

30/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No.. 200/2002....

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SECTION OFFICER (Judl.)

FROM No. 4
(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

Original Application No. 200 / 02
Misc Petition No. _____
Contempt Petition No. _____
Review Application No. _____

Applicants. Smt. Rubi Paul

-Vs-

Respondant(s) W. O. I. Paul

Advocate for the Applicant(s) M. Chanda, G. N. Chakraborty
H. Datta

Advocate for the Respondant(s) Case

Notes of the Registry	Date	Order of the Tribunal
76.577889 27-6-02 By Registrar Dr.	1.7.02	Heard Mr. M. Chanda, learned counsel for the applicant. The application is admitted. Call for the records. Returnable by four weeks. List again on 2.8.2002 for orders.
Steps received & copies, Notice prepared and sent to D. Section for issuing of The same to the respondent through Regd. post with A/D. Vide D.No. - 1923 to 1928 Dtd - 4.7.02.	2.8.02	List again on 14.8.2002 for orders.
mb	mb	<u>K. C. Sharma</u> Member <u>Vice-Chairman</u>
mb	mb	<u>K. C. Sharma</u> Member <u>Vice-Chairman</u>

14.8.02 Service is complete. The Respondents are yet to file written statement. List again on 5.9.2002 to enable the Respondents to file written statement.

No written statement has been filed.

By
4.9.02.

K. C. Sharma
Member

[Signature]
Vice-Chairman

mb

5.9.02 List again on 17.9.2002 to enable Mr. M.K. Mazumdar, learned counsel for the respondents to obtain necessary instructions on the matter.

K. C. Sharma
Member

[Signature]
Vice-Chairman

mb

17.9.02 The respondents are yet to file written statement nor any steps so far taken. List the matter for further orders on 11.10.2002. In the meantime, the respondents may file written statement, if any.

No written statement has been filed.

By
10.10.02

[Signature]
Vice-Chairman

mb

11.10.02 Heard Mr. M. Chanda, learned counsel for the applicant, and also Mr. M.K. Mazumdar learned counsel for the respondents. No written statement so far filed by the respondents though time granted. List the matter for hearing on 29.11.2002. In the meantime, the respondents may file written statement within five weeks from today.

No W/S has been filed.

By
28.11.02

K. C. Sharma
Member

mb

29.12.02

W/S submitted by the Respondents.

[Signature]

29.11.

Written statement has been filed. The case may now be listed for hearing on 18/12/2002.

16.12.02

Additional Reply submitted by the applicant in reply to W/S.

[Signature]

[Signature]
29.11

31N

OA 200/2002

Order of the Tribunal

Note of the Registry

Date

18/12/2002

No representation.
L'PT on 8/1/2003.

mb
A. B. Zey
8/12

8.1.2003


Sri G.N. Chakrabarty, learned counsel for the applicant prays for adjournment on the ground that he is not well and he comes to the Tribunal ^{only} today. None is present for the respondents. Prayer is allowed. List again on 14.2.2003 for hearing.

K. C. Chakrabarty
Member

mb

17.2.2003

Heard the learned counsel for the parties. Hearing concluded. Judgment delivered in open court, kept in separate sheets. The application is allowed. No order as to costs.


Vice-Chairman

nkm

25.4.2003

Copy of the judgment has been sent to the office for issuing the same to the applicant as well as to the L/Adv. for the Resp.

Note of the Registry

Date

Order of the Tribunal

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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. / ~~XXX~~ No. .200. . . of 2002

14.2.2003
DATE OF DECISION
PLACE OF SIGN

Smt Rubi Paul

..... .APPLICANT(S).

Mr M. Chanda, Mr G.N. Chakraborty and

Mr H. Dutta ADVOCATE FOR THE
APPLICANT(S).

- VERSUS -

The Union of India and others

..... .RESPONDENT(S).

Mr M.K. Mazumdar

..... ADVOCATE FOR THE
RESPONDENT(S).

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

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 ?

yes
h

no

h

Judgment delivered by Ho'ble Vice-Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.200 of 2002

Date of decision: This the 14th day of February 2003

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

Smt Rubi Paul
C/o Shri Sudhangshu Ranjan Paul
Directorate of Agriculture
Agricultural Complex,
P.O. Aizawl, Mizoram.

.....Applicant

By Advocates Mr M. Chanda, Mr G.N. Chakrabarty
and Mr H. Dutta.

- versus -

1. The Union of India, through the
Secretary to the Government of India,
Ministry of Human Resources,
New Delhi.
2. The Kendriya Vidyalaya Sangthan,
Through its Chairman, K.V.S.,
Nehru House, Bahadur Shah Zafar Marg,
New Delhi.
3. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
New Delhi.
4. Shri M.K. Rao,
Deputy Commissioner (Admn.),
18, Institutional Area,
New Delhi.
5. The Asstt. Commissioner,
Kendriya Vidyalaya Sangathan,
Hospital Road, Silchar,
P.O. Silchar,
Dist. Cachar, Assam.
6. Shri S.M. Garg, Principal,
Kendriya Vidyalaya, Pushpak
P.O. Zemabawk, District- Aizawl,
Mizoram.
7. Shri Brahmadeen
Primary Teacher,
Kendriya Vidyalaya, Pushpak
P.O. Zemabawk, District- Aizawl,
Mizoram.

.....Respondents

By Advocate Mr M.K. Mazumdar.

.....

O R D E R (ORAL)CHOWDHURY. J. (V.C.)

The issue relates to posting and transfer. By order dated 2.4.2002 the respondent authority took steps for transferring and posting people on the strength of transfer guidelines to accommodate persons who were figuring in the priority list as per their priority position. The applicant who was working at Aizawl since 1987 was transferred to Katihar. According to the applicant, she also made a prayer for transfer at her choice station at Kanchapara. Her case was not considered and instead she was placed at Katihar.

2. The respondents in the written statement clarified the position and mentioned that the applicant's request for transfer to Kanchapara was also considered, but since there was only one post at Kanchapara, on priority basis that post was also filled up. According to the respondents though the applicant applied for transfer to Kanchapara station, evaluating her points her priority position was fixed at number 2 for Kanchapara. There was scope for posting of only one person at Kanchapara. The person with a higher priority position was posted there and so the applicant's case could not be considered. Accordingly the applicant was posted at Katihar.

3. The action of the respondents cannot be said to be arbitrary. Mr M. Chanda, learned counsel for the applicant, however, submitted that the posting of the applicant at Katihar will cause total disarray in her personal life. The learned counsel stated and referred to the materials indicating her health position and contended that if the respondents could not contain her

at Kanchapara then she should be posted at Aizawl instead of posting her at Katihar keeping in mind her health condition.

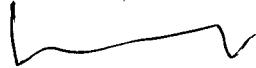
4. Mr M.K. Mazumdar, learned counsel for the respondents, stated that the authority took the applicant's request seriously and thought of accommodating her. Since she could not be accommodated at Kanchapara she was accommodated at Kanchapara, she was accommodated at Katihar, nearby station to Kanchapara. The learned counsel for the respondents also stated that the applicant had already worked in Aizawl for more than fourteen years and therefore, the authority thought it fit to transfer her out.

5. I have given my anxious consideration in the matter. As mentioned earlier no illegality can be found in the action of the respondents, but considering her health position and the instructions/guidelines for posting of husband and wife together and also the fact of availability of vacancy at Aizawl, I am of the opinion that ends of justice will be met if the applicant is directed to submit a fresh representation for keeping her at Aizawl, keeping in mind her health condition, as a special case. Mr Chanda submitted that the applicant had already submitted a representation to maintain status quo at Aizawl since there was a vacancy in the school at Aizawl. In view of the facts and circumstances of the case and the health of the applicant, I, therefore, direct the applicant to submit a fresh representation before the authority within two weeks from the date of receipt of the order and if such representation is made,

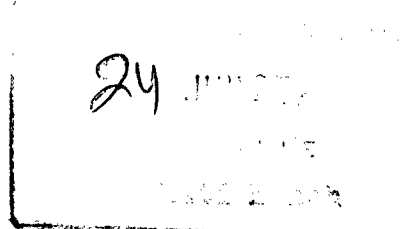
the.....

the respondents shall sympathetically consider the case of the applicant for accommodating her at Aizawl itself till some other alternate arrangement can be made. The respondents are directed to take a fresh look into the matter, keeping in mind the facts and circumstances in its entirety and pass a speaking order within one month from the date of receipt of the representation of the applicant.

6. The application is allowed to the extent indicated. No order as to costs.


(D. N. CHOWDHURY)
VICE-CHAIRMAN

nkm



10

Filed by the applicant
through Sri G.N.
Chakravarty Advocate
on 24-6-2002. In
6-02

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

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

Title of the case : O.A. No. 200/2002

Smti Rubi Paul : Applicant

- Versus -

Union of India & Others: Respondents.

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Date :

Filed by

Sri Chakravarty
Advocate

Rubi Paul

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

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

O.A. No. 200 /2002

BETWEEN

Smti Rubi Paul

C/o Shri Sudhangshu ^{Ranjan} Paul

Directorate of Agriculture

Agricultural Complex,

P.O. Aizawl-796001

Mizoram

.....Applicant

--AND--

1. Union of India,
Through the Secretary to the
Government . of India,
Ministry of Human Resource,
New Delhi.
2. Kendriya Vidyalaya Sangathan
(Through its Chairman, K.V.S.,
Nehru House, Bahadur Shah Zafar Marg,
New Delhi.
3. Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shahid Jeet Marg,

Rubi Paul.

New Delhi-16.

4. Shri M.K.Rao,
Deputy Commissioner (Admn.)
18, Institutional Area,
Shahid Jeet Marg,
New Delhi-110016
5. The Asstt. commissioner,
Kendriya Vidyalaya Sangathan,
Hospital Road, Silchar
P.O. Silchar,
Dist. Cachar, Assam.
6. Shri S.M. Garg, Principal,
Kendriya Vidyalaya, Pushpak
P.O. Zemabawk-796017
District Aizawl
Mizoram.
7. Shri Brahmadeen
Primary Teacher
Kendriya Vidyalaya, Pushpak
P.O. Zemabawk-796017
District Aizawl,
Mizoram.

Respondents.

DETAILS OF THE APPLICATION

1. Particulars of order(s) against which this application is made.

This application is made against the impugned order bearing No. F-21(D)PRT/2002/KVS (Estt.IV) dated 02.03.2002 issued by the Respondent No.2 whereby the applicant has been

Rubi Paul.

ordered to be transferred from Kendriya Vidyalaya, Aizawl to Kendriya Vidyalaya, Katihar, Bihar, violating the Transfer guidelines of the Sangathan and ignoring the posting of the applicant to her station of choice as per standing priority list on the basis of her seniority and health grounds, only with the intention of accommodating the choice transfer of Respondent No.7 in place of the applicant, thus dislodging the applicant from her place in spite of her illness only for the sake of serving the interest of another teacher i.e. Respondent No. 7 who is junior to the applicant, in an arbitrary manner and with mala fide intention.

2. Jurisdiction of the Tribunal.

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

3. Limitation.

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

4. Facts of the case.

- 4.1 That the applicant is a citizen of India and as such she is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.
- 4.2 That the applicant was initially appointed as Primary Teacher (For short PRT) and posted at Kendriya Vidyalaya (KV), Dimapur where she joined on 14.10.1985. Subsequently she was transferred from KV, Dimapur to KV, Aizawl and she joined there on 23.11.1987 where she is still continuing and is now under the

Rubi Paul

order of transfer to Katihar vide the impugned order of transfer dated 02.04.2002.

- 4.3 That the applicant has since been serving as PRT at KV, Aizawl, has acquired station seniority for her posting to a choice station as per the transfer policy of the Sangathan. As per the letter No. F1-1/2002 - 2003/KVS (Estt-III) dated 14.8.2001 issued/circulated by the Respondent No.4, applications were invited from the KVS teachers for annual request of transfers for the year 20022003 as per existing practice and policy. The said letter provides for requests of transfer on number of grounds including the ground of completing the tenure of three years as on 31.3.2002 in 7 N.E. States, Sikkim, A & N Islands and listed Hard Stations (Category Code NEH) and also on other grounds on completion of three years sta at the same station (Category Code SPS) which is evident from item Ls. No. 6 (Grounds for transfer) of the said letter dated 14.8.2001.

An extract copy of letter dated 14.8.2001 is annexed hereto as **Annexure-I**.

- 4.4 That the applicant applied on 06.10.01 for transfer from KV, Aizawl to KV, Kanchapara No.I or Kanchapara No. II i.e. Station Code No. 145 under Kolkata Region as her choice station on the specific ground that she has served for long 14 years in Hard Stations in the N.E. State (ground Code No. NEH) and also on other grounds on completion of three years at a station (ground Code No. SPS).

It is pertinent to mention here that the applicant is a patient of severe Asthmatic and Hypothyroid problem and as such she applied for her posting at Kanchapara in Kolkata region for convenience of better treatment and personal care. For this purpose, the applicant opted to go out from Aizawl to Kanchapara

Rubi Paul.

even in spite of the fact that she has all along been under the care of her husband at Aizawl who is working as an officer at Aizawl under the Government of Mizoram. Since the applicant has been suffering from such an acute health problem, she needs to remain under the constant care of either her husband or some dependable near relatives in addition to good treatment for which she opted for Kanchapara as her choice station for transfer, which was duly forwarded by the Principal, KV, Aizawl on 06.10.2001.

Copy of application for transfer dated 06.10.2001 is annexed herewith and marked as **Annexure-II**.

- 4.5 That as per the transfer guidelines formulated by the KVS, in the event of any request for such transfer after serving in N.E. States for three years as stated above, the applicant shall be transferred to that station even by creating a vacancy at that station by transferring teachers with longest period of stay at that station. Further, in case of transfer of lady teachers, efforts will be made to accommodate the teacher at nearby places/stations to the extent possible. In order to effect such transfers, the guidelines provide that two nos. of priority lists shall be prepared by the authorities. The first priority list shall contain the names of all the applicants who apply for such transfer. Out of the names in the first priority list, a second priority list shall be prepared after awarding proper entitlement points etc. and fixing priority accordingly and the applicants included in the second priority list alone shall be accommodated by transferring teachers with longest stay at that station. These provisions have been spelt out under para 10 and 11 of the transfer guideline.

Rubi Paul.

Copy of transfer guideline is annexed hereto as
Annexure-III.

