

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No. 295/2002

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SECTION OFFICER (Judl.)

29/11/07

(SEE RULE -4)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI
....

ORDER SHEET

Original Application No : 295 / 12002
Misc. Petition No. _____
Contempt Petition No. _____
Review Application No. _____

Applicant (s) N.M.R. Nain

-Vs-

Respondent (s) DOI & ORS

Advocate for the Applicant (s) Mr. H. Chanda, H. Datta &

Advocate for the Respondent(s) A. B. Chakraborty, Case

Notes of the Registry

Date

Order of the Tribunal

10.9.02

The applicant is working as a Divisional Accountant in the Office of the Executive Engineer Tawang, PHE Division Arunachal Pradesh. He has sought for absorption. It is stated that he has worked for seven years as a Divisional Accountant under the respondents and he has not been permanently absorbed. By impugned order dated 25.2.2002 the applicant alongwith 4 others were repatriated to the parent department. Till date state of Arunachal Pradesh does not have any accounts cadre to take care of the account setup. For

79576819
8/9/2002

Steps not yet
Submitted by the
applicant.

NS
9/9/02

contd/-

2
contd

that
10.9.02 / purpose it put requisition to the
respondent No.2, The Accountant General
(A&E) Arunachal Pradesh for selecting and
appointing the staff of Accounts cadre,
namely DA/DAO serving under various
departments of the state. The respondent
No.2 selected such persons under the
Division. It is also stated that the
salary and allowances of the selected
persons are paid from the State Exchequer
but such appointments are made on deputation
basis. It is also stated that the state of
Arunachal Pradesh took decision to take
over the cadre of Divisional Accountant
under its disposal and decided that persons
who were borne on regular basis in the cadre
of Divisional Accountant in the state of
Arunachal Pradesh and opted to come over on
status quo basis subject to acceptance of
the state government.

Mr. M.Chanda, learned counsel for the
applicant stated that the state government
took a conscious decision to take over control
of accounts set up from the respondent No.2
but the process would taken some time for
completion.

Heard Mr. M.Chanda, learned counsel
for the applicant and also Mr. A.K. Choudhury,
learned Addl. C.G.S.C. for the Respondents
and also perused the communication dated
11.3.2002 sent by the Commissioner (Finance)
Govt. of Arunachal Pradesh addressed to the
Accountant General (A&E) Meghalaya, Arunachal
Pradesh stating the decision of the state
Government wherein Government has mentioned

Contd/-

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

10.9.02

about the formulation of the Scheme which was to be submitted by the respondent No.2 for approval of the appropriate authority. By the said communication the state respondent requested the respondent No.2 not to make any fresh appointment against the works divisions of the state of Arunachal Pradesh. It is also stated that fresh appointment to the Divisional Accounts will be made through Arunachal Pradesh Public Service Commission. By the said communication the respondent No.2 was requested that Divisional Accountant appointed by the respondent No.2 on deputation from the state service of Arunachal Pradesh were allowed to continue as Emergency Divisional Accountants for the time being as a working arrangement.

From the facts set out, the state Govt. is fully seized with the matter. It is the state Govt. and the respondent No.2 to ~~make~~ take necessary steps in this regard. In view of the fact set out above, despite passing any order it would not preclude the respondent authority from absorbing the applicant

Contd/-

Notes of the Registry

Date

Order of the Tribunal

contd/-

10.9.02

as per policy decision, even after the persons are repatriated. I have already mentioned the communication sent by the Commissioner (Finance) Arunachal Pradesh dated 11.3.2002 requesting the authority to allow such persons to continue and it is for the respondent authority to act as such. Therefore, I am not inclined to intervene in this matter.

Subject to the observation made above the application is disposed of. No order as to costs.

Vice-Chairman

mb

Order dt 10/9/02
Communicated to the
applicant and the
Kash's Court?

23/8

9

6

*Filed by the applicant
through Sri G. N.
Chakravarty Advocate
on 9-9-02. See*

**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 295/2002

Sri Nikhil Ranjan Nath : Applicant

- Versus -

Union of India & Others : Respondents.

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Date: 09.09.2002

Filed by:

G. N. Chakravarty
Advocate

Nikhil Ranjan Nath

7

-/-

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

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

O. A. No. ____ / 2002

BETWEEN

Sri Nikhil Ranjan Nath
Son of Late Digendra Chandra Nath
Working as Divisional Accountant
in the Office of the Executive Engineer,
Public Health Engineering Department,
Tawang, Government of Arunachal Pradesh,
District - Tawang, Arunachal Pradesh.

■Applicant

-And-

1. The Union of India,
Through the Comptroller &
Auditor General of India,
10 Bahadur Shah Zafar Marg,
New Delhi-110003.
2. The Accountant General (A&E),
Arunachal Pradesh, Meghalaya, Assam etc.,
Shillong-793001.
3. The State of Arunachal Pradesh.
Represented by the Secretary to the
Government of Arunachal Pradesh.

