj Division | Vice J. C. Das No. 2 |
| 9. | A. B. Dutta. | <u>A/E Unit</u> Tezpur Central Excise Division | <u>Moreh LCS</u> Imphal Division | Against vacancy |
| 10. | S. Ganguly. | <u>Dhekiajuli Range</u> Tezpur Central Excise Division | <u>Mahendraganj LCS</u> Guwahati Division | Vice R. K. Sharma Released to Central Excise |
| 11. | Biren Saikia. | <u>RBC Range</u> Guwahati Central Excise Division | <u>A/S. Narc./Intt.</u> Imphal Division | Vice K. N. Dainary released to Central Excise. |
| 12. | Biman Dhar. | <u>PSC-II Range</u> Guwahati Central Excise Division | <u>Tech./Sts. Branch</u> Aizawl Division | Vice K. Ahmed released to Central Excise. |
| 13. | P. K. Das. I | <u>Hqrs. Audit Unit</u> Guwahati | <u>A/S. Narc./Intt.</u> Aizawl Division | Vice A. Bhattacharjee. |
| 14. | Debojyoti Mishra. | <u>TSK-I Range</u> Tinsukia Central Excise Division | <u>Karimganj Steamerghat & Ferry Station</u> Karimganj Division | Vice A. Chakraborty released to Central Excise |
| 15. | G. K. Sharmabaral. | <u>Dibrugarh-II Range</u> Dibrugarh Central Excise Division. | <u>Lumding CPF</u> Dimapur Division | New creation. |
| 16. | Kisalay Das. | <u>Audit Branch</u> Central Excise Hqrs. office, Shillong | <u>Sutarkandi LCS</u> Karimganj Division | Vice J. Dey released to Central Excise |
| 17. | R. K. Das. | <u>Borsora LCS</u> Shillong Division | <u>Law/Disposal</u> Dimapur Division | Vice P. B. Nag released to Central Excise |
| 18. | J. R. H. Diengdoh. | <u>Hqrs. & Estt.</u> Customs Hqrs. Office, Shillong | <u>Borsora LCS</u> Shillong Division | Vice R. K. Das. |
| 19. | M. Marbaniang | <u>Tezpur CPF</u> Guwahati Division. | <u>Hqrs. & Estt.</u> Customs Hqrs. Office, Shillong | Vice J. R. H. Diengdoh |
| 20. | P. K. Sinha Choudhury. | <u>Dawki LCS</u> Shillong Division | <u>Dharmanagar CPF</u> Karimganj Division | Vice R. C. Dey released to Central Excise |
| 21. | A. Bhattacharjee | <u>A/S. Narc./Intt.</u> Aizawl Division | <u>Dawki LCS</u> Shillong Division | Vice P. K. Sinha Choudhury. |

Confidential
Advocate

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

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

(DD Ingtv)
Commissioner

C.NO.11(3)14/ET/CC/CELL/SH/2001/ 7750 - 807(A)

Dated - 12-12-2001

Copy forwarded for information and necessary action to:-

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

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

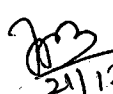
*Cent. Fed. to be done
Pls. Advocate*

18
Annexure - VI
✓

HISTORY OF POSTING

- 1) Name of the Officer : JAGADISH CHANDRA DAS,
SUPERINTENDENT;
CUSTOMS PREVENTIVE FORCE, SILCHAR.
- 2) Date of apptt. in the : 19/01/1982
Deptt. & grade.
- b) Date of apptt. in present: 20/12/95
grade.
- c) Date of Birth. : 1st September, 1954
- 3) Name of Home town and : Silchar, Assam.
State.
- 4) HISTORY OF POSTING SINCE ENTRY.