- 4.6 That acting on the aforesaid application dated 06.10.2001 of the applicant for choice station posting and on the basis of the KVS guidelines as stated in the preceding paragraphs, the respondents notified the 1st and 2nd priority lists showing the priority number of the applicant. In both the priority lists, the applicant's name appeared at sl. No.2 against her proposed station at Kanchapara (Station Code 145) and as such she is listed for priority posting at Kanchapara even by transferring the teacher with longest stay at Kanchapara in terms of the professed policy of the KVS, which she had been anxiously waiting for.

Copy of priority lists are annexed hereto as **Annexure-IV.**

- 4.7 That on 10.4.02, the applicant had some severe asthmatic problem which she informed to the Principal over telephone at about 7.00 A.M. (the school starts from 7.30 A.M) and prayed for leave of absence which the Principal permitted. Accordingly she applied for Extra-ordinary leave on medical ground for 25 days from 10.04.2002 to 04.05.2002 formally with relevant medical certificate etc. and her husband submitted the same at the School at about 8.30 A.M. on 10.4.2002, duly receipted by the concerned authority.

Copy of the receipted leave application dated 10.4.2002 is annexed hereto as **Annexure-V.**

- 4.8 That when the applicant was anxiously waiting for her transfer to Kanchapara, she received one registered envelope on 12.04.02 from the Principal, K.V. Aizawl. Having opened the said envelope, the applicant was shocked to find one impugned transfer order No. F-2-1(D)PRT/2002/KVS (Estt.IV) dated

Rubi Paul

02.04.2002 along with one relieving order dated 10.4.2002 transferring and relieving her from KV, Aizawl and posting her at KV, Katihar vice Shri Brahmadeen, PrT transferred from Katihar to Aizawl in her place. Her leave application dated 10.4.2002 was also returned along with a forwarding letter dated 11.4.2002 of the Principal, KV, Aizawl addressed to Principal, KV, Katihar.

Copy of impugned transfer order dated 2.4.2002, relieving order dated 10.4.2002 and forwarding letter dated 11.4.2002 of leave application are annexed hereto as **Annexure-VI, VII and VIII** respectively.

- 4.9 That being highly surprised and shocked on her transfer to Katihar in Bihar region instead of choice station at Kanchapara in Kolkata Region, the applicant immediately addressed one representation to the Commissioner, KV, New Delhi and sent it through Registered Post on 12.4.2002 to the Principal, KV, Aizawl praying for review of her transfer order. One advance copy of the said representation dated 12.4.2002 was sent to the Commissioner, KVS, New Delhi directly by Speed Post and the copy of the same was also sent to the Assistant commissioner, KVS, Silchar and Patna and to Deputy Commissioner (Admn), KVS, New Delhi.

Copy of representation dated 12.4.2002 along with the relevant receipted Acknowledgement cards are annexed hereto as **Annexure - IX** series.

- 4.10 That the applicant finding no response to her representation, sent one reminder to the authorities on 06.05.2002 followed by another reminder on 23.5.2002 but with no result.

Copy of reminders dated 06.05.2002 and 23.5.2002 are annexed herewith as **Annexure-X** series.

Rubi Paul.

4.11 That the impugned transfer order was served to the applicant while she was on leave on medical ground and curiously the relieving order was also served along with the transfer order on 12.4.2002 while she was sick and medically unfit to resume her duties. She was neither given any opportunity to defend her transfer to a place other than her choice station as per priority list nor she was given the time even to hand over her charges. It is pertinent to mention here that she is the teacher in charge for Examination Department (Primary) and First Aid and as such formal handing over of charges is essential. But such a hurried action on the part of the respondents to relieve the applicant on the very day of transfer and that too in an opportune time when she was under leave on medical ground amply indicates the evil intention of the respondents and mala fideness is writ large in the entire exercise. This mala fideness became more conspicuous when the Respondent No. 7 Sri Brahmadeen came from KV, Katihar and joined at KV, Aizawl in place of the applicant within a couple of days of the relieving of the applicant making it clear as to how the entire thing was arranged in a clandestine manner. It is also understood from reliable sources that the applicant was transferred out of Aizawl only in order to accommodate the posting of the Respondent No. 7 at Aizawl which was his choice station for this personal reasons. This is evident from the impugned transfer order also wherein the transfer of the Respondent No.7 has been shown first and on his request and that of the applicant has been shown immediately thereafter as a replacement/substitute to the Respondent No.7 only, meaning thereby that she was transferred to Katihar just to fill up the post created there by transfer of the Respondent no.7 to his choice station at Aizawl, on his own request.

Rubi Paul

4.12 That the applicant begs to state that under the said impugned transfer order, while the case of the Respondent No.7, an incumbent junior to the applicant was accommodated by posting him at his choice station at Aizawl by the Respondents, the case of the applicant for similar posting at her choice station at Kanchapara was ignored in spite of her long station seniority and genuine ground although her name was at sl. No.2 in the priority list. This impugned transfer not only deprived her of the possibility of her better treatment and care at Kanchapara but also deprived her of the existing care of her husband under which she was at Aizawl thus forcing her to a situation of risk on her life due to nonavailability of proper care of her acute diseases at her new place of posting i.e. Katihar.

Further, by virtue of her impugned transfer to Katihar, now she will lose the station seniority required for her transfer to a choice station, causing irreparable loss and injury to her and it is most disastrous and shocking to note that the entire exercise has been done by the Respondents with a mala fide intention only in order to accommodate the cause of a junior person at the cost of the genuine problems of the applicant who is a senior person.

4.13 That the applicant further begs to submit that the transfer of the applicant from Aizawl to Katihar is not done in public interest as shown in the impugned order. The applicant and the Respondent No.7 are both Primary Teachers and no public interest can be better served by simply interchanging their place of posting which is not at all discernible in the instant case.

It is not understood as to how the impugned transfer of the applicant from Aizawl to Katihar in the same capacity of PRT could serve public interest.

Rubi Paul.

The action of the Respondents in the instant case is therefore arbitrary, mala fide, unjust, unfair and devoid of the principles of natural justice and violative of Article 14 and 16 of the Constitution of India.

- 4.14 That it is stted that there are four vacancies of Primary Teachers at KV, Aizawl and appointments are being made on contractual basis against those posts. Recently four persons (namely Mrs. T. Singh, Mrs. S. Sinha, Mrs. Archana and Mrs. Kaushal) have been engaged as PRT on contractual basis and there is ample scope of retaining the applicant in the said station i.e. at KV, Aizawl.
- 4.15 That the applicant most humbly submits that due to non-consideration of her transfer to Kanchapara i.e. her station of choice and due to her impugned transfer to Katihar instead, she is being forced to a helpless situation where she will neither be under the care of her husband at Aizawl which is essentially required for her cure nor she will be able to have such care and treatment at her station of choice i.e. Kanchapara and as such it will cause irreparable loss and injury to her leading to a risk on her life due to her acute diseases which will be left uncared at her new place of posting at Katihar. As such, finding no other alternative, the applicant is approaching this Hon'ble Tribunal for protection of her legitimate rights and it is a fit case for the Hon'ble Tribunal to interfere with and to protect the rights and interests of the applicant by setting aside the impugned transfer order and relieving order and directing the respondents to allow her to continue at her existing post at KV, Aizawl till her case is considered for her transfer to Kanchapara in Kolkata Region.
- 4.16 That this application is made bonafide and for the cause of justice.

Rubi Paul

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

- 5.1 For that, the applicant has served at Aizawl for more than 14 years and as such she is entitled for transfer to a station of her choice as per professed policy of the KVS.
- 5.2 For that, the respondents invited applications for choice transfer and the applicant applied for her transfer to Kanchapara under Kolkata region and accordingly her name has been listed at Sl. No. 2 in the priority list.
- 5.3 For that, the applicant is a patient of acute asthmatic and Hypo-thyroid problem for which she need proper care and treatment and as such her transfer to choice station is essential.
- 5.4 For that, the request of choice station posting has been considered in the case of respondent No.7 who is junior to the applicant while similar request of the applicant has not been considered in spite of her long station seniority and genuine health problems.
- 5.5 For that, the applicant instead of being transferred to her station of choice which is her legitimate claim, has now been transferred from Aizawl to Katihar with a mala fide intention only in order to accommodate the request of Respondent No. 7, who is junior to the applicant, at the instance of Respondent no. 4.
- 5.6 For that, the applicant was transferred and relieved from KV, Aizawl during the period of her medical leave when she is unfit to resume her duties.
- 5.7 For that the applicant submitted representations to the respondents praying for review of her transfer but with no response.

Rubi Paul.

5.8 For that non-consideration of her transfer to choice station is not only violative of the professed policy of the KVS but also violative of Article 14 and 16 of the Constitution of India and devoid of principles of natural justice.

5.9 For that the transfer of the applicant from KV, Aizawl to KV, Katihar, which the applicant was never interested for, and that too in order to serve the interest of another teacher on extraneous grounds is mala fide, arbitrary, capricious, unjust and unfair.

6. Details of remedies exhausted.

That the applicant states that he has exhausted all the remedies available to him and there is no other alternative and efficacious remedy than to file this application.

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

The applicant further declares that he had not previously filed any application, Writ Petition or Suit before any Court or any other authority or any other Bench of the Tribunal regarding the subject matter of this application nor any such application, Writ Petition or Suit is pending before any of them.

8. Relief(s) sought for:

Under the facts and circumstances stated above, the applicant humbly prays that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause as to

Rubi Paul.

why the relief(s) sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

- 8.1 That the Hon'ble Tribunal be pleased to set aside and quash the impugned transfer order No. No. F-2-1(D)PRT/2002/KVS (Estt.IV) dated 02.04.3003 and the relieving order No. F.39/KV-AIZ/2002-03/24-28 dated 10.4.2002 (Annexure-VI and VII) issued by the Respondents.
- 8.2 That the respondents be directed to transfer the applicant to Kanchapara (Station Code 145) under Kolkata Region, i.e. her choice station in terms of the priority list.
- 8.3 Costs of the application.
- 8.4 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for.

During pendency of this application, the applicant prays for the following relief: -

- 9.1 That the Hon'ble Tribunal be pleased to stay the operation of the impugned transfer order No. F-2-1(D)PRT/2002/KVS (Estt.IV) dated 02.04.3003 and the relieving order No. F.39/KV-AIZ/2002-03/24-28 dated 10.4.2002 (Annexure-VI and VII) and further be pleased to direct the respondents to allow the applicant to join and continue at her existing post of Primary Teacher at KV, Aizawl, till the disposal of this application and adjust her absence against her leave due.

Rubi Paul

10.

This application is filed through Advocates.

11. Particulars of the I.P.O.

i)	I. P. O. No.	:	76 577 859
ii)	Date of Issue	:	27-06-2002
iii)	Issued from	:	G.P.O, Guwahati
iv)	Payable at	:	G.P.O, Guwahati

12. List of enclosures.

As given in the index.

Rubi Paul

VERIFICATION

I, Smti Rubi Paul, W/o Sri Sudhangshu Ranjan Paul, aged about 43 years, resident of Directorate of Agriculture, Agricultural Complex, P.O. Aizawl, Mizoram, do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the ²⁴26th day of June, 2002.

Rubi Paul.

KENDRIYA VIDYALAYA SANGATHAN

ESTT-III Section

18, Institutional Area, Shaheed Jeet Singh Marg
New Delhi -110016.

F.1-1/2002-2003/KVS(Estt-III)

Dated: 14/8/2001

The Principals
All Kendriya Vidyalayas

Sub: Annual request transfer in respect of teaching and non-teaching staff of Kendriya Vidyalayas for the year 2002-2003 – applications regarding.

Sir/Madam

It has been decided to invite fresh applications from teaching and non-teaching staff of Vidyalayas (excluding Principals and Vice-Principals) for effecting request transfers during the year 2002-2003. All are eligible to apply except those covered by clause 18(d) of the existing transfer guidelines. Application format has been modified now and accordingly instructions have been revised to that extent. Hence those employees who preferred applications for their request transfer in response to KVS(HQ) circular No. F. 1-1/2001-KVS(E.III) dated 12.1.2001 are also directed to apply afresh in the new format as the earlier application does not conform to the present requirements and they will not be considered.

2. PUBLICITY

There have been general complaints that the instructions accompanying application form are not made available to the applicants. It is made clear that the awareness of the instructions in proper perspective is necessary to fill up the application form without mistake and in the correct code (s) wherever necessary. Therefore, a set of three copies of this letter is being sent along with the application form and instructions. One copy is meant for official use, another for library for reference of prospective applicants and the rest for display on the Vidyalaya Notice Board.

3. * HOW TO APPLY

Eligible employees desirous of seeking transfer are permitted to prefer only one application (in quadruplicate) in the enclosed format (either for intra-station or for inter-station). Instructions available at Serial No. 9 of application may be referred to in this regard. Other instructions may also be read carefully before filling up the application. Indicating wrong station code may either lead to transfer to unwanted place, which cannot be changed later on and hence utmost care may be taken to fill up correct codes, and all instructions may be read carefully.

- Overwriting must be avoided.

4. CODE OF CONDUCT REGARDING CANVASSING OF NON-OFFICIAL /OUTSIDE INFLUENCE

Attention of all concerned is drawn to the provision of Article 55 (27) of Education code and Rule 20 of CCS (Conduct) Rules. The employee concerned be informed that any violation thereof shall render them liable for disciplinary action. Canvassing in any form, Overt or Covert, direct or indirect will automatically disqualify teacher from being considered for transfer and his/her name will be removed from the priority list of transfer and disciplinary action will be taken against the teacher as per CCA (CCA) Rule 1965.

5. FORMATS AND ENCLOSURES

The application, when reproduced, must conform to the given format both in form and content. No enclosures are allowed with the application. Medical certificate in support of request on medical grounds and or declaration regarding employment of spouse are part of the application. They should be obtained / recorded on the body of the form itself to avoid detachment.

attested
W. S. S.
Advocate

6. ENDORSEMENT

- (i) The application and declaration wherever necessary must be signed by the employee himself/herself. Applications endorsed by spouse, parents etc for and on behalf of the employee is not acceptable and hence should not be forwarded. Medical Certificate must have the signature of Civil Surgeon/Chief Medical Officer.
- (ii) The forwarding note must be endorsed by the Principal after satisfying himself / herself personally of the correctness of the entries made by the applicant. It has been observed that the details furnished by the applicants are not subjected to proper verification before endorsing the forwarding note. Therefore the Principals are requested to bestow their personal attention to ensure correctness of the entries, so that wrong information does not affect prioritization. Failure in this aspect on the part of the signing authority will be dealt in a stern manner by initiating disciplinary proceedings against all those responsible for these lapses.