Nikhil Ranjan Nath.

Public Health Engineering Department,
Itanagar.

4. The Director of Accounts & Treasuries,
Government of Arunachal Pradesh,
Naharlagun.

5. The Executive Engineer,
Public Health Engineering Department,
Tawang, District Tawang,
Arunachal Pradesh.

6. The Commissioner (Finance),
Government of Arunachal Pradesh,
Itanagar.

.... Respondents

DETAILS OF THE APPLICATION

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

(a) Order No. DA Cell/2-46/92-93/2000-01/Vol.II/1216 dated 25.02.2002 issued by the respondent no.2 repatriating the applicant to his parent department and (b) the illegal and arbitrary action of the Respondent No. 5 seeking to repatriate/release the applicant to his parent department in total violation of instructions contained in the letter bearing No. DA/TRY/15/99 dated 12.1.2000 as well as the letter under Memo No. DA/TRY/15/99 dated 11.3.2002 issued by the Government of Arunachal Pradesh without considering his case for permanent absorption in the cadre of Divisional Accountant now taken over by the Government of Arunachal Pradesh from Accountant General (A&E) Arunachal, Meghalaya, etc. Shillong.

Nikhil Ranjan Nath

2. Jurisdiction of the Tribunal

The applicant declares that the subject matter of his 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 as 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 he is entitled to all the rights and privileges as guaranteed under the Constitution of India and other legal rights accrued there under.

4.2 That the Applicant is working as Divisional Accountant in the organization and under the administrative control of Director of Accounts & Treasuries, Government of Arunachal Pradesh and seeking his permanent absorption. Though he has worked for nearly seven years as Divisional Accountant under the respondents, he is not being permanently absorbed in the aforesaid capacity. Now, effort is on to repatriate him to his parent department under the Executive

Nikhil Ranjan Nath.

Engineer, Public Works Department, Daporijo Division,
Government of Arunachal Pradesh.

4.3 That what makes the likely repatriation of the Applicant disturbing is the fact that though he is being repatriated to his parent department, his place is likely to be taken by another person on deputation only. Hence, it is the case where he is being replaced by another person on deputation. Instead of permanently absorbing his service to the post presently being held by him, wherein he has worked for more than three years, the Respondents are now only bringing a person on deputation to work in his place. It is also noteworthy that he is competent to be permanently absorbed in the deputation post of Divisional Accountant. Moreover, though he has worked on deputation but his appointment was pursuant to a selection against a permanent post in a substantive capacity.

4.4 That the applicant states that the State of Arunachal Pradesh (for short, the State) do not have any accounts cadre of its own to man the accounts set up under its various departments and as such it puts requisition to the respondent no. 2 for selecting and appointing the staff of Accounts Cadre, namely DA/DAO etc. from amongst the existing staff serving under various departments of the State. It is pertinent to mention here that the respondent no. 2 selects candidates on

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behalf of the State and on their selection the said candidates are posted against the various posts of accounts cadre under the State. The salary and allowances of those candidates are also paid from the State Exchequer but such appointments of the candidates are made on deputation basis. It would be relevant from the aforesaid facts that though the candidates are from the State and on their selection against the post of Accounts cadre are posted again to the State, they are under the administrative control of respondent no. 2 since, their selection against the posts are on deputation basis. Therefore, the candidates like the applicant are basically employees of the State and are serving against the posts under the State cadre being under the administrative control of the respondent no. 2.

4.5 That the Applicant was initially appointed as a Lower Division Clerk (for short LDC) in the year 1976 and was posted in the Public Works Department, Ziro, Arunachal Pradesh. Ever since his entry to service, he has been discharging duties to the satisfaction of all concerned and subsequently he was promoted to the post of Upper Division Clerk in the year 1992.

4.6 That during the year 1995, the applicant was initially selected for the first time as a Divisional Accountant under respondent no.2 and was posted in the Mechanical Division under the Executive Engineer, Public Works

Mukhi Ranjan Nath.

Department, Agartala, Tripura. However, he was subsequently repatriated vide order dated 02.02.1999 after serving for a period of three years.

- 4.7 That in the mean time, the respondent no.2 vide Circular bearing No. DA CELL/2-49/97-98/Vol. II/245 dated 20.1.1998 invited application from the candidates who were willing to serve as Divisional Accountants in Public Health Engineering Department for a period of one year on deputation basis. The applicant had applied for the said post and thereafter was selected for the second term to the said post on deputation basis. Consequent to his selection to the post of Divisional Accountant, he was appointed as Divisional Accountant on 07.06.1999 under the respondent no. 5 and since then he has been working in the office of the respondent no. 5. Thus, although he is working under the administrative control of AG (A&E), Meghalaya, but practically, he has been working in the office of the respondent no. 5 under the State of Arunachal Pradesh.

A copy of the appointment letter dated 07.06.1999 is annexed as Annexure-1.