| S1. No. | Station | Post held | From | To |
|---------|--------------------------------|-----------|------------|-----------|
| 1. | Divl. office, Tezpur | Inspector | 19/1/82 | 07/02/82 |
| 2. | Mangaldai Range, | " | 08/02/82 | 27/2/84 |
| 3. | Badarpur Range & C.P.P. | " | 28/2/84 | 25/5/87 |
| 4. | Bishalgarh C.P.P. | " | 26/5/87 | 24/5/92 |
| 5. | Muhurighat LCS, Belonia | " | 25/5/92 | 13/10/93 |
| 6. | Anti-Evasion, Range I, Silchar | " | 14/10/93 | 19/12/95 |
| 7. | Silchar Range I | Supdt. | 20/12/95 | 09/01/96 |
| 8. | Lumding Range | " | 10/01/96 | 21/3/2000 |
| 9. | Supdt. (Disposal) Karimganj | " | 22/3/2000 | 31/1/2001 |
| 10. | C.P.F., Silchar | " | 01/02/2001 | to date |


(J.C. DAS)
Superintendent,
Customs Prev. Force, Silchar.

&&&&&&&

Office of the Superintendent
Customs Preventive Force
Silchar-788001

Annexure - VII
5

C.No. II(39)1/ET/Prev/SIL/01/663 Dt. 21.12.2001

To,
The Assistant Commissioner,
Customs Division,
Karimganj.

Sir, Subject:- Forwarding of the representation
in respect of J. C. Das (II),
Superintendent, C. P. F. Silchar.

Enclosed please find herewith the
representation in respect of Shri J. C. Das
(II), Superintendent, C. P. F., Silchar, for
favour of necessary action at your kind

Yours faithfully,

Confidential
CC to Adv.
Adv.

Encl - 12 (twelve sheets)

21/12/01 (A/S)
Superintendent
Customs Preventive Force
Silchar

To

20
The Commissioner of Customs,
North Eastern Region,
Shillong.

(Through the proper channel)

Respected Sir,

Subject: Representation for retention at present posting
at C.P.F., Silchar on humaintarian ground -

Ref. : Estt. Order No. 61/2001 dated Shillong the
19th December, 2001.

Most humbly and rēspectfully, I beg to submit before
your kind and judicious end the following for your kind sym-
pathetic consideration.

That Sir, I have been transferred to Karimganj Customs
Divisional office as Superintendent (Tech.) vide the recent
order as referred above. (Sl. No. 22 of the order)

That Sir, only on last February, 2001 I joined here at
C.P.F., Silchar. That time, I represented for my home posting
at Silchar and your honour was pleased to consider my case and
passed order accordingly.

That Sir, it would be revealed on perusal of my "history
of posting " (enclosed herewith) that, during my carrear of
20 yrs. in the Department, I was given opportunity to avail home
town posting facility for a period of almost three years only.
(w.e.f. 14-10-93 to 19-12-95 as Inspector at Central Excise
Division and as Superintendent at C.P.F., Silchar w.e.f. 01-02-
2001 to date)

That Sir, my family consists of my octogonerian widow
mother (85 yrs. of age) wife (who is a state Govt. employee)
and two little school going children. My mother is passing
through the last days of her life and is solely dependent on
me. She, due to her old age is suffering from different physical
ailments, which are practically incurable as per opinion of the
doctors, for which she needs carefull nursing. Now in absence
of me she would be in anormous distress, because it will not
be possible on the part of my service holder wife to lookafter

Cont. to ...P/2.

(2)
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Annexure - VII
X
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her mother-in-law besides maintaining the household works and her service. In addition my tender aged younger son has been admitted in this accademic session to a local school.

Lastly, after being transferred here at Silchar, I decided to construct my new house and I accordingly applied for house building advance etc. I recently started the construction work also with a confidence in my mind that, I. would be here at Silchar atleast for another 2/3 yrs. Hence this sudden transfer order has disbalanced my mental peace and created a lot of agony for my family as well as me.

Under the circumstances, as narrated above, I humbly pray before your benign self to re-consider my case by allowing my retention at present posting.

And for this act of kindness, the petitioner, as in duty bound shall remain and ever pray.

Yours faithfully,

Jagadish Chandra Das
(J.C. DAS) 21/12/2001
Superintendent,
Customs Preventive Force,
Silchar.

Confided to be true
Advocate