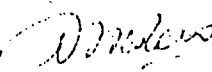
7. SUBMISSION OF APPLICATION

Application of staff may be collected in quadruplicate by 01/10/2001. These may be arranged as intra-station and inter-station requests and forwarded in duplicate (in two lots with separate lists) to reach the Asstt. Commissioner of the Region concerned not later than 10/10/2001. One copy of the application may be retained in the Vidyalaya the second copy containing principals endorsement may be returned to the employee for reference & record. Application of the employees who are not eligible to be considered for transfer in terms of clause 18(d) of the transfer guidelines should not be forwarded. Advance copy of application or applications forwarded directly by the Principals will not be entertained in the Head Quarter. No request for cancellation of transfer, once effected, will be entertained. Since the cadres in the non-teaching category have been merged (school cadre & office cadre), the staff of regional office/ KVS (HQ) are also eligible to apply for request transfer.

8. LATE APPLICATION

Application received late will not be considered. The employees and Principals should, therefore, strictly adhere to the target dates specified in para 7 above.

Yours faithfully,



(M.K. RAO)

Dy. Commissioner (Admn.)

Copy forwarded for information and necessary action to :-

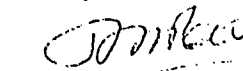
1. Asstt. Commissioner, All Regional Offices, KVS. He/She is requested to go through each set of application, indicate the entitlement points of performance as well as total thereof in Sl.No. 9 therein and send one set thereof to KVS(HQ) duly completed in all respects, as under, so as to reach by 31/10/2001.

- A. PGT, TGT & HM:
B. PRT, Misc. Categories &
Non-Teaching Staff:

As one bundle to Estt.III Section
As one bundle to Estt.IV Section

Instructions given vide KVS (HQ) circular No. F.11/95-KVS (Estt.III) dated 6.9.95 may also be followed, wherever required. The instructions available at clause 2(ii)(b) of transfer guidelines may be followed scrupulously in the case of non-availability of ACR for any of the year indicated at serial No. 9 of application form.

2. All Officers and Sections of KVS(HQ)



Dy. Commissioner (Admn.)

Attested
by
Advocate

INSTRUCTIONS FOR FILLING UP APPLICATION FOR TRANSFER

GENERAL

(i). Transfers are regulated in a limited time - frame. A single cancellation of transfer is enough to upset the schedule/chain and hamper the prospect of a group of needy persons getting transfer. So cancellation of request to change in circumstances should be made within 10 days of publication of priority list. The FAX No. of HQ. is 011-6514179. Transfer, once effected, will not be cancelled. The employees are dissuaded in their own interest from taking chance with the intent of obtaining cancellation later.

(ii) All columns must be legibly filled in Block letters using alphabetical numerical code, wherever prescribed. No enclosures are allowed. Medical Certificate / Declaration should be obtained/ made on page 6 & 7 of the application form itself.

Name of the Vidyalaya where the employee is working presently must be expressed in Code. Present region code, present station code, present K.V. code/present office code must be filled in, from the codes given in the list of codes. In case of non-teaching staff, the office code/K.V. code should be filled in accordance with the list of codes for office/ K.V code annexed.

(iii) POST HELD

These boxes given in the top row on the front page of the application may be filled in from the abbreviations given below.

--	--	--	--	--	--	--	--

e.g.

T	G	T	M	A	T	H
---	---	---	---	---	---	---

Trained Graduate Teacher	Maths	TGT	MATH
Trained Graduate Teacher	Biology	TGT	BIOL
Trained Graduate Teacher	English	TGT	ENGL
Trained Graduate Teacher	Hindi	TGT	HIND
Trained Graduate Teacher	Sanskrit	TGT	SANS
Trained Graduate Teacher	Social Studies	TGT	SOST
Post Graduate Teacher	Biology	PGT	BIOL
Post Graduate Teacher	Chemistry	PGT	CHEM
Post Graduate Teacher	Physics	PGT	PHYS
Post Graduate Teacher	Maths	PGT	MATH
Post Graduate Teacher	English	PGT	ENGL
Post Graduate Teacher	Hindi	PGT	HIND
Post Graduate Teacher	History	PGT	HIST
Post Graduate Teacher	Geography	PGT	GEOG
Post Graduate Teacher	Commerce	PGT	COMM
Post Graduate Teacher	Economics	PGT	ECON
Post Graduate Teacher	Sanskrit	PGT	SANS
Drawing Teacher	Miscellaneous	MSC	DRGT
Physical Edn. Teacher	Miscellaneous	MSC	PETR

attested
Wife
Advocate

Yoga Teacher	Miscellaneous	MSC	YOGA
Work Exp. Teacher	Miscellaneous	MSC	WETR
Music Teacher	Miscellaneous	MSC	MUST
Primary Teacher	PRT	PRT	-----
Head Master	HDM	HDM	-----
Non Teaching Staff	Librarian	NTS	LIBR
Non Teaching Staff	Supdt.	NTS	SUPD
Non Teaching Staff	Asstt. Supdt.	NTS	ASPD
Non Teaching Staff	UDC	NTS	UDCL
Non Teaching Staff	LDC	NTS	LDCL
Non Teaching Staff	Lab Asstt.	NTS	LAST
Non Teaching Staff	Lab Attendant	NTS	LATN
Non Teaching Staff	Group 'D'	NTS	GRPD

Excepting Primary Teachers and Head Master all others would use both the block of the boxes. Primary Teachers and Head Master may leave the 2nd block of boxes blank.

SL.NO. 1: NAME

Write full name without any prefix like SHRI/SMT/KUM. One box is meant for one alphabet. Add additional box, if necessary. Leave one box blank between initials and name.

Eg. Shri. Ajay Kumar Ram will be written as

A		K		R	A	M
---	--	---	--	---	---	---

or

A	J	A	Y		K	U	M	A	R		R	A	M
---	---	---	---	--	---	---	---	---	---	--	---	---	---

SL. NO. 2 : WHETHER MALE/FEMALE

Write M for Male and F for Female

--

SL.NO. 3 & 4: (a) & (b) : DATE OF BIRTH, DATE OF JOINING THE PRESENT K.V./ STATION (IN THE PRESENT POST)

These columns are to be filled in Christian Era, the date followed by month & year in "DD MM YYYY" format. For example,

Third September, Nineteen Eighty Four will be written as

0	3
---	---

0	9
---	---

1	9	8	4
---	---	---	---

Date of joining in present post should exclude any service on ad-hoc contractual basis.

*Attended
Wills
Advocate*

SL.NO. 5.: DETAILS OF LAST TRANSFER

The reason column has to be filled in by the Code No.as detailed below:

Code No. Explanation

1. Transfer on surplus ground in public interest due to withdrawal of post/closure of stream/KV.
2. Transfer in public interest on Admn. Grounds i.e. Transfer in Public Interest other than on surplus ground and on displacement.
3. On direct appointment
4. On promotion
5. On request transfer
6. On return from long leave
7. Any other reason

SL.NO. 6: GROUNDS FOR TRANSFER

The grounds envisaged in the transfer guidelines have been assigned Category Codes (alphabetical). Division Code (Numerical) having entitlement points as follows:

GROUND	CATEGORY CODE	DIVISION CODE	ENTITLEMENT POINTS
a) Death of spouse within 2 years	DSP	----	----
b) Medical Grounds (for self, spouse & dependent children only)	MDG	----	----
c) OTHERS			
i) Less than 2 years to retire	LTR	03 Less than 2 years to retire i.e. on or before 31/03/2004	20
ii) North-East & Hard Stations	NEH	04 Staff posted in 7 NE States, Sikkim A& N Island & listed Hard Stations completing their tenure (3 years) as on <u>31/03/2002</u>	20

Attested
by
Advocate

iii) Blind & Physically handicapped	PHD	05 Visually & Orthopeadically Handicapped persons	15
iv) Joining the spouse	JSP	06 Spouse in KVS	20
		07 Spouse in Central Govt.	18
		08 Spouse in Central Autonomous Bodies/ PSU	15
		09 Spouse in State Govt/State Autonomous Bodies/PSU	12
		10 Spouse in Private Service/Self Employed/others	10
v) Ladies not having spouse	LNS	11 Unmarried/Divorced/Widowed Lady	12
vi) Other grounds not covered by (a) to (c) (i) to (v)	OGS	12 Other Grounds	10
vii) On completion of more than 3 years stay at the present station	SPS	13 Other Grounds on completion of 3 year Stay	<ul style="list-style-type: none"> 01 for each year of stay exceeding 3 years subject to a maximum of 20 points.

Note:

- i) The above Codes are just indicative of the grounds and not to be construed as the order of priority. Applicants having more than one ground amongst the above may indicate their choice in Category Code, Division Code & Entitlement Points accordingly.

ii)

- While calculating the period of stay, the period or periods of absence from duties exceeding 30 days (45 days in case of NE Region, Sikkim & A & N Island) at a stretch other than on maternity leave, training or vacation is to be excluded.

*Attested
Writs
Advocate*

iii) Listed Hard Stations

Station	K.V. Code No.	Station	K.V. Code No.	Station	K.V. Code No.
Jharkhand		Jammu & Kashmir		Orissa	
AFS Singharshi	763	BSF Campus, Landipur	589	Koraput	157
		Dul Hasti Project, Kishtwar	604		
		Kupwara & Leh Ladakh	605		
Gujarat		Karnataka		Rajasthan	
Army Bhuj	011	Donimali	064	Bikaner AFS NAL	547
AFS Bhuj	010			Jalipa Cantt.	557
Dantiwada BSF	014			Uttarlai AFS	579
Dharangdhara Army	015	Chhattisgarh		Uttar Pradesh	
Naliya AFS	028	Bacheli	490	Rihand Nagar	760
Port Okha	029	Baikunthpur	492	Uttaranchal	
Wadsar AFS	041	Kirandul	519	Utter Kashi IVRI	350
				Mukteshwar Joshi Math	338 330
Himachal Pradesh		Maharashtra		West Bengal	
Bakloh Cantt.	588	Karanja	192	Hasimara	243
NHPC, Chamera	594				

SL. NO. 7: Those who will be completing their stay of 3 years in the N.E. Stations, Sikkim, A& N Islands & Hard Stations or 5 years else where as on 31/03/2002 may fill in 'Y' in this column otherwise 'N'. The stay period should exclude the period of absence as given under note (ii) of Sl. No. 6 above.

SL.NO. 8(a) and (b): This item is applicable for only those who are on their present posting on deployment on surplus due to closure of Vidyalaya/stream/withdrawal of post. The employees who have been transferred on surplus grounds from one station to another station, on or after 1/04/1997 onwards, will get the benefit of the period of stay in the earlier station beside the stay in the present station, for claiming transfer to a station, which is not the station from where declared surplus.) But in case, the employee wants to claim the same station, as one of the 5 choices, from where he/she was rendered as surplus, then the period of stay at the new place after being declared surplus will not be counted with respect to coming back to the same station
This is to ensure that the employees in hard stations North East etc. do not suffer adversely due to surplus deployment at the time when their tenure is about to be over and they are declared surplus and deployed at the some other stations, thereby getting deprived of full tenure at the North East & hard stations only.

*Attested
W. S. Advocate*

- 8(a) To fill in the K.V. Code & Station Code where you are presently posted, along with the period of stay, period of absence and reason for transfer. The Code Nos. of the reason for transfer are as given under Sl.No. 5
- 8 (b) Details of earlier transfer within the last 5 years may be filled in (as enumerated above) before joining the present KV /Station on surplus grounds.

SL.NO. 10.1 : For Intra Station Transfer

Code Nos. of five KV's in the same station code where you are posted at present can be filled in, according to your preference order.

10.2: For Inter Station Transfer

Codes Nos. of five stations can be filled in, according to your preference order. Subject to the grounds chosen, choice station is permissible.

Note: Employees are eligible to apply only one application in quadruplicate EITHER FOR INTRA STATION OR FOR INTER STATION. Any application found filled in for both inter & intra station transfer would summarily be rejected.

SL.NO. 11. CATEGORY OF PLACE WHERE SPOUSE IS WORKING

The Codes prescribed are:

01. Spouse working at or under orders of transfer to the station of choice or near by.
02. Spouse working at the same station where applicant is currently working.
03. Choice stations bear no relation to the place where spouse is working.

SL. NO. 12 & 13

In case the answers are in the affirmative write 'Y' Otherwise Write 'N'.

The Medical Certificate or declaration is to be obtained on the body of the application itself. Only Cancer, Paralytic Stroke, Renal failure or Coronary Artery disease where By-Pass surgery has been actually done for Self. Spouse and dependent children are considered as valid for transfer on medical grounds when facilities for treatment are not available at the station of posting (duly certified by a Govt. Medical Officer not lower than the rank of a Civil Surgeon)

SL.NO. 14.: TYPE OF DISEASE

Depending upon the disease certified by the competent authority indicate the type of disease in the following Codes as (CN, PS, RF, CA, OT for Cancer, Paralytic Stroke, Renal Failure, Coronary artery disease where By-Pass surgery has been actually done or Other Diseases respectively in case transfer is sought on medical grounds as well and answer against Sl.No.13 is in the affirmative.

The Brief description of illness which will be considered as medical ground for the purpose of transfer, in terms of transfer guidelines is as under. Medical terms referred herein will bear meaning as given in the Butterworth's Medical Dictionary.

(i) Cancer (malignant)

It is the presence of uncontrolled growth and spread of malignant cells. The definition cancer includes leukemia, lymphomas and Hodgkin's disease.

*attested
Wale
Advocate*

Exclusions:

This excludes non-invasive carcinoma (s) in-Situ, localized non-invasive tumor(s) revealing early malignant changes and tumour(s) in presence of HIV infection or AIDS, any skin cancer excepting malignant melanoma(s) are also to be excluded.

(ii) Paralytic Stroke

(Cerebro-Vascular accidents) Death of a portion of the brain due to vascular causes such as (a) Hemorrhage (cerebral), (b) Thrombosis (cerebral), (c) Embolism (cerebral) causing total permanent disability of two or more limbs persisting for 3 months after the illness.