- 4.8 That though the aforesaid appointment of the Applicant was on deputation for a period of one year, the same was subsequently extended from time to time and he is still continuing in the said post. It is stated that pursuant to his long continuation in the borrowing department, it has been his legitimate expectation that

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he would be absorbed in the establishment of AG (A&E) for Arunachal Pradesh in due course. However, before consideration of such absorption, he is being repatriated to his parent department. It will be pertinent to mention here that the Applicant who was an UDC in his parent department, came on deputation to a promotional post carrying higher scale of pay (Rs. 5000-8000/- with effect from 07.06.1999) to the office of the AG (A&E), Shillong. Such expectation was also in view of the fact that his service as a Divisional Accountant has been well recognized by the authorities.

4.9 That as already stated above, the applicant is being repatriated to his parent department without considering his case for permanent absorption by issuance of the order of repatriation-dated 25.02.2002. However, he has not been released from duty as yet. The applicant has also gathered the information that another person on deputation is replacing him and it is not a case of his replacement by any regular incumbent of the office of the A.G. (A&E), Meghalaya.

A copy of the above order-dated 25.02.2002 is annexed herewith as Annexure - 2.

4.10 That on the other hand, the bifurcation towards creation of a new cadre of AG(A&E) for Arunachal Pradesh is on the offing and the necessary infrastructure facilities including the office building etc. are also being arranged. Thus if in the meantime,

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the Applicant is repatriated to his parent department without considering his representation for regular absorption, the same will seriously tell upon his service career. It may be further stated herein that recently the State has taken the decision to take over the administrative control of the accounts cadre from the respondent no.2 and to absorb/regularise the services of the existing incumbents and necessary arrangement in this regard including a decision by the State Cabinet has also been taken but the entire process will require some more time for completion. However, in such an event, the applicant will be absorbed/regularised in his existing capacity.

- 4.11 That it will be pertinent to mention here that on an earlier occasion, other similarly situated colleagues of the Petitioner - being aggrieved by similar orders of repatriation - assailed the same before this Hon'ble Tribunal and this Hon'ble Tribunal was pleased to protect their interest by issuing appropriate interim order. Now, those petitioners are continuing in the post of Divisional accountant under the Administrative Control of A.G.(A&E), Meghalaya at Arunachal Pradesh. However, those applications were finally disposed by the this Hon'ble Tribunal on 22.6.2001 holding that the period of deputation of the petitioners in those applications stood extended by virtue of issuance of the order dated 15.11.1999, issued by the respondent no. 4. The Tribunal accepted the contention of the petitioners in those cases and disposed of those matters granting the benefit of extension in terms of the order dated 15.11.1999 issued by the Government of Arunachal Pradesh. The

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Petitioner in the present case is similarly situated like those Petitioners in those Original Applications and as such is entitled to similar protection.

Copy of one of the abovementioned order of this Tribunal on 22.6.2001 is annexed herewith as **Annexure - 3.**

4.12 That the Applicant is aggrieved because instead of considering his permanent absorption as Divisional Accountant under the State of Aunachal Pradesh consequent to the decision taken by the State to take over the Accounts Cadre from the Administrative control of the respondent no.2, he is being repatriated and replaced by another person on deputation. The Applicant has worked as Divisional Accountant for more that three years. His appointment as Divisional Accountant was against a permanent post and there is no reason as to why he cannot be considered for absorption in the said capacity. more particularly, when he has already exercised his option for absorption and the State has already initiated an action to take over the administrative control of his post. In this connection, it is noteworthy that his appointment as Divisional Accountant was made after carrying out selection in accordance with law. Since the Applicant duly qualified and was selected for such appointment, he was accordingly sent on deputation as Divisional Accountant.

4.13 That it is stated that the Govt. of Arunachal Pradesh, vide their letter bearing No. DA/Try/15/99/9629 dated

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15.11.99 requested, the Accountant General (A&E), Arunachal Pradesh, Meghalaya, etc. to extend period of deputation for a further period of two years, from the date of expiry of the tenure of the incumbents in the interest of Rural service and it is further stated in the said letter dated 15.11.99 that this arrangement was proposed, till view of the State Government in final shape could be put forward. Consequent to that the tenure of the incumbents including the present applicant was extended and therefore he is still continuing in the said capacity of Divisional Accountant.

4.14 That as a matter of fact, on 12.1.2000 and 11.3.2002 the respondent nos. 4 and 6 respectively issued letters requesting the respondent no. 2 to the effect that the existing divisional accounts might be allowed to continue as emergency divisional accountants for the time being as a working arrangement in as much as the State Cabinet of Arunachal Pradesh had taken a decision for taking over the administrative control of the cadres of Sr. DAO/DAO/DA of Works Divisions belonging to P.W.D./PHED/IFCD/RWD and Power Department of Arunachal Pradesh.