Exclusions:

- (i) Transient/ischemic attacks
- (ii) Stroke - like syndromes resulting from
- (a) Head injury;
- (b) Intracranial space occupying lesions like abscess, traumatic hemorrhage & tumour.
- (c) Tuberculous meningitis, pyogenic meningitis & meningococcal meningitis.

(iii) Renal Failure

It is the final Renal Failure stage due to chronic irreversible failure of both the Kidneys. It must be well documented. The teacher must produce the evidence of undergoing regular haemodialysis and other relevant laboratory investigations and doctor's certification.

(iv) Coronary artery disease where by-pass surgery has been actually done:

The use of surgery on the advice of the consultant cardiologist to correct narrowing or blockage of one or more coronary arteries.

Exclusion:

Non-surgical techniques such as the use of the either balloon or laser via a catheter introduced through the arterial system are excluded

SL. NO. 15.: RELATIONSHIP

This column is applicable where transfer is sought on Medical Grounds and Columns 12 & 13 are also filled in. The relationship of the patient with the applicant should be indicated in the following Codes.

SF	-	Self
SP	-	Spouse
CH	-	Dependent Children
OT	-	Others

PHYSICALLY HANDICAPPED- Explanation

Transfer of Blind & orthopaedically handicapped teachers provided they fulfill the following conditions:

- (a) Blind teacher having vision less than 3/60 or field vision less than 10 both eyes as certified by the Head of the Ophthalmologic Department, Government Civil Hospital.
- (b) Orthopaedically handicapped teachers who has a minimum of 40% permanent partial disability of either upper or lower limbs or 50% permanent partial disability of both upper & lower limbs together, as certified by the Head of Orthopaedics Department of a Government Civil Hospital according to the standards contained in the manual for orthopaedic Surgeon in Evaluating Permanent Physical Impairment brought out by the American Academy of Orthopaedic Surgeon. USA & published by Artificial Limbs Manufacturing Corporation of India, Kanpur.

attested
W. S. S.
Advocate

Region wise list of KV's

-25-

35

RG NAME	KV NAME	Kolkata	REGION	STNCODE	KV CODE
✓	ANUPURDUAR JN.		06	129	213
	ANDAL		06	130	214
	ASANSOL		06	131	215
	BAGDOGRA		06	132	216
✓	BAMANGACHI		06	133	217
✓	BARRACKPORE (AFS)		06	133	218
✓	BARRACKPORE (ARMY)		06	133	219
	BENGIDUBI NO.I		06	134	220
	BERHAMPUR		06	135	222
	BINNAGURI NO.I		06	136	223
	BINNAGURI NO.II		06	136	224
	BURDWAN		06	137	225
✓	CALCUTTA ALIPORE (C.H.)		06	133	227
✓	CALCUTTA (BALIGUNGE)		06	133	226
✓	CALCUTTA, COSSIPORE		06	133	228
✓	CALCUTTA, DUM-DUM (OF)		06	133	232
✓	CALCUTTA, FORT WILLIAM		06	133	229
✓	CALCUTTA, GARDEN REACH		06	133	230
✓	CALCUTTA, JIM JOKA		06	133	231
✓	CALCUTTA, SALT LAKE NO.I		06	133	233
✓	CALCUTTA, SALT LAKE NO.II		06	133	234
✓	CALCUTTA, SANTRAGACHI		06	133	235
	CHITTARANJAN (CLW)		06	138	236
	COOCH BEHAR		06	139	237
	DURGAPUR (CMERI)		06	140	239
	DURGAPUR (CRPF)		06	140	238
	FARAKKA (NTPC)		06	141	240
	GANGTOK		06	142	241
✓	GOVINDPUR (BSF)		06	143	850
	HALDIA (IOC)		06	144	242
	HASIMARA		06	485	243
✓	ISHAPORE NO.I		06	133	244
✓	ISHAPORE NO.II		06	133	245
	KALIMPONG (DURBIN)		06	484	246
✓	KANCHIAPARA NO.I		06	145	247
✓	KANCHIAPARA NO.II		06	145	248
	KANKINARA		06	133	249
	KHAPRAIL		06	146	250
	KRISHNA NAGAR COLLIERY		06	147	251
	LEBONG		06	148	252
	MALDA (NHPC)		06	141	253
	PANAGARH		06	149	254
	SALBONI		06	150	865
✓	SEVOK ROAD		06	151	255
	TEESTA (NHPC)		06	494	876

Attested
W. S. S.
Advocate

Region wise list of KV's

36

RG NAME	Chandigarh	REGION	STNCODE	KVCODE
KV NAME				
ABOTIAR	07	152	256	
ADAMPUR NO.I	07	153	257	
ADAMPUR NO.II	07	153	258	
AMBALA CANTT. NO.I	07	154	259	
AMBALA CANTT. NO.II	07	154	260	
AMBALA CANTT. NO.III	07	154	261	
AMBALA CANTT. NO.IV	07	154	262	
AMBALA RAMGARH (ITBP)	07	154	263	
BADDOWAL CANTT	07	155	264	
BARNALA (AFS)	07	486	265	
BHATINDA NO.I (TIHMAYYA MARG)	07	156	266	
BHATINDA NO.II (NFL)	07	156	267	
BHATINDA NO.III (AFS)	07	156	268	
BHATINDA NO.IV	07	156	270	
BHATINDA NO.V (CHAUDHARY MARG)	07	156	269	
CHANDIGARH NO.II (3 BRD)	07	157	271	
CHANDIGARH (OCF)	07	157	273	
CHANDIGARH, HIGH GROUNDS	07	157	272	
CHANDIGARH, SECTOR -31	07	157	274	
CHANDIGARH, SECTOR- 47	07	157	275	
CHANDIMANDIR NO.I	07	157	276	
CHANDIMANDIR NO.II	07	157	277	
DAPPAR	07	158	278	
FARIDKOT	07	159	279	
FEROZEPUR CANTT. NO. I	07	160	280	
FEROZEPUR CANTT. NO. II	07	160	281	
HALWARA NO.I (AFS)	07	155	282	
HALWARA NO.II (AFS)	07	155	283	
HAMIRPUR	07	161	284	
HUSSIANPUR (RCF)	07	162	285	
JALALABAD (BSF)	07	163	221	
JALANDHAR SURANASSI	07	153	286	
JALANDHAR CANTT. NO.I (HARDAYAL ROAD)	07	153	287	
JALANDHAR CANTT. NO.II (OPP.DEFENCE CINEMA)	07	153	288	
JALANDHAR CANTT. NO.III	07	153	289	
JALANDHAR CANTT. NO.IV (AFS)	07	153	179	
JUTOGH	07	164	290	
KAPURTHALA CANTT.	07	162	291	
KARNAL	07	165	292	
KASALI (AFS)	07	166	293	
MANDI	07	167	294	
MULLANPUR GARIBDAS	07	157	295	
NABHA CANTT.	07	168	296	
NADAUN	07	169	857	
NALETI	07	170	297	
PATIALA NO.I	07	171	298	
PATIALA NO.II (DCW)	07	171	299	
PATIALA NO.III (NEW LAL BAGH COLONY)	07	171	300	
PINJORE (CRPF)	07	157	424	
SARIAN (ITBP)	07	487	302	
SHILMA	07	164	303	
SUBATHU	07	166	304	
ZIRAKPUR	07	157	305	

Attested
Wale
Advocate

KENDRIYA VIDYALAYA SANGATHAN

Application for Transfer on Request 2002-2003

Note: 1) Read the instructions carefully before filling up.

2) Submit only ONE application in Quadruplicate

1	8	4	3	6	7	7	0	P	R	T	-	-	-
Present Region Code		Present Station Code		Present K.V. Code/Office Code			Post Held & Subject (Alphabets)						

1. Name RUBI PAUL

2. Whether Male/Female F

3. Date of Birth 01 02 1959

4. Date of joining in the Present Post

a) In the Present Vidyalaya 23 11 1987

b) In the Present Station 23 11 1987

5. Details of last transfer

Reason	Year	Stn. Code	K.V. Code
5 7	1987	441	776

(6) Grounds For Transfer

a) (i) Death of Spouse within a period of 2 years preceding the Date of Application Y/N

(ii) If Yes, Date of Demise

b) Medical Grounds (See Instructions) Y/N

c) Others (See instructions for following codes)

CATEGORY CODE

DIVISION CODE FOR GROUNDS

ENTITLEMENT POINTS

NEH

04

20

SPS

13

14 11

TOTAL 'A'

34 31

attested
Wali
Advocate

North Ea / HAA

in Campus - 2 yrs

7. Completion of 3 years continuous stay in NE and hard stations or 5 years elsewhere as on 31/03/2002 excluding the period of absence(Y/N)

Y

8. Only for those who are in their present posting on deployment of surplus adjustment or closure of Vidyalyaya or closure of stream.

Details of Posting

a) Present Posting

K.V	Station	From	To	Period of absence in days	Reason for transfer

b) Earlier transfer(s) within the last 5 years

K.V	Station	From	To	Period of absence in days	Reason for transfer

9. For Office Use Only. (Confidential) To be filled in by Regional Office
Entitlements Points of Performance during the last 3 years

1998-1999

1999-2000

2000-2001

Grand Total of Entitlement Points 'A'+ 'B'
(Total of 6 (c) + above)

Total 'B'

Grand Total (A+B)

Signature of Assistant Commissioner

attested
W.D.
Advocate

10. Choice Vidyalaya(s) or Station(s)

Instructions: Employees are eligible to apply either for Intra Station transfer (Sl.No. 10.1) or Inter Station transfer (10.2). Applications filled in for both types of transfer i.e. Sl. No. 10.1 & 10.2 will be summarily rejected.

10.1 For Intra Station transfer – Choice Vidyalayas
(Please see instructions)

K.V./OFFICE
CODE

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10.2 For Inter Station transfer – Choice Stations
(Please see instructions)

STATION CODE

1	4	5
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-	-	-
---	---	---

-	-	-
---	---	---

-	-	-
---	---	---

-	-	-
---	---	---

11. Category of place where spouse is working

--	--

12. Have you given the declaration regarding the employment and place of posting of spouse (Y/N)

N

13. Have you obtained a MC on the form (Y/N)

N

14. Type of disease certified in the MC overleaf

-	-
---	---

Please fill up code

15. Relationship of the patient with the applicant

-	-
---	---

Please fill up code

I, Sh./Smt./Kumar Rubi Paul do hereby affirm that the information given in Sl.No 01 to 15 excepting Sl.No 9 of this application are correct and that the Medical Certificate (M.C.)/ declaration given is/are bonafide and I understand that wrong/suppressed information shall render me liable for disciplinary action.

Place: Aizawl

Date: 28.9.01

Signature Paul

Name Rubi Paul

*attested
W.D.E.
Advocate*

MEDICAL CERTIFICATE

(To avoid disqualification, please do NOT use abbreviation. Fill in CAPITAL LETTERS only.
Please do not attach any enclosure)

Name of Patient:

Address:

Date:

I, Dr. with Medical Council Registration No.

hereby certify that Sh/Smt/Ms Aged Sex
Son/daughter of Shri/Smt. is suffering from the disease/diseases with the
details as follows and that treatment of this disease is not at all available at this station or its
vicinity:

A) In case of Carcinoma:

1. Name of Carcinoma with site affected:
2. Date when it was detected first:
3. Brief Histo-Pathological report with reference No. & Dates:
4. T.N.M Classification (if applicable):
5. Evidences in support of uncontrolled growth:
6. Evidence in support of Metastasis:
7. Condition of neighboring or surrounding structures:
8. Treatment being continued in brief:
9. Full name of surgery/surgeries in connection with dates:

B. In case of Renal Failure:

1. Name of the disease causing Renal failure:
2. Evidences in support of Chronic Irreversible changes:
3. Number of Dialysis done with dates:
4. Single or both Kidneys are involved:
5. Any surgery including renal transplantation done or not:

C. In case of Loss of Muscle Power:

1. How many extremities are affected:
2. Grading of Muscle Power at present:
3. Grading of Muscle Power at the onset of disease:
4. Duration of loss of muscle power:
5. Any recovery after the onset till date:
6. Most direct cause of loss of Muscle Power:

D. In case of Heart Diseases:

1. Name of the disease:
2. Date of first detection:
3. Coronary artery By-Pass Grafting surgery done or not:

If yes, please mention.

a) Date

b) Name of Doctor/Surgeon

c) Name of the Hospital

E. Other Diseases:

1. Name of disease:
2. Date of first detection:
3. Any surgery due or done:
4. Brief description of treatment continued:

Name & Signature of patient

(Signature of the competent authority)

Name:

Name of the Department:

Name of Hospital:

Place:

Date:

Seal

*Attested
Ward
Advocate*

(Kindly fill the information in capital letters. Strike out whichever is not applicable)

Signature of the employee
Name
Designation

1. Sl No. 1 to 8 and 10 to 15 have to be checked and verified by the Principal from the service records. They should take personal interest/care and ensure that the entries made by the applicant are correct before countersigning. Any wrong information filled in by the applicant and duly countersigned by the Principal will attract disciplinary action against the individual as well as countersigning authority.
2. Assistant Commissioners have to ensure that the correct points are given in the Sl.No. 9 and implement the note 1 above in letter and spirit with respect to entries to be checked by the respective Principals within their region.

TRANSFER GUIDELINES

In supersession of existing guidelines/orders on the subject, it has been decided that transfers in the Kendriya Vidyalaya Sangathan will hereafter be made as far as practicable in accordance with the guidelines indicated below:

2. In these guidelines unless the context otherwise requires:
 - i) "Commissioner" means Commissioner, Kendriya Vidyalaya Sangathan including any officer thereof who has been authorised or delegated to exercise all or any of the powers and functions of the Commissioner;
 - ii) "Performance" means
 - a) Where the Annual Confidential Report(s) is/are available in the concerned Regional office, the assessment of teacher as reflected in his Annual Confidential Report for the last three years preceding the year in which transfers are taken up;
 - b) Where the Annual Confidential Report(s) for last three years or any of the last three years is/are not available in the concerned Regional Office for whatever reason, the assessment by the Assistant Commissioner of the Region from where transfer is being sought on the work and conduct of the teacher for the year(s) in respect of which the ACR(s) is/are not available.
 - iii) "Sangathan" means the Kendriya Vidyalaya Sangathan;
 - iv) "Service" means the period during which a person has been holding charge of the post in the Sangathan on a regular basis;
 - v) "Station" means any place or a group of places within an urban agglomeration;
 - vi) "Stay" means service at a station excluding the period or periods of continuous absence from duties exceeding 30 days (45 days in case of N.E. Region, Sikkim and A&N Islands) at a stretch other than on training or vacation;
 - vii) "Teacher" means all categories of teachers in the employment of Sangathan and includes Vice-Principals and Principals but does not include Education Officers and above;
 - viii) "Tenure" means a continuous stay of three years in North Eastern Region, Sikkim, A&N Islands and listed hard stations. (Note: While calculating the aforesaid stay of three years, the period or periods of continuous absence from duties exceeding thirty days (45 days in case of N.E. Region, Sikkim and A&N Islands) at a stretch other than on maternity leave, training or vacation shall be excluded).

*Attested
Writ
Advocate*

- ix) "Year" means a period of 12 months commencing on 1st April.

Unless the context otherwise indicates:

- a) words importing the singular number shall include plural number and vice-versa;
- b) words importing the masculine gender shall include the feminine gender.

3. In terms of their all India transfer liability, all the employees of the KVS are liable to be transferred at any time depending upon the administrative exigencies/grounds, organisational reasons or on request, as provided in these guidelines. The dominant consideration in effecting transfers will be administrative exigencies/grounds and organisational reasons including the need to maintain continuity, uninterrupted academic schedule and quality of teaching and to that extent the individual interest/request shall be subservient. These are mere guidelines to facilitate the realization of objectives as spelt out earlier. Transfer cannot be claimed as of right by those making requests nor do these guidelines intend to confer any such right.

4. The maximum period of service at a station shall generally not exceed three years in the case of Assistant Commissioners and five years in case of Principals/Education Officers. They are, however, liable to be transferred even before completion of the aforesaid period, depending upon organisational interest or administrative exigencies, etc. Principals with outstanding record in terms of their performance as reflected in ACRs and CDSI results may be retained in a Kendriya Vidyalaya even after completion of five years as aforesaid to promote excellence in the Vidyalaya.

5. Apart from others, the following would be administrative grounds for transfers:

- (i) A teacher is liable to be transferred on the recommendation of the Principal and the Chairman of the Vidyalaya Management Committee of the Kendriya Vidyalaya.
- (ii) Transfer of spouse of a Principal to a Kendriya Vidyalaya at the station where the Principal is working or nearby, but not the Vidyalaya where he is a Principal.

6. As far as possible, the annual transfers may be made during summer vacations. However, no transfers, except those on the following grounds shall be made after 31st August

- i. Organisational reasons, administrative grounds and cases covered by para 5.
- ii. Transfers on account of death of spouse or serious illness when it is not practicable to defer the transfer till next year without causing serious danger to the life of the teacher, his/her spouse and son/daughter.

*attested
W. S. S.
Advocate*

iii. Mutual transfers as provided in para 12.

7. Priority for transfers on request shall follow the descending order of combined weightage to be calculated in terms of entitlement points for organisational reasons/interests as also the individual needs and request of the teachers seeking transfers in accordance with para 8 below;

Provided that transfers sought on account of death of spouse within a period of two years of death and medical grounds as per para 9 will be placed on bloc higher than others listed in para 8 of these Guidelines.

8 (i) Organisational reasons/interest shall be classified and assigned entitlement points as under:

(a) Transfer from places where tenure is involved (see para 2(viii) of these Guidelines) 20

(b) Performance:

RATING OF PERFORMANCE

ENTITLEMENT POINTS

Outstanding	10 for each year
Very Good	6 for each year
Good	4 for each year
Average	0 for each year
Unsatisfactory	(-)10 for each year

(ii) Needs denoted by the following reasons shall be assigned entitlement points as given against each.

S.No.	REASONS/GROUND	ENTITLEMENT POINTS
-------	----------------	--------------------

A. Blind and orthopaedically handicapped persons. The standards of physical handicap the same as prescribed by the Govt. of India for sanction of Conveyance allowance.

B. SPOUSE CASES

(i) Where spouse is a Sangathan employee 20

*attested
W. A. S.
Advocate*

- (ii) Where spouse is a Central Government employee 18
- (iii) Where spouse is an employee of autonomous body or PSU under Central Government. 15
- (iv) Where spouse is an employee of State Government or its autonomous body or PSU 12
- (v) Other spouse cases 10

Note for 'Spouse Cases' :

The aforesaid points will be awarded only where the teacher seeks transfer to a station (a) other than the one where he/she is currently posted and (b) where his/her spouse is posted or nearby. This condition, i.e. (b) will, however, not apply in those cases where the spouse of the teacher is posted to a non-family station provided the transfer is sought to a place nearest to the station where his/her spouse is posted.

- C. Unmarried/divorced/judicially separated/widowed ladies 12
- D. General Cases which are not covered by A-C above. 10
- E. Stay at the station from where the transfer is being sought; 1 for each year of stay exceeding three years subject to a maximum of 20 points

OR

Teachers who have less than 2 years to retire.

9. For the purpose of calculation of entitlement points in respect of medical grounds as mentioned in the Proviso to para 7 of these Guidelines, such illnesses of teacher himself/herself or his/her spouse and dependent son/daughter alone as may be prescribed by the Commissioner will be considered as medical ground for transfer

Note: A son will be deemed to be dependent till he starts earning or attains the age of 25 years, whichever is earlier or suffers from permanent disability of any kind (physical or mental) irrespective of age limit. A daughter will be deemed to be dependent till she starts earning or gets married irrespective of age limit

attested
Advocate

✓10(1). Where transfer is sought by a teacher under para 8 of the guidelines after continuous stay of 3 years in NE & hard stations and 5 years elsewhere at places which were not of his choice, or by teachers falling under the Proviso to para 7 of these Guidelines, or very hard cases involving human compassion, the vacancies shall be created to accommodate him by transferring teachers with longest period of stay at that station provided they have served for not less than five years at that station. Provided that Principals who have been retained under para 4 to promote excellence, would not be displaced under this clause.

✓(2) While transferring out such teachers, efforts will be made to accommodate lady teachers at nearby places / stations, to the extent possible and administratively desirable.

(3) In cases where a vacancy cannot be created at a station of choice of a teacher under this clause because no teacher at that station has the required length of stay, the exercise will be repeated for the station which is the next choice of the teacher seeking transfer.

Note: The transfers proposed under this rule shall be placed before a Committee consisting of Additional Secretary (Education) Chairman, Commissioner, Member and Joint Commissioner (Admn) KVS as the Member Secretary.

11. In order to effect transfers in terms of para 8 and 10 of these Guidelines, two priority lists shall be prepared and operated as under:

(a) First priority list shall list all the applications received for transfer in terms of paras 7 and 8 showing the entitlement points against each applicant. This priority list shall be operated against the vacancies available during normal course for being filled up.

✓(b) Second priority list will be maintained in respect of cases of transfer in terms of para 10 of the guidelines listing all the applications and also the entitlement points of each applicant in terms of priorities given in para 8 of the guidelines. The applicants included in this priority list alone will be accommodated by transferring teachers with the longest period of stay at that station provided they have served for not less than 5 years from the date of joining at that station. For this purpose, a list of persons who have served for 5 years or more at the stations shall be prepared by the Assistant Commissioners of the respective regions and displayed.

12. Mutual transfer may be permitted on satisfaction of the Commissioner but such cases will be taken up on completion of annual transfers as per para 8 and completed by 30th September.

13. Intra and inter-regional transfers may, as far as practicable, be made simultaneously.

Attested
W. E.
Advocate

14. Upon promotion or direct recruitment as Principals/ Education Officers/Assistant Commissioners, an officer shall necessarily be posted to a different State other than the one where he is posted or domiciled, as the case may be, subject to availability of vacancies. Subject to availability of vacancies and other administrative reasons those who are due to retire within next three years may not be posted outside their home state if their service at the same station prior to promotion does not exceed three years.

15. A teacher on promotion shall necessarily be posted out of the Region where he is currently posted. However, a lady teacher may on promotion be posted within the same Region but a district or two away from the existing place of posting, subject to availability of vacancy.

16. Transfer TA will be regulated as per orders of the Government of India on the subject

17. Assistant Commissioner will be competent to change the headquarters of a teacher on administrative grounds to any place within the region as deemed fit and direct him to discharge his duties there. The Assistant Commissioners shall report forthwith the case with full facts to the Commissioner for confirmation or directions.

18. Notwithstanding anything contained in these guidelines,

- (a) a teacher or an employee is liable to be transferred to any Kendriya Vidyalaya or office of the Sangathan at any time on short notice on grounds mentioned in clause 5 and 6 (i) of these guidelines;
- (b) the Commissioner will be competent to make such departure from the guidelines as he may consider necessary with the prior approval of the Chairman;
- (c) the request of a teacher may be considered for transfer to a station in respect of which no other person has made a claim or request even if such teacher has not submitted the application in the prescribed proforma at the time of annual transfer or within the time limit prescribed for the purpose.
- (d) Following cases will not be considered for transfer:
 - (i) cases of Education Officers/Assistant Commissioners for transfer without completing three years' stay at the place to which they were posted upon promotion.
 - (ii) cases where a teacher, Education Officer, or Assistant Commissioner was transferred on grounds mentioned in paras 5(i), 6 and 7 of these guidelines will not be considered for transfer without completing 5 years' stay at the station to which they were so posted.

attested
M. S. E.
Advocate

- (iii) Principals, Education Officers and Assistant Commissioners will not be transferred back to the same station from where they were transferred earlier on completion of period as specified in para 4 above unless a period of three years has elapsed.
- (iv) cases of fresh postings whether on direct recruitment or on promotion unless they complete three years of stay at the place of their posting except that, in case of women teachers, the request for posting to a place of choice can be considered after stay of one year. This will not, however, be applicable in cases covered by paras 5, 6, and 7(i) of these Guidelines.

19. These Guidelines shall mutatis mutandis apply to non-teaching staff to the extent applicable.

20. If any difficulty arises in giving effect to these guidelines, the Commissioner may pass such orders as appears to him to be necessary or expedient for the purpose of removing such difficulty.

21. If any question arises as to the interpretation of these guidelines, it shall be decided by the Commissioner.

22. The attention of all the employees is invited to Rule 55(27) of the Education Code and rule 20 of the CCS(Conduct) Rules which provide as under:

(i) As per Rule 55(17) of Education Code:

"No teacher shall represent his grievance, if any, except through proper channel nor will he canvass any non-official or outside influence or support in respect of any matter pertaining to his service in the Vidyalaya."

(ii) As per Rule 20 of CCS(Conduct) Rules:

No Govt. servant shall bring or attempt to bring any political or other outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under KVS.

If the above provisions as mentioned at (i) and (ii) above are contravened, the following actions shall follow:

- (a) That the name of the applicant will be removed from the priority list and he/she will be debarred " " years from being considered for transfer without any further reference to the teacher
- (b) That the teacher will be open to disciplinary proceedings as per rules

Attested
W. S. S.
Advocate

Select Your Priority List

There are two priority lists. List1 is in terms of Para 11(a) of transfer guidelines. List2 is in terms of Para 11(b) of transfer guidelines. Separate priority numbers have been allotted in each list. Please make sure to access the correct list after reading para 11(a) & 11(b) of transfer guidelines. List1 will be operated first and against the existing vacancies.

Please click one of the following buttons:

LIST1 ☒LIST2 ☐Rejection List Correction List

Please fill up the following information and then click search:

Name

RUBI PAUL

(Only In Caps)

ST Code To which Transfer is
sought

145

Help

Post Code

23 PRI

Submit

Reset

attested
by
Advocate

FIRST PRIORITY LIST

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RUBI PAUL's priorities : App# 12255 St 145 Pr 2 St Pr St Pr St Pr

AppNo.	Name	Current KV Posting	Current Station	Transfer Station1	Priority No.	Transfer Station2	Priority No
2826	ONDRILA MAZUMDAR	423	489	137	4	133	48
12255	RUBI PAUL	770	436	145	2		0
12266	ONKAR	776	441	351	92	423	79
12308	ANGANA CHATTERJEE	773	022	133	30	145	1
12349	P N MISHRA	777	442	423	198	133	97
12480	RATNA GOSWAMI	244	133	145	10	137	3
12497	DOLI CHAUDHURI	254	149	133	80	133	80
12499	SHEELA ROY	254	149	133	44	133	44
12511	BANDANA ROY	216	132	134	8	146	6
12522	NUPUR MAJUMDAR	865	150	133	99	145	33
12524	N C DAS	865	150	133	101	133	101
12534	MALA DAS	228	133	145	8	145	8
12538	JYOTSNA NANDY	243	485	133	70	145	24
12541	M D DEEPA	252	148	145	30	133	95
12554	JUNE PAUL	250	146	145	23		0
12559	REBA GHOSH	228	133	145	13		0
12563	VIVEKANANDA ROY	245	133	145	17		0
12564	SARBANI ROY	245	133	145	12		0
12565	G P DEBNATH	245	133	145	15		0
12571	ANURADHA SENAPATI	865	150	133	98	084	30
12593	ASHOK KUMAR DUBEY	238	140	130	5	097	10
12595	JABA MUKHERJEE	240	141	133	67	145	22
12596	TAMAL KUMARMUKHOPADHYAY	232	133	145	18	137	6
12620	SUPTI GANGULY	236	138	133	53	145	16
12626	KRISHNA GHOSAL	253	141	494	1	145	25
12633	LILY SARKAR	253	141	145	28	133	85
12636	SUSMITA BANDOPADHYAY	238	140	145	29	133	91
12637	KRISHNA GAUTAM	253	141	133	52	145	14
12657	DIPTI BANDYOPA DHAYAY	218	133	145	9		0
12658	SUCHISMITA MUKHOPADHYAY	218	133	145	3		0

12659	J BANDYOPADHYAY	218	133	145	4		0
12661	SUTAPA CHAKRABARTY	223	136	133	63	145	21
12702	SUKANTI KUMARI DASH	244	133	145	6		0
13086	SANJUKTA SEN	538	289	133	43	145	5

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Attestd
Wale
Advocate

SECOND PRIORITY LIST

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RUBI PAUL's priorities : App# 12255 St 145 Pr 2 St Pr St Pr St Pr

AppNo.	Name	Current KV Posting	Current Station	Transfer Station1	Priority No.	Transfer Station2	Priority No	Transfer Station3	P
2826	ONDRILA MAZUMDAR	423	489	137	3	133	21	145	
12255	RUBI PAUL	770	436	145	2		0		
12266	ONKAR	776	441	351	86	423	72	145	
12308	ANGANA CHATTERJEE	773	022	133	4	145	1	133	
12480	RATNA GOSWAMI	244	133	145	9	137	2		
12497	DOLI CHAUDHURI	254	149	133	48	133	48	145	
12499	SHEELA ROY	254	149	133	17	133	17	145	
12511	BANDANA ROY	216	132	134	8	146	6	151	
12534	MALA DAS	228	133	145	7	145	7	145	
12554	JUNE PAUL	250	146	145	22		0		
12559	REBA GHOSH	228	133	145	12		0		
12563	VIVEKANANDA ROY	245	133	145	16		0		
12564	SARBANI ROY	245	133	145	11		0		
12565	G P DEBNATH	245	133	145	14		0		
12595	JABA MUKHERJEE	240	141	133	39	145	21		
12596	TAMAL KUMARMUKHOPADHYAY	232	133	145	17	137	5		
12620	SUPTI GANGULY	236	138	133	26	145	15		
12637	KRISHNA GAUTAM	253	141	133	25	145	13	140	
12657	DIPTI BANDYOPA DHAYAY	218	133	145	8		0		

Attested
to all
Advocate

12658	SUCHISMITA MUKHOPADHYAY	218	133	145	3		0
12659	J BANDYOPADHYAY	218	133	145	4		0
12661	SUTAPA CHAKRABARTY	223	136	133	36	145	20
12702	SUKANTI KUMARI DASH	244	133	145	5		0

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attested
MD Ali
Advocate

Dated, Aizawl, the 10th April, 2002. 51

To,
The Principal,
Kendriya Vidyalaya,
AIZAWL.