4.15 That in the light of the above decision and also in view of the subsequent decision of the Govt. of Arunachal Pradesh to take over the cadre of Divisional Accountant as communicated vide letter dated 12.1.2000,

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the present applicant is at least entitled to an interim order for continuing in the present place of posting till the administrative control is taken over by the State and his case for permanent absorption as Divisional Accountant under the Govt. of Arunachal Pradesh is considered.

4.16 That it is stated that the process of taking over the cadre of Divisional Accounts Officer/Divisional Accountant is in progress. The Hon'ble Court may, therefore, be pleased to issue a direction upon the Respondents to consider the case of the Applicant for permanent absorption in the post of Divisional Accountant under the control of Director of Accounts & Treasuries, Government of Arunachal Pradesh.

4.17 That as stated above, the Director of Accounts & Treasuries, Govt. of Arunachal Pradesh have decided to take over the aforesaid cadre of Divisional Accountant under their direct control with immediate effect and have further decided that persons who were borne on regular basis in the cadre of Divisional Accounts Officer/Divisional Accountants in the State of Arunachal Pradesh and opted to come over to Arunachal Pradesh State Cadre, will be taken over on status quo subject to acceptance of the State Government. It has also been decided that hence forth no fresh Divisional accountant on deputation would be entertained. Cases of those who are presently on deputation and serving in the State would be examined at that end for their

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future continuation even after completion of existing term of deputation. The Director of Accounts and Treasuries had further requested to take necessary action so that the process of the transfer of due cadre along with the willing personnel could be completed immediately.

4.18 That the aforesaid decision of the Director of Accounts and Treasuries (A&E), Govt. of Arunachal Pradesh would be evident from the letter bearing No. DA/Tres/15/99 dated 12.1.2000 as well as the letter issued under Memo No. DA/TRY/15/99 dated 11.3.2002 addressed to the Accountant General (A&E) Arunachal Pradesh, Meghalaya, Shillong. It is therefore quite clear that under the changed circumstances, the applicant who is an employee of the Govt. of Arunachal Pradesh, Meghalaya, is now required to be considered for absorption by the Govt. of Arunachal Pradesh instead of Accountant General, (A&E), Arunachal Pradesh, Meghalaya, Shillong.

Copy of the letters dated 15.11.99; 12.1.2000 and 11.3.2002 are annexed as Annexure-4, 5 and 6 respectively.

4.19 That the applicant states that he has further come to know that the State Cabinet of the Government of Arunachal Pradesh has formally approved the above decision in the month of December, 2001 to take over the control of the entire Accounts set up from the Accountant General (A&E), Meghalaya etc. In view of the above decision of the State Cabinet, the Accountant

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General (A&E), Meghalaya etc. is required to hand over the entire Accounts set up to the Director of Accounts and Treasuries, Government of Arunachal Pradesh. But this process may require some more time for completion. It is stated that the said news was also published in the **Arunachal Times** dated 2.12.2001 Therefore, if the applicant is repatriated to his parent department before completion of the above exercise, it would cause irreparable loss and injury in his service career. The Hon'ble Court may, therefore, be pleased to protect the interests of the applicant by an appropriate order.

A photocopy of the said news published in the **Arunachal Times** dated 2.12.2001 is annexed herewith and marked as **Annexure-7**.

4.20 That it is relevant to mention here that Government of Arunachal Pradesh has already taken a decision to allow the applicant to continue in service and his absorption is also under consideration provided the impugned order of repatriation dated 25.02.2002 is stayed. However, the process of transfer of Accounts set up from the Administrative control of Accountant General (A&E) Meghalaya, Arunachal Pradesh etc. to the Director of Accounts & Treasuries, Govt. of Arunachal Pradesh is under progress. As such the rights and interests of the applicant are required to be protected till the aforesaid process of transfer of Accounts set up is completed.

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4.21 That the applicant submits that although the respondent no.2 has apparently no control over him in view of the changed circumstances, it has issued the impugned order directing his release from his present posting under the respondent no. 5. But the respondent no. 5, in view of the recent letter of the Government of Arunachal Pradesh dated 11.3.2002 as mentioned above, has not yet released the applicant. However, the applicant has a reasonable apprehension that he may, at any time, be released by the respondent no. 5 acting under the pressure of the respondent no.2. Therefore in these compelling circumstances, the applicant finding no other alternative is approaching this Hon'ble Court for redress of his grievances more particularly with the prayer for a direction for consideration of his absorption in the cadre of Divisional Accountant under the Govt. of Arunachal Pradesh.

4.22 That the applicant submits that he has come to know from a reliable source that the instant order of repatriation has been issued on extraneous consideration. From the attending facts and circumstances of the case narrated above, it is quite clear that now; consequent to the above decision of the Govt. of Arunachal Pradesh, the respondent no. 2 has no control over the matter and in this circumstance the impugned order is arbitrary, mala fide and without jurisdiction. The impugned order dated 25.02.2002 is, therefore, liable to be set aside.