Sub.: PRAYER FOR ^{5,0} LEAVE ON MEDICAL GROUNDS.

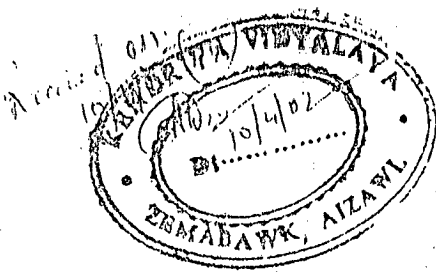
Sir,
I beg to submit my ^{or my} leave application in proper form
alongwith a Medical Certificate for favour of your kind approval
and oblige.

Encl.: As stated.

Yours faithfully,

Rubi Paul

(RUBI PAUL)
P R T,
Kendriya Vidyalaya,
AIZAWL.



*attested
by
Advocate*

Dr. P. K. Kundu

B. Sc., B. M. S. (Agra)
Asst. Research Officer,
Regd. No. H-11157

Under C. C. R. H. (Ministry of Health &
Family Welfare, Govt. of India.)

Phone 327963

C.R.U. for Homoeopathy,
Vaughan, Republic Road,
AIZAWL (Mizoram) 736001

Date 10.4.2002

MEDICAL - CERTIFICATE

Sign. of Govt. Servant

Rubi Paul
10/04/02

I DR. P.K. KUNDU after carefully personal examination
of the case hereby certify that Shri/Smt. Rubi Paul
whose signature is given above suffering from Thyrotoxicosis
with Asthma and I consider a period of rest from
duty for 30 days days with effect from 10.4.2002
9.5.2002, which is absolutely necessary for restoration
of his/her health.

Date : 10.4.2002

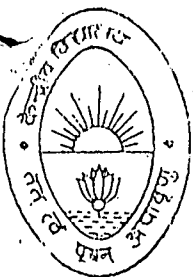
Place: AIZAWL


(DR. P.K. KUNDU)

Authorised Medical Attendant

Medical Officer (Mizoram)
Civil Forward Area

*attested
W. S. E.
Advocate*



केन्द्रीय विद्यालय KENDRIYA VIDYALAYA

Agenda

अवकाश के लिए प्रार्थना-पत्र (आकस्मिक अवकाश के अतिरिक्त)
Application for Leave (other than Casual Leave)

1. कर्मचारी का नाम (साफ अक्षरों में)
Name of Employee (in block letters)

RUBI PAUL
P.R.T.

2. पदनाम Designation

3. केन्द्रीय विद्यालय संगठन में कार्यभार ग्रहण करने की तिथि
Date of joining the Kendriya Vidyalaya Sangathan

15.10.1985

4. आवेदित छुट्टी का किरम
Nature of leave applied for

E.O. LEAVE ON
MEDICAL GROUND

5. अपेक्षित छुट्टी की किस्म
Period of leave required

25 days.

6. छुट्टी का कारण Ground of leave

7. परिणित छुट्टियों के मामले में
In case of commuted leave
(Medical Certificate attached)

Medical Ground
(Medical Certificate
attached)

8. आवेदित छुट्टी का अद्यतन खाता
Upto date account of leave applied

9. डाक पता (छुट्टी की अवधि के दौरान)
Postal address (during the leave period)

c/o S.R. Paul
Directorate of Agri.

दिनांक Dated 10.10.1985

कर्मचारी के ह० Sig. of Employee

कार्यालय उपयोग के लिए FOR OFFICE USE

कृपया प्रार्थी द्वारा आवेदित छुट्टी की किस्म के अद्यतन खाते के साथ उसकी सेवा-पुस्तिका प्रस्तुत करें।

Please furnish the account of the leave of the nature asked for by the applicant alongwith has/her service register duly posted up-to-date.

प्राचार्य/Principal

कार्यालय रिपोर्ट OFFICE REPORT

इस तारीख तक दिन का अवकाश देय है।
..... Leave for day due/as on
the date Service Register is submitted.

लिपिक Clerk

आदेश ORDER

1. दिनांक से तक दिन के लिए
अवकाश स्वीकृत किया जाता है।

Sanctioned leave for days w.e.f. to

2. दिनांक से तक पहले/बाद में छुट्टियां हैं।

Prefixing/Suffixing of w.e.f. to

3. कारणों से रद्द की जाती है।

Rejected for the reasons

4. सभी संश्लिष्टों के लिए अलग से स्वीकृत आदेश जारी किए जा रहे हैं।

Separate sanction order is being issued to all concerned.

दिनांक Dated

प्राचार्य Principal

Attended
Mr. R.P.
Associate

KENDRIYA VIDYALAYA SANGATHAN --
18, INSTITUTIONAL AREA,
SHAHEED JEET SINGH MARG
NEW DELHI - 110 016

F-2-1(D) (PRT/)/2002/KVS(Estt.IV)

Date : 02/04/2002

TRANSFER ORDER

In terms of clauses 10(1) & (3) of the transfer guidelines which inter-alia, provides to create a vacancy so as to accommodate the persons who are figuring in priority list II (PL-II) as per their priority position, the transfer of the following, Primary Teachers (PRT) are hereby ordered on request/ public interest. The employee transferred in public interest is entitled for all transfer benefits as per KVS Rules.

POST : PRT SUBJECT :

PNo.	EMPLOYEE-NAME	FROM	TO	Nature
RNo.	ID No.	KV STATION REGION	KV STATION REGION	of Transfer
(1)	(2)	(3)	(4)	(5)
1	JITENDRA SHARMA	763 432 17	726 406 17	On Request
311	7039	SINGHARSHI	DANAPUR CANTT	
	(BY DISPLACING)			
1	N. TRIVEDI	726 406 17	763 432 17	In Public Interest
311	7040	DANAPUR CANTT	SINGHARSHI	
2	RAMA KUMARI	423 489 10	729 408 17	On Request
312	7041	MISSAMARI NO.I	GARHARA	
	(BY DISPLACING)			
2	ASHARFI PASWAN	729 408 17	423 489 10	In Public Interest
312	7042	GARHARA	MISSAMARI NO.I	
3	MANOJ KUMAR RAI	429 226 10	747 423 17	On Request
313	7043	NOWGONG, MISA CANTT	MUGHAL SARAI	
	(BY DISPLACING)			
3	J.P. RAM	747 423 17	429 226 10	In Public Interest
313	7044	MUGHAL SARAI	NOWGONG, MISA CANTT	
4	S N YADAV	794 455 18	847 429 17	On Request
314	7045	LUMDING	SAHARSA	
	(BY DISPLACING)			
4	B. KUMAR	847 429 17	794 455 18	In Public Interest
314	7046	SAHARSA	LUMDING	
5	BRAHMADEEN	739 416 17	770 436 18	On Request
315	7047	KATI HAR	AIZAWAL	
	(BY DISPLACING)			
5	Smt. Ruby Paul	770 436 18	739 416 17	In Public Interest
315	7048	AIZAWAL	KATI HAR	

This issued with the approval of the Competent Authority of KVS.

(Signature)
(M.K. RAO)

DY. COMMISSIONER (Admin.)

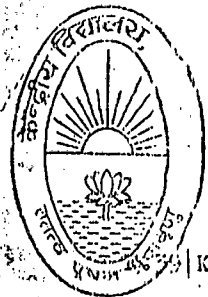
DISTRIBUTION

1. The individual concerned.
2. The Principal concerned with the direction to relieve the teacher immediately. They are also directed to intimate this office/ RO concerned about relieving/joining of the employee.
3. Asstt. Commissioner, KVS, RO concerned for information and necessary action.
4. Audit and Accounts officer of the Region concerned for necessary action.
5. General Secretaries of the recognised associations of KVS.
6. Office Copy

Koi/Kati

87

attested
by
Advocate



केन्द्रीय विद्यालय KENDRIYA VIDYALAYA

PUSHPAK AIZAWL

KV-AIZ| 2002-03| 21/-28

Dated 10.4.2002.

RELIEVING - ORDER

1. Name of the employee relieved Mrs. Ruby Paul
2. Designation Primary Teacher
3. Name of the Vidyalaya K.V. Pushpak, Aizawl
4. Authority (Letter No.) F.2-1(D)(PRT)/..2002|KVS(Entt)-IV) dated 2.4.02.
5. Date & Time of relieving from 10.4.2002 Forenoon.
6. Name of the Venue to report (Forenoon / Afternoon)
K.V. KATI HAR
7. Duty assigned/Purpose of relieving As transferred from this Vidyalaya to K.V. Katihar
8. Any other instruction
9. He/She will be entitled for T.A./D.A. as per KVS rules, in respect of this As per KVS rules.

To, Mrs. Ruby Paul, PRT
Kendriya Vidyalaya Pushpak, Aizawl
(Hizorani)

Enclo - Copy of the transfer order as cited above

Copy to for information to :

1. The Principal, KV-Katihar, for his kind information and please. The IAC of the concerned employee will be send at the earliest.
2. The Asstt. Commissioner, KVS(SR) Silchar-1.
3. The Dy. Commissioner, (Admn) KVS(Hqr) New Delhi-16.
4. The Asstt. Commissioner, KVS(Patna Region) Patna for information Please.
- 5.

PRINCIPAL

4041
Rubi Paul on

-49-

ANNEXURE-VIII 59

F. PF/R.P/KV-AIZ/2002-2003/32-34

11.04.2002

To

The Principal,
Kendriya Vidyalaya,
Katihar.

Sir,

Please find enclosed herewith the leave application of
Smt. Ruby Paul, PRT who has been transferred to your Vidyalaya.

Yours faithfully,

Encl : AS above. (original)

(Smt. SARG)
Principal.

Copy to :-

1. Smt. Ruby Paul, PRT

Attested
By
Advocate

(Signature)
PRINCIPAL
के.वि. केंद्र/क.व. पुष्पाक
जिला कार्यालय, झारखण्ड-753017
Zemabari AIZAWL-753017

Dated, Aizawl, the 10th April, 2002.

To,
The Principal,
Kendriya Vidyalaya,
AIZAWL.

Sub.: PRAYER FOR ^{E.O.} LEAVE ON MEDICAL GROUND.

Sir,
I beg to submit my ^{Extra Ordinary} leave application in proper form alongwith a Medical Certificate for favour of your kind approval and oblige.

Yours faithfully,

Rubi Paul
(RUBI PAUL)
P R T,
Kendriya Vidyalaya,
AIZAWL.

*Since Mrs Ruby Paul
PRT already
relieved from
this vidyalaya to
Kathar as per letter
P.29/KV-AIZ/2002-03
dated 10/4/02 (F.H) as stated.
Leave granted at this
end.*
10/4/02
Principal
Kendriya Vidyalaya
Aizawl-760017

*Since the Teacher is relieved
send the letter to K.V. Kathar
under intimation to Teacher
Concerned and the ASST-Commissioner
KVS (SR) Biler*

10/4/02
Principal
Kendriya Vidyalaya
Aizawl-760017

*Noted
Advocate*



केन्द्रीय विद्यालय KENDRIYA VIDYALAYA

आवेदन

अवकाश के लिए प्रार्थना-पत्र (आवसगिक अवकाश के अतिरिक्त)
Application for Leave (other than Casual Leave)

- कर्मचारी का नाम (साफ अक्षरों में)
Name of Employee (in block letters)
- पदनाम Designation
- केन्द्रीय विद्यालय संगठन में कार्यभार ग्रहण करने की तिथि
Date of joining the Kendriya Vidyalaya Sangathan
- आवेदित छुट्टी की किस्म
Nature of leave applied for
- आवेदित छुट्टी की किस्म
Period of leave required
- छुट्टी का कारण Ground of leave
- परिणित छुट्टियों के मामले में
In case of commuted leave
(Medical Certificate attached)
- आवेदित छुट्टी का अद्यतन खाता
Upto date account of leave applied
- डाक पता (छुट्टी की अवधि के दौरान)
Postal address (during the leave period)
- दिनांक Dated...10/04/02

RURI PAUL
P.R.T.

14/10/1985

E. O. LEAVE ON
MEDICAL GROUND

25 days

Medical Ground
(Medical Certificate
attached)

c/o S.R. Paul
Directorate of Agri.
कर्मचारी के ह० Sig. of Employee

कार्यालय उपयोग के लिए FOR OFFICE USE
कृपया प्रार्थी द्वारा आवेदित छुट्टी की किस्म के अद्यतन खाते के साथ उसकी सेवा-पुस्तिका प्रस्तुत करें।
Please furnish the account of the leave of the nature asked for by the applicant alongwith has/her
service register duly posted up-to-date.

कार्यालय रिपोर्ट OFFICE REPORT

इस तारीख तक.....दिन का.....अवकाश देय है।
.....Leave for.....day due/as on
the date Service Register is submitted.