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4.23 That in this application, the Applicant has made out a prima facie case of arbitrariness on the part of the Respondents. The applicant has a strong case for being permanently absorbed as Divisional Accountant either in his present capacity as Divisional Accountant in the office of the respondent no. 5 or in any of the offices under the Government of Arunachal Pradesh. An interim direction by this Hon'ble Court that the may not be disturbed from his present post of Divisional Accountant in the office of the respondent no. 5 pending disposal of this application, would not adversely affect the interest of the Respondents and they would not be prejudiced in any way, whereas on the other hand, if such an interim direction is not given, the writ application itself would be rendered in fruituous. Hence the balance of convenience is in favour of the Applicant towards passing of such an interim order.

4.24 That the Applicant has no other appropriate alternative remedy but to file this application and the relief(s) sought for in this application, if granted, would be just, adequate and complete.

4.25 That the Applicant had demanded justice but the same was denied to him. Hence, this Application is filed bona fide and for securing the ends of justice.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS :

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- 5.1 For that the action of the respondent authority in denying consideration of the case of the applicant as per the request made by the Govt. of Arunachal Pradesh to extend the period of deputation for a further period till the process of taking over the administrative control of the cadre of the Divisional Accountant by the State of Arunachal Pradesh is completed in pursuance of O.M. dated 15.11.99, 12.1.2000 and 11.3.2002 respectively is illegal, arbitrary and highly discriminatory.
- 5.2 For that the applicant, if repatriated to his parent department at this juncture, will have to join as Upper Division clerk only and in such a contingency he would draw a lesser pay scale than that of a Divisional Accountant which will amount to reduction in rank and is not permissible under the law in as much as the same will amount to infringement of the provisions contained in Article 14, 16 and 21 of the Constitution of India and as such the impugned order of repatriation is bad in law and liable to be set aside and quashed.
- 5.3 For that the applicant is sought to be replaced by another deputationist in the rank of Divisional accountant without considering his case for permanent absorption and as such the action of the authorities is bad in law and liable to be set aside.
- 5.4 For that the impugned order dated 25.02.2002 issued by the Respondent No.2 directing repatriation of the

applicant to his parent department with immediate effect will create serious Civil consequences and as such the action of the authorities is bad in law and liable to be set aside.

- 5.5 For that the applicant will have to join as Upper Division Clerk on repatriation to his parent department whose pay scale is much lower than that of the Divisional Accountant and as such it will create serious anomalies in the pay scale to be given to the applicant on repatriation and that was why the State Govt. of Arunachal Pradesh took up the matter with the Respondent No.2 requesting him to allow the serving deputationists for further period till necessary arrangements are made by the State Govt. to take over the administrative control of the cadre of the Divisional Accountant serving in the State of Arunachal Pradesh. The respondent No.2 while issuing the impugned order, never took into consideration these factors and the impugned order was passed arbitrarily, without application of mind and on irrelevant consideration and as such the order is liable to be set aside and quashed.

- 5.6 For that in view of the decision now taken by the Govt. of Arunachal Pradesh to take over the cadre of the Divisional Accounts Officer/Divisional Accountants, the applicant is entitled to continue in the post of Divisional accountant till the process is completed and

as such the impugned order is bad in law and is liable to be set aside.

5.7 For that in any view of the matter the impugned order is bad in law and is liable to set aside.

5.8 For that the similar matter has already been decided by this Hon'ble Tribunal in a series of case vide order dated 22.6.2001, as such the applicant is entitled to similar benefit.

6. Details of remedies exhausted :

That the applicant states that he has no other alternative or other efficacious remedy available before him than to file this application.

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

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. Reliefs sought for :

- 8.1 That the Hon'ble Tribunal be pleased to set aside the impugned order of repatriation issued under letter No. DA CELL/2-46/92-93/2000-01/Vol.II/1216 dated 25.02.2002 (Annexure- 2).
- 8.2 That the Hon'ble Tribunal be pleased to direct the respondents to consider absorption of the applicant to the post of Divisional Accountant in the office of the Executive Engineer, Tawang, P.H.E. Division, Arunachal Pradesh, or under any of the offices of the Govt. of Arunachal Pradesh in terms of the decision taken by the Government of Arunachal Pradesh as communicated through the letters dated 15.11.1999, 12.1.2000 and 11.3.2002.
- 8.3 To pass any other order or orders as deem fit and proper by the Hon'ble Tribunal.
- 8.4 Cost of the case.

9. Interim Prayer:

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

- 9.1 That the Hon'ble Tribunal be pleased to stay the operation of the impugned order of repatriation issued under letter No. DA CELL/2-46/92-93/2000-

01/Vol.II/1373 dated 21.03.2002 (Annexure- 2) till disposal of this Original Application.

- 9.2 That the respondents be directed to allow the applicant to continue to work on deputation basis to the post of Divisional Accountant till disposal of this application.