लिपिक Clerk

आदेश ORDER

- दिनांकसे.....तक.....दिन के लिए.....
अवकाश स्वीकृत किया जाता है।
Sanctioned.....leave for.....days w.e.f.....to.....
- दिनांकसे.....तक पहले/बाद में छुट्टियां हैं।
Prefixing/Suffixing of.....w.e.f.....to.....
-कारणों से रद्द की जाती है।
Rejected for the reasons.....
- सभी संश्लिष्टों के लिए अलग से स्वीकृत आदेश जारी किए जा रहे हैं।
Separate sanction order is being issued to all concerned.
- दिनांक Dated.....

प्राचार्य Principal

20/04/02
RURI PAUL
Advocate

Dr. P. K. Kundu

B. Sc., B. M. S. (Agra)
Asst. Research Officer,
Regd. No. 11-19357

Under C. C. R. H. (Ministry of Health &
Family Welfare, Govt. of India.)

Phone 227963
C.R.U. for Homoeopathy,
Venghni, Republic Road,
AIZAWL (Mizoram) 736001

Date 10.4.2002

MEDICAL - CERTIFICATE

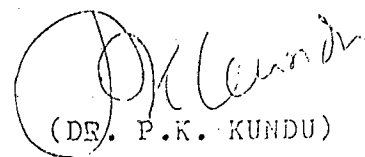
Sign. of Govt. Servant

Rubi Paul
10/04/02

I DR. P.K. KUNDU after carefully personal examination
of the case hereby certify that ~~Shri~~/Smt. Rubi Paul
whose signature is given above suffering from Thyrotoxicosis
with Asthma and I consider a period of rest from
duty for 30 days days with effect from 10.4.2002
9.5.2002, which is absolutely necessary for restoration
of his/her health.

Date : 10.4.2002

Place: AIZAWL


(DR. P.K. KUNDU)

Authorised Medical Attendant
Medical Officer (General)
Civil Hospital Aizawl

*Attested
Walter
Advocate*

To,

The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
NEW-DELHI 110,016.

REGISTERED A/D LETTER.

Dated, 12th April, 2002.
AIZAWL,

THROUGH THE PRINCIPAL, K.V. AIZAWL.

Sub.: PRAYER FOR REVIEW OF TRANSFER ORDER.

Ref.: 1) Transfer order no. F-2-1(D)(PRT/2002/KVS(Esstdt. 02.04.2002.

2) Principal's relieving order no. F39/KV-A12/2002-03/24-28
dt. 10.04.02 (Received by post on
12.04.02.)

Respected & Learned Sir,

With reference to above, I have the honour to lay down the following few lines for favour of your kind consideration and necessary action, please.

That Sir, I received your transfer order and the Principal's relieving order in the same Envelope on 12.04.02 by post on my sick bed. (Xerox copy enclosed).

That Sir, I applied for Extra-ordinary leave with Medical certificate (Xerox copy enclosed) on 10.04.02 as I was extremely sick due to my Thyroid and Ashmatic problems. It could not be understood why, a sick person like me, suffering from two deadly diseases should have to be served with the transfer relieving order without giving a sympathetic and humanitarian outlook; the office could have waited for till my recovery with a Fitness certificate as per official procedure.

That Sir, on the other hand, it is regretted to note that my transfer was made to KATHAR (Stn code 416) for which I did not apply for at all, but, obviously, I had applied for KANCHAPARA (Stn code 145). It was further noted that my name was placed in both the Priority List I & II as PRIORITY NO: 2 (TWO) against stn code no 145 for which I had actually applied. Hence, it is beyond my expectation to accept such a transfer order, which is not on my favour as per Priority List I & II both. Moreover, it could not be understood while other applicants's transfer were made with according to their choices of postings in the Priority list, why was it not done to a senior teacher like me, whose priority no was 2. It was also not understood how a sick person like me, who was on leave on Medical ground should have been served hurriedly with a Relieving order alongwith the very transfer order in the same Envelope without giving any opportunity to defend, which is a Fundamental rights of every Indian citizen; not even given a chance to apply for an advance Transfer T.A. and to complete formalities.

I, therefore, would pray to your honourable authority with full politeness to review the order of transfer, either to get me posted as per Priority List i.e at Kanchapara: stn code: 145 or let me remain as 'STATUS QUO' at Aizawl, K.V, where 4 (FOUR) posts of PRTs's have been still vacant (filled up on contractual basis), untill, I am accommodated at stn. code: 145.

And, for that act of your kindness, I shall be extremely greatfull to you. Your kind and early action within the end of the month of APRIL, 2002 in the interest of public justice will be highly appreciated. With the highest regards.

Yours faithfully,

Rubi Paul 12.04.02
(RUBI PAUL) PRT,
C/O S.R. PAUL,
DIRECTORATE OF AGRICULTURE,
Agri. Complex, AIZAWL,
MIZORAM, pin 796001.

Encl.: (Xerox)

- 1) Relieving order
- 2) EOI/Medical certificate application

Advance copy (Ly Speed post)

- 1) To, The Commissioner, Kendriya Vidyalaya Sangathan, New-Delhi
- 2) To, The Asstt. Commissioner, KVS, Silchar.

Under Certificate of Posting.

Copy to :- 1. Dy. Com (Admin), KVS, New Delhi -16
2. Asstt. Com KVS, Patna Region
3. Principal, K.V. Kotahar

Rubi Paul 12.04.02
(RUBI PAUL) Address: as above.

Rubi Paul, 12.04.02

Attended
Rubi Paul
Advocate

54a-19

CERTIFICATE OF POSTING

The registered articles addressed as under have been posted here this

day at hours :-

Class of articles

Exact address on the article

Postage stamps
to be affixed here

300

Date stamp

① ONE
Envelope

The Dy. Commissioner (Admin)
Kendriya Vidyalaya
Sangathan, New Delhi-16

② one
Envelope

The Asstt. Commissioner, KVS
Kendriya Vidyalaya Sangathan
PATNA Region, Patna, Bihar

③ One
Envelope

The Principal
Kendriya Vidyalaya, Katihar
PO. KATIHAR
BIHAR.

Total number of articles (in words)

Asstt. Postmaster,
Mails, Regn. & Parcel
Aizawl-796001

attested
by
Ashore

प्रमाणित संप्रेषण (सुरक्षित) / ACKNOWLEDGMENT

*एक रजिस्ट्री पत्र/पोस्टकार्ड/पैकेट/पार्सल भेजा गया

*Received a Registered Letter/Postcard/Packet/Parcel

{संक्र
No.

पाने वाले का नाम

Addressed to (name)

*2nd Principal
Kendriya Vidyalaya, Rajahmundry*

90 95 420

बीमे का मूल्य (रुपयों में)

Insured for Rupees

Aizawl, Zembale

वितरण की तारीख

Date of delivery

.....197

पाने वाले के हस्ताक्षर/Signature of addressee

*अनावश्यक को वापस दिया जाना चाहिए/Return the matter not required

*केवल बीमा कार्डों के लिए/For insured articles only

[Signature]
16/04/02

*Attested
H. S. E.
Advocate*

REGISTERED/AD LETTER

REMINDER-I.

Dated, 6th May, 2002.
AIZAWL.

To,

The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New-Delhi-110, 016.

THROUGH THE PRINCIPAL, KV, AIZAWL/Asstt. Commissioner, KVS SILCHAR.

Sub.: PRAYER FOR REVIEW OF TRANSFER ORDER.

Ref.: My letter dt 12.04.02 (Registered/Ad & Accopy by SPEEDPOST

Respected & Learned Sir,

I beg to request you kindly to intimate me the action taken on my above letter for which I shall be very grateful to you.

Further, I shall be more grateful if I am informed within 20th MAY, 2002.

Yours faithfully,

Rubi Paul

(Rubi Paul), PRT.
C/O S.R. PAUL,
DIRECTORATE OF AGRICULTURE,
Agri. Complex, AIZAWL,
MIZORAM, pin 796001.

ADVANCE COPY (by Speed Post)

- 1) To: The Commissioner, Kendriya Vidyalaya Sangathan, New-Delhi.
- 2) To: The Asstt. Commissioner, KVS, Silchar. (Regd/Ad letter).

Copy for information to:- (Under certificate of Posting)

- 1) The Dy. Commissioner (Admn.) KVS, New-Delhi.
- 2) The Asstt. Commissioner, KVS, Patna region, Patna.
- 3) The Principal, KV, Katihar.

Rubi Paul

(Rubi Paul)
C/O S.R. Paul,
DIRECTORATE OF AGRICULTURE,
Agri. Complex, AIZAWL,
MIZORAM, pin: 796001.

*attested
M. K. D.
Advocate*

promoted

भारतीय-54 (पू.) प्राप्ति स्वीकृति (रसीद) / ACKNOWLEDGEMENT
R. P.-54 (Bk.)

* एक रजिस्ट्री/पत्र/पोस्टकार्ड/पैकेट/पार्सल प्राप्त हुआ
बोझ

क्रमां०
No.

* Received in Registered/Insured Letter/Postcard/Packet/Parcel

पाने वाले का नाम

Addressed to (name)

A.S.H. Commissioner,
Kendriya Vidyalaya Sangathan,
Hypok Road, SILCHAR

बीमे का मूल्य

Insured for Rupees

Rs.

विलेखन की तारीख

Date of delivery

19 . पाने वाले के हस्ताक्षर

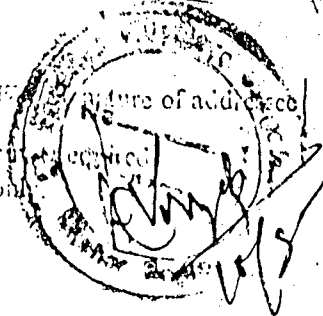
Signature of addressee

* अनावश्यक वंश काट दीजिए

* अनावश्यक वंश काट दीजिए

* Score out the matter

* For insured articles only



attested
by
Advocate

Ms.-19

CERTIFICATE OF POSTING

The *unregistered* articles addressed as under have been posted here this day at.....hours :-



Class of articles	Exact address on the article	Date Stamp
1. one Envelope	Shri Dy. Commissioner (Admin) Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jhuf Singh Marg, NEW-DELHI-110, 016.	
2. one Envelope	Asstt. Commissioner, KVS Patna Region Kendriya Vidyalaya Sangathan, PO. PATNA, BIHAR.	
3. one Envelope Three Envelopes.	The Principal, Kendriya Vidyalaya, Katihar PO. KATIHAR BIHAR.	

Total number of articles (in words)

Asstt. Commissioner
Mys. Regn. & Par
Aizawl-796001

attested
Advocate

REGISTERED/AD LETTER

REFINDED -TT.

Dated, 23rd May, 2002.

AIZAWL.

To,

The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Sing Marg,
New-Delhi-110 016.

THROUGH THE PRINCIPAL, KV, AIZAWL/ Asstt. Commissioner, KVS, SILCHAR.

Sub.: PRAYER FOR REVIEW OF TRANSFER ORDER.

REF.: My representation dt. 12.04.02 and Reminder-I dt. 06.05.02.
(ALL ADVANCE COPIES BY SPEED POST)

Respected & Learned Sir,

With reference to above, you are kindly requested to intimate the action taken on my representation. Your kind and a favourable order for the sake of justice is awaited till date.

Lastly, I would earnestly wait for your kind reply with a favourable order till 7th JUNE, 2002, after which, I am intending to pray for justice in the Honourable Court of Law.

With regards.

Yours faithfully,

Rubi Paul

(Rubi Paul) PRT.
C/O S.R. PAUL,
DIRECTORATE OF AGRICULTURE,
AGRI. COMPLEX, AIZAWL,
MIZORAM, pin 796001.

Advance copy by SPEED POST.

- 1) The Commissioner, KVS, New-Delhi.
- 2) The Asstt. Commissioner, KVS, Silchar (Regd/Ad letter)

Copy for information to: (Under Certificate of Posting).

- 1) Dy. Commissioner (Admn.) KVS, New-Delhi.
- 2) The Asstt. Commissioner, KVS, Patna region, Patna
- 3) The Principal, KV, Katihar.

Rubi Paul

(Rubi Paul) PRT
C/O S.R. PAUL,
DIRECTORATE OF AGRICULTURE,
Agri. Complex, Aizawl.
MIZORAM, pin 796001.

*Attested
Rubi Paul
Advocate*

23/5/02

MS-19

CERTIFICATE OF POSTING

The unregistered articles addressed as under have been posted here this day at.....hours :-

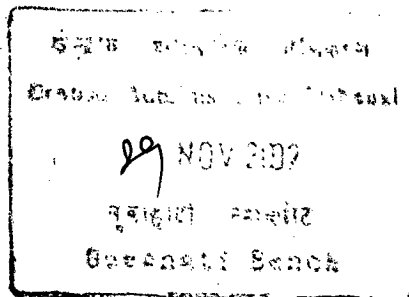


Class of articles	Exact address on the article
1. Envelope	Dy Commissioner, KVS, N. Delhi 18, Institutional Area, Shaheed Jeeb Singh Marg, New - Delhi - 110 016.
2. Envelope	ASST. Commissioner, KVS, Patna Region, Patna, Bihar.
3. Envelope Three letters	Principal, K.V. KATI HAR, BIHAR.

Total number of articles (in words)

Assst. Postmaster,
Regn. & Parcel
Mails, Patna - 796001

attested
by
Advocate



Filed by the Respondent
Through M.K. Majumdar
Advocate
72

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH.

O.A. No. 200/2002.

smti. Rubi Paul.

..... Applicant.

-VERSUS -

Union of India.

..... Respondent.

In the matter of -

Written Statement & filed by the
Respondent.

-And-

In the matter of -

The Assistant Commissioner, ex-
Kendriya Vidyalaya Sangathan,
Guwahati Region,
Maligaon, Guwahati.

..... Respondent.

The humble written statement of the Respondent
is as follows -

1. That the Respondents state that on being served
of the original application upon them, the Respondent
have gone through the contents of the paras of the
petition.....

petition and have understood the same and on being supplied with the parawise comment from the head master this written statement has been prepared. That the Respondent does not admit the contents thereof. The statements and averments which are not born out of record are denied and the paragraphs which are not specifically admitted are denied to be denied.

2. That before controverting the statements and averments made in the Original Petition the Respondents Respondentx begs to submit the following for kind perusal.