The above interim relief are prayed on the grounds explained in paragraph 5 of the Original Application and if the same is not granted the applicant will suffer irreparable loss and injury.

10.

This application is filed through Advocate.

11. Details of Postal Order: -

- i. Postal Order No. : dated
.....
- ii. Issued from and payable at: G.P.O., Guwahati

12. List of enclosures:

As per Index.

VERIFICATION

I, Sri Nikhil Ranjan Nath, Son of Late Digendra Chandra Nath Aged about 47 years, working as Divisional Accountant in the office of the Executive Engineer, Public Health Engineering Department, Tawang Division, Government of Arunachal Pradesh, District - Tawang, , Arunachal Pradesh, 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 9th day of September, 2002.

Nikhil Ranjan Nath.

OFFICE OF THE ACCOUNTANT GENERAL (AGE) MEGHALAYA ETC: SHILLONG.

O. No. DA Cell/44

Dated. 7.6.99

Consequent on his selection for the post of Divisional Accountant (on deputation) basis in the pay scale of 5000-150-60000/- in the combined cadre of Divisional Accountants under the Administrative control of the Office of the Accountant General (AGE), Meghalaya etc., Shillong,

Shri Nikhil Ranjan Nath, IAS at present working in the office of the Executive Engineer, Boudila is posted on deputation as Divisional Accountant in the Office of the Executive Engineer, PHE Dm, Tawang.

2. Shri Nikhil Ranjan Nath should join the aforesaid post of Divisional Accountant on deputation within 30 days from the date of issue of this order, failing which his posting on deputation is liable to be cancelled without any further communication and the post may be offered to some other eligible and selected candidate. No representation for a change of the place of posting will be entertained under any circumstances whatsoever.

3. The period of deputation of Shri Nikhil Ranjan Nath will be for a duration of 1 (one) year only from the date of joining in the office of the Executive Engineer, Tawang PHE Dm, Tawang.

4. The pay and deputation (Duty) allowances in respect of Shri Nikhil Ranjan Nath will be governed by the Government of India, Ministry of Finance, Public Grievances and Pension (Department of Personnel and Training) letter No. 2/12/87-Estt(Pay-II) dtd. 29.4.1988 and as amended and modified from time to time. While on deputation Shri Nikhil Ranjan Nath may elect to draw either the pay in the scale of pay of the deputation post or his basic pay in the parent cadre Plus personal pay, if any, plus deputation (duty) allowance. Shri Nikhil Ranjan Nath on deputation, should exercise

Attested
W. A. Advocate

- 23 -

option in this regard within a period of 1 (one) month from the date of joining the assignment ~~the~~ the aforesaid post of deputation). The option once exercised by Shri Nikhil Rayan Nath shall be treated as final and cannot be altered/changed later under any circumstances whatsoever.

5. The Dearness allowance, CCA, Children Education Allowance, T.A., L.T.C., leave, Pension etc will be governed by the Govt of India, Ministry of Finance OM No.F1(6)E-IV(A)/62 dtd.7-12-1962 (incorporated as annexure to Govt of India decision : in Appendix 31 of Choudhury's C.S.R. Volume IV (13th Edition) and as amended and modified from time to time.)

6. Shri Nikhil Rayan Nath on deputation will be liable to be transferred to any place within the State of Arunachal Pradesh, Manipur and Tripura, in the combined cadre of Divisional Accountants under the Administrative control of the Accountant General (A & E) Meghalaya etc, Shillong.

7. Prior concurrence of this office must be obtained by the Divisional Officer before Shri Nikhil Rayan Nath (on deputation) is entrusted additional charges, appointed or transferred to a post/station other than that cited in this Establishment Order.

Sd/-
Senior Accounts Officer,
I/C D.A. Cell.

Attested
W.D. Advocate

~~21-18~~

Memo No. DA Cell/2-49/94-95/801-808 Dt. 7-6-99

Copy forwarded for information and necessary action to :-

1. ~~The Accountant General (A&E), Manipur, Imphal~~

2. ~~The Accountant General (A&E), Tripura, Agartala~~

1. The Chief Engineer

He is requested to release Shri Nikhil Ranjan Nath

immediately with the direction to report for duty to his place of posting on deputation

under intimation to this office.

REGD: 2. The Executive Engineer

He is requested to release immediately Shri Nikhil Ranjan Nath

with the direction to report for duty to his place of posting on deputation under intimation to this office.

REGD: 3. The Executive Engineer

He is requested to intimate the date of joining of Shri Nikhil Ranjan Nath

REGD: 4

Shri Nikhil Ranjan Nath
% Executive Engineer, Bomdila
Sum, PWD, Bomdila, A.P.

7. F.O. File.

8. S.C. File.

9. P.C. File.

10. File at the deputationist.

11.

attested
Advocate

Imalmei

Senior Accounts Officer,
i/c DA Cell

OFFICE OF THE ACCOUNTANT GENERAL (A&E) MEGHALAYA ETC.: SHILLONG

No. DA Cell/2-46/92-93/2000-01/Vol.II/1216

Dated:- 25 FEB 2002

To,

1. The Executive Engineer, Yingkiong R.W.D. Division Arunachal Pradesh.
2. The Executive Engineer, Khonsa R.W.D. Division Arunachal Pradesh.
3. The Executive Engineer, Daporijo R.W.D. Division Arunachal Pradesh.
4. The Executive Engineer, Tawang, P.H.E. Division Arunachal Pradesh.
5. The Executive Engineer, I.&F.C. Agartala Tripura.

Subj: Repatriation of Divisional Accountant (on deputation).

Sir,

The following Divisional Accountant on deputation mentioned below under the Administrative Control of Accountant General (A&E) Meghalaya etc., Shillong, hereby are transferred back to their respective parent departments. They may be released with immediate effect and on receipt of this order.

On being relieved from their duties, they may be directed to report to their parent department immediately under intimation to this office.

Sl. No	Names	Division	Parent Department
1.	Santanu Ghosh, D.A. on deputation	O/o Executive Engineer, Yingkiong R.W.D. Division Arunachal Pradesh.	O/o the Chief Engineer, R.W.D. Itanagar.
2.	Lushar Kanti Barua, D.A. on deputation	O/o Executive Engineer, Khonsa R.W.D. Division Arunachal Pradesh.	O/o the Chief Engineer, (EZ) Itanagar.
3.	Rakhal Krishna Dey, D.A. on deputation	O/o Executive Engineer, R.W.D. Daporijo, Arunachal Pradesh.	O/o the Chief Engineer R.W.D. Itanagar.
4.	Nikhil Rn Nath, D.A. on deputation	O/o Executive Engineer, Tawang, P.H.E. Division Arunachal Pradesh.	O/o the Chief Engineer, P.H.E. Itanagar.
5.	Pradip K.R. Paul, D.A. on deputation	O/o The Executive Engineer, I.&F.C. Division Agartala Tripura	O/o the Chief Engineer, I.&F.C. Division Itanagar.

This order takes immediate effect.

Authority: A.G.'s order dated 3.1.02 at P/188 in file No. DA Cell/2-46/92-93/2000-01/Vol.II.

Sd/-
Sr. Dy. Accountant General (Admin).

Memo No. DA Cell/2-46/92-93/2000-01/Vol.II/1217-22

Copy forwarded for information and necessary action to:-

1. The Chief Engineer, R.W. Division Itanagar Arunachal Pradesh.
2. The Chief Engineer, P.H.E. Division Itanagar Arunachal Pradesh.
3. The Chief Engineer, I. & F.C. Department, Itanagar Arunachal Pradesh.
4. Person Concerned.
5. S.C. File.
6. E.O. File.

[Signature]
Sr. Accounts Officer, I/c DA Cell

attested
W. S. E.
Advocate

26/1

ANNEXURE-3

ORIGINAL

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application Nos. Form 200(T) No. 200(T) of 2001, 2/3

Date of Order: This is the 22nd Day of June, 2001.

HONBLE MR. JUSTICE R.R.K. THIVERT, VICE CHAIRMAN.

HONBLE MR. K.K. SHARMA, ADMINISTRATIVE MEMBER.

O.A.No.200/2001(T) (In C.R.6037/98)

R. Prathapan . . . Applicant.
By Advocate Mr. B.K. Sharma & Mr. P.K. Tiwari.
- Vs -

State of Arunachal Pradesh & Ors . . . Respondents.
By Mr. B.C. Pathak, Addl. C.G.S.C.

O.A.No.201/2001(T) (In W.P.(c)1117/2000)

Shri Habung Lalin . . . Applicant.
By Advocate Mr. Tagia Michi

- Vs -

Union of India & Ors. . . Respondents.
Mr. B.C. Pathak, Addl. C.G.S.C.

O.A.No.202/2001(T) (In W.P.(c)374/2000)

Sri Keshab Chandra Das . . . Applicant.
By Advocate Mr. Amitava Roy & Mr. S. Dutta

- Vs -

State of Arunachal Pradesh & Ors . . . Respondents.
Mr. A. Deb Roy, Sr. C.G.S.C.

O.A.No.203/2001(T) (In W.P.(c)257/2000)

Sri Gamboli Hugoy . . . Applicant.
By Advocate Mr. M. Chanda & Mr. S. Dutta

- Vs -

The State of Arunachal Pradesh & Ors. Respondents.
Mr. B.C. Pathak, Addl. C.G.S.C.