KVS is a registered society under the Societies Registration Act XXI of 1860 and fully financed by the Govt. of India with the objective of (i) to meet the educational need of children of transferable Central Govt. employees including defence personnel by providing a common programme of education (ii) to develop Vidyalaya as a model school in the context of national goal of Indian Education (iii) to initiate/promote experimentation in the field of education in collaboration with other bodies like CBSE, NCERT etc. and (iv) to promote national integration.

At present there are as many as 845 KVS situated all over India including two abroad. The employees appointed in KVS are liable for transfer any where in India under

~~XXXXX~~ Article.....

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Article 49(k) of the Education Code, which is a documentary text for governance of KVs and as per terms and conditions of offer of appointment.

It is laid down that para 10(1) of approved transfer guidelines by the Board of Governors, which is an apex policy making body of KVs, inter alia provides that a teachers who had completed 03 years continuous stay in North East Region and hard stations and 05 years elsewhere at places which was not of his/her choice or very hard cases involving human compassion, the vacancies shall be created to accommodate him/her by transferring teachers with longest period of stay at that station provided they have served for not less than 05 years at that station.

2002
1987
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In the instant case Sh. Brahmaadeen, working in KV Katihar for more than 05 years, which was not of his choice. His priority number is 01 in the computerized priority list-2. As such he was eligible to get transfer as per clause 10(i) of transfer guidelines. As he was at priority number 01 in the computerized priority list-II, for Aizwal station and Smt. Ruby Paul, being senior most primary Teacher in the station in terms of stay as per the transfer guidelines, as she had been in the same station for the last 14 years, she had been transferred to KV Katihar to accommodate Sh. Brahmaadeen in his place at Aizwal as per the provisions of the transfer guidelines, stated above.

3. That the Respondent states that with regard to statements made in para 4.1 and 4.2 the Respondent does not forward any comment.

4. That with regard to para 4.3. the Respondent forward the following comments -

The applicant is serving at KV Aizwal for the last 14 years. She has applied for request transfer to Kanchrapara station. Her priority No. is 2 for Kanchrapara in priority list 1 and 2 List - II. The respondents has operated the displacement transfers to Kanchrapara ~~xxxxxx~~ station in list - 2. Her priority list being 2nd she could not be transferred. On the other hand in the same transfer guidelines she was the senior most Primary Teacher in the station. Shri Brahmadeen has applied for request transfer to Aizwal station and her priority number is 1 in list-II hence being the senior most PRT at Aizwal station. Ms. Ruby Paul was displaced in order to accommodate Mr. Brahmadeen as per para 10(1) of the transfer guidelines.

5.. That with regard to para 4.4, 4.5 and 4.6 and 4.7, the Respondents does not admit the same and forward the following comments. -

The

The petitioner has applied for request transfer to Kancharapara station by availing the additional points meant for North Eastern and hard stations. After getting the additional points only her priority number was fixed at number 2 for Kancharapara.

The ailments mentioned by the petitioner like severe Asthmatic and Hyperthyroid it is stated that the said diseases are not covered under transfer guidelines for exemption from displacement or getting top priority in priority list-II for request transfer.

As per para 10(1) of the transfer guidelines stated in preliminary submission it is stated that the respondents effected only one transfer to Kancharapara. It may not be possible for the respondents to effect all transfers who are figuring in PL-II due to administrative and financial constraints.

The respondents had made efforts to modify (34) lady Primary Teachers who are displaced from soft stations to North East, Jammu & Kashmir and Andaman Nicobar Island. In her case she was displaced from North Eastern Region to Katihar.

6. That with regard to para 4.8, 4.9, 4.10 and 4.11 the Respondent does not not admit the correctness and forward the following comments -

The annual,....

The annual transfers are effected on time schedule process once the transfer orders are issued the same has to be effected immediately. Accordingly she was relieved.

As stated in para-para in order to maintain time schedule she was relieved immediately. It may not be possible from the respondents to wait for any case for relieving/joining. There is no mala fide intention in this transfer.

7. That with regard to para 4.12, the Respondent submits as follows :

The request transfers are effected based on station seniority and choice station priority basis. Any junior teacher can be transferred since additional points of ACRs are included at the time of preparation of priority list.

Her application was also considered along with others. Since her priority number is 02. Her request for transfer could not be materialised.

And as such the contention made could not be accepted and the petition is liable to be dismissed.

8. That with regard to paras 4.13, 4.14 the Respondent denies the same and put forward the exact position as follows:

The averments.....

The averment made by the petitioner in this para is denied. Her transfer was effected on public interest since she has been in one station for more than 14 years so she was displaced. Hence there is no mala fide arbitrary or unjust.

Once the transfer is displaced from one station it may not be possible for the Respondent to post her in same station as per the existing transfer guidelines again she is likely to be displaced.

9. That with regard to para 4.15 the Respondent respectfully submits as follows -

The averment made by the petitioner in this para is her personal problems. The personal problems expressed by her has little importance over public interest. However, she can apply for request transfer to her choice stations the same will be considered along with other applications.

10. That with regard to grounds presented by the applicant supporting the application and her grievances the Respondent respectfully submits that in view of the comments forwarded in the foregoing paras describing the position, situation and consideration of the matter these grounds are no good grounds to support the relief she claimed as in para 8 and since the transfer was effected based on approved transfer guidelines the Respondent prays to dismiss the Original Application.

verification.....

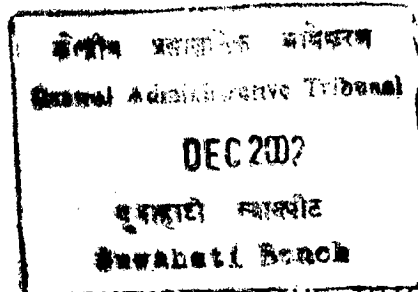
VERIFICATION

I, Sri S.S. Sehrawat, Assistant Commissioner,
Regional Office, Maligaon, Chariali, Guwahati-12, do hereby
solemnly affirm & verify that conversant with the facts
and circumstances of the case, I am competent to verify
this case and the statements made in paragraphs 1, 2, 3
are true to my knowledge and belief and those made in
paragraphs 4, 5, 6 & 8 are true to my information derived
from records and the rests are my humble submission before
this Hon'ble Tribunal. .

And I sign on this verification on this 27/6
day of September 2002, at Guwahati.

Sunder Singh Sehrawat
Signature.

Asstt. Commissioner
Kendra Vidyalyaya Sangathan
Regional office, Guwahati



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

In the matter of :

O.A. No. 200 of 2002

Smti. Rubi Paul

-vs-

Union of India & Ors.

-And-

In the matter of

Additional Rejoinder submitted by the
applicant in reply to the written
statement submitted by the Respondents.

The applicant above named most humbly and respectfully begs
to state as under :

1. That your applicant approached this Hon'ble Tribunal
through Original Application No. 200 of 2002
challenging the impugned order of transfer and posting
dated 02.03.2002 which is passed in total violation
of professed norms and transfer guidelines and also in
violation of the preference/priority derived by the
applicant for serving in the hard station of N.E.
Region. The said Original Application is now pending
for hearing before this Hon'ble Tribunal and the
matter was in fact partly heard on the last occasion.

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*Filed by the applicant
through Sri G. N. Chakraborty
Advocate on 16-12-2002*

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In the course of hearing the learned counsel for the respondents submitted that at the relevant time there was no vacancy at the choice station preferred by the present applicant. Although she was placed in the 2nd position of the priority list.

It is further submitted by the learned counsel for the respondents that at present applicant cannot be accommodated at Kendriya Vidyalaya, Aizawl due to non availability of vacancy. However, the Hon'ble Tribunal desired that attempt should be made by the respondent - Union of India to accommodate the applicant in her earlier place of post, i.e. at Kendriya Vidyalaya, Aizawl till consideration of her posting at her choice of station and the matter is now fixed for further hearing on 18.12.2002 before this Hon'ble Tribunal.

2. That it is stated that so far availability of vacancy at Kendriya Vidyalaya, Aizawl ^{is} ~~are~~ concerned, it is categorically submitted that at present out of four vacant posts in the primary level ~~at~~ ^{at} Kendriya Vidyalaya, Aizawl three posts were filled up temporarily on contract basis and out of three contract teachers one Smt. Anupama Devi left the job in the month of October, 2002. Therefore, it is categorically submitted that at present two vacant posts of primary teachers are available at Kendriya Vidyalaya, Aizawl, therefore there is no difficulty

on the part of the present respondents to accommodate the present applicant in Kendriya Vidyalaya Aizawl in any of the existing vacant post. It is further submitted that if the records pertaining to staff strength is called for by the Hon'ble Tribunal, then it would be evident that at least two posts of primary teachers are lying vacant at Kendriya Vidyalaya, Aizawl.

3. That it is stated that the present applicant is suffering from severe ailment such as asthmatic problem along with hypo-thyroid and now she is under constant medical treatment.

A copy of the Medical certificate is annexed herewith and marked as **Annexure-A series**.

As such it would be difficult on the part of the applicant to join at KV, Katihar. Be it stated that husband of the applicant is serving at a very remote place in Mizoram, under the Government of Mizoram and as such there is not one to look after the applicant at Katihar. Therefore if the impugned posting order is implemented it may cause serious security hazard to the applicant.

It is pertinent to mention here that the contract teachers whose names were mentioned in para 4.14 were terminated during the session 2002-2003 and three fresh candidates were appointed on contract basis for

the session 2002-2003, namely, Smt. L. Tkowchang, Asha Chetri and Anupama Devi. Out of the four ^{vacant} ~~vaant~~ posts three teachers were recruited on contract basis and now Smt. Anupama Devi left the job due to personal reason. As such two posts are lying vacant.

In the facts and circumstances stated above the Hon'ble Tribunal be pleased to direct the respondents to allow the applicant to continue in the present post of posting by accommodating her at any one of the vacant post of PRT at K.V. Aizawl.

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VERIFICATION

I, Smti Rubi Paul, W/o Sri Sudhangshu Ranjan Paul, aged about 43 years, resident of Directorate of Agriculture, Agricultural Complex, P.O. Aizawl, Mizoram, do hereby verify that the statements made in Paragraph 1 to 4 of this rejoinder true to my knowledge and I have not suppressed any material fact.

And I sign this verification on this the ¹⁶¹⁵26th day of December, 2002. /

Rubi Paul.

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Annexure-A (series)

REGISTERED. RL B547
dt 07/12/02
AIZAWL
T. 10.12.11R, 2002.

To,
The Principal,
Kendriya Vidyalaya, Aizawl.
Project Puruluck, Zeholavh,
C/O C.O. APC.

Sub.: Submission of Medical leave (FO) application,---
extension thereof.

Sir,
I beg to submit herewith my Medical leave application
along with a Medical Certificate in Original. The leave is
applied for a period of 16 days from 06.12.02 to 21.12.02.
For favour of your approval and grant, please.

Yours Faithfully,

Rubi Paul

(Mrs. Rubi Paul), On leave.
PRT, KV, Aizawl.
C/O S.R. PAUL,
Directorate of Agriculture,
P.O.: AIZAWL, MIZORAM,
pin : 796001.

Encl.: 1) Medical Certificate
in Original.
2) Leave application
in proper form.

.....
Attested
Advocate

Dr. P. K. Kundu

B. Sc., B. M. S. (Agra)

Asst. Research Officer,

Regd. No. H-18357

Under C. C. R. H. (Ministry of Health &
Family Welfare, Govt. of India.)

Phone 227963

C.R.U. for Homoeopathy,

Venghlui, Republic Road,

AIZAWL (Mizoram) 796001

Date 6.12.2002

MEDICAL - CERTIFICATE

Sign of Govt. Servant

Rubi Paul

I Dr. P.K. KUNDU, after carefully personal examination of the case hereby certify that Smt. Rubi Paul, whose signature is given above is suffering from Status Asthmaticus with Hypothyroidism. She is under treatment. As her disease is relapsed from time to time, she is advised to continue her treatment and I consider a period of rest for further 15 days i.e. 6.12.2002 to 21.12.2002, which is absolutely necessary for restoration of her health.

Date : 6.12.2002

Place : Aizawl


(Dr. P.K. KUNDU)

Authorized Medical Attendant
Medical Officer (Honorary)
Civil Hospital, Aizawl

*Missed
for
Aizawl*

SRIHITA VILVALAYA, PROJECT PUSHPAK, AIZAWL.
(APPLICATION FOR LEAVE)

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RUBI PAUL
P.R.T. K.V. Aizawl

NO
Rs. 5750/-
As admissible
E.O. on Medical ground
16 days from 06.12.02 to 21.12.02
prefix

Suffix
Medical ground

01. Name
02. Post held
03. If working in a section, state the name of the section
04. If a deputationist, state the name of parent office.
05. Basic pay drawn in the present post
06. House rent, Dearness, city compensatory & other allowances.
07. Nature and period of leave applied for and date from which are required
08. Sunday and Holidays, if any proposed to be prefixed to leave
09. Ground on which leave is applied for.
10. Date of return from last leave, and the nature and period of that leave.
11. I propose/do not propose to avail myself of leave travel concession for the block year during the ensuing leave:
12. I undertake to refund:
 - (a) The difference between the leave salary drawn during leave on average pay/half pay leave which would not have been admissible had not provision to P.R. 81(5)(ii)/Rule 30(1)(a) of the CCS (Leave) Rules, 1972 not been applied at the end of my retirement from service at the end or during the currency of the leave.
 - (b) The leave salary drawn during leave not due which would not have been admissible, had P.R. 81(a)/Rule 31(2)(d) of the CCS (Leave) Rules 1972 not applied, in the event of my voluntary retirement from service at the end or during the currency of the leave.

Leave Address: c/o S.R. Paul

Secretary of Agriculture

P.O. Aizawl, Mizoram

Pin - 796001

Remarks and/or recommendations of the controlling officer:

Signature of the applicant
(with date)

Signature with date

Attest
Advocate

CERTIFICATE REGARDING ADMISSIBILITY OF LEAVE
(By Accountant General concerned in case of deputations)

14. Certified that _____
(Nature of leave)
For _____ from _____ to _____
is admissible under rule _____ of the _____
_____ Rules

Signature with date _____
Designation _____

If the applicant is drawing any compensatory allowances the sanctioning authority should state whether on the expiry of leave he is likely to return to the same post or to another post carrying a similar allowance.

ORDER

- 01. Sanctioned _____ leave for _____ days
W.o.f. _____ to _____
- 02. Prefixing/Suffixing of _____
to _____ W.o.f. _____
- 03. Rejected for the reasons _____
- 04. _____ to all concerned _____
- 05. Dated _____

Principal.