O.A.204/2001(T) (In W.P.(c)373/2000)

Shri Rathindra Kumar Omb . . . Applicant.
By Advocate Mr. Amitava Roy & Mr. S. Dutta

- Vs -

The State of Arunachal Pradesh & Ors. Respondents.
Mr. A. Deb Roy, Sr. C.G.S.C.

attested
H.K. Deb
Advocate

Contd.. 2

O.A. 205/2001 (T) (In W.P. (c) 376/2000) :
 Shri Utpal Mahanta Applicant.
 By Advocate Mr. A. Roy & Mr. S. Dutta
 - Vs -

The State of Arunachal Pradesh & Ors. Respondents.
 Mr. A. Deb Roy, Sr. C.G.S.C.

O.A. 206/2001 (T) (In W.P. (c) 496/2000) :
 Hago Mubi Tada Applicant.
 By Advocate Mr. A. Roy, Mr. M. Chanda & Mr. S. Dutta
 - Vs -

Union of India & Ors. Respondents.
 Mr. A. Deb Roy, Sr. C.G.S.C.

O.A. 207/2001 (T) (In W.P. (c) 076/2000) :
 Malay Bhushan Dey Applicant.
 By Advocate Mr. D.C. Das & Mr. S. Dutta
 - Vs -

Union of India & Ors. Respondents.
 Mr. A. Deb Roy, Sr. C.G.S.C.

O.A. No. 200/2001 (T) (In W.P. (c) 375/2000) :
 Shri Hago Tamlin Applicant.
 By Advocate Mr. A. Roy, Mr. M. Chanda & Mr. S. Dutta.
 - Vs -

The State of Arunachal Pradesh & Ors. Respondents.
 Mr. A. Deb Roy, Sr. C.G.S.C.

O R D E R

R. N. K. TRIVEDI, J. (V.C.)

We have heard Mr. M. Chanda for the applicants
 and Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents.

2. In all the aforesaid O.A.s the questions of law are
 more or less similar and they can be disposed of by a common

contd.. 3

Attested
 M. A. Roy
 Advocate

[Signature]

order, against which learned counsel for the parties have no objection.

3. The applicants of the present O.A.s are serving in different capacities under the State of Arunachal Pradesh. The applicants are serving on the basis of deputation. They are mainly involved with Divisional Accountant in the organisation, ^{under} Administrative control of Accountant General (A&E), Arunachal Pradesh and Meghalaya. After expiry of the period of deputation, orders have been passed for repatriation to their original department. Agrieved by the order of repatriation the applicants have filed the Writ Petitions in High Court, which have been transferred to this Tribunal.

4. Learned counsel for the applicant has submitted that by order dated 15-11-1999, the Government of Arunachal Pradesh has extended the period of deputation for a period of two years from the date of expiry of their present respective tenure, in the interest of public service. The operative part of the order reads as under:

"The Govt. of Arunachal Pradesh is of the view that recruitment and posting of the DAO/DAS for 30 working Divisions of PWD may not be done at this stage, since final decision of the Govt. is still awaited. The serving Divisional Accountants in the works Deptt. on deputation basis may be allowed extension for a further period of two years from the date of expiry of their present respective tenure in the interest of public service. This will provide succour to the poor financial position of the state prevailing at the present time. This arrangement is proposed till view of the State Govt. in final shape could be put forward to your notice office."

Thus that period of expiry stands extended by order dated 15th Nov'99 from the date of expiry. In the meantime the State of Arunachal Pradesh has taken a decision to absorb the

contd.. 4

attested
W. A. I.
Advocate

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3
deputationist applicants in the State Cadre by order dated 12-1-2001, copy of which has been filed as Annexure-9. The latter is being reproduced below:

"To, :
The Accountant General(A&E)
Arunachal Pradesh, Meghalaya, etc.,
Shillong-793 001.

Subj: Transfer of the Cadre of Divisional Accounts Officer/Divisional Accountants to the State of Arunachal Pradesh - regarding.

Sir,

It was under active consideration of the Government of Arunachal Pradesh for sometime to take over the Cadre of the Divisional Accounts Officers / Divisional Accountants of the Works Department totalling 91 (Ninety one) posts from the existing combined cadre being controlled by you. Now, the Government of Arunachal Pradesh has decided to take over the above said Cadre under the direct control of the Director of Accounts & Treasuries, Govt. of Arunachal Pradesh, with immediate effect.

Persons those who are borne on regular basis in the cadre and opt to come over to Arunachal Pradesh state Cadre, will be taken over on status quo subject to acceptance of the state Government. It is also decided that henceforth no fresh Divisional Accountant(s) on deputation will be entertained. Cases of those who are presently on deputation and serving in this state shall be examined at this end for their future continuation even after completion of the existing term of deputation.

It is, therefore, requested to take necessary action at your level so that the process of the transfer of the Cadre along with the willing personnel can be completed immediately.

Formal notification is under issue and shall be communicated in due course.

Yours faithfully,

(Y. Magu)
Director of Accounts & Treasuries
& Ex-Officio Dy. Secy. (Finance),
Govt. of Arunachal Pradesh,
NATHANAGUHAN

Attested
Walter
Advocate

Contd.. 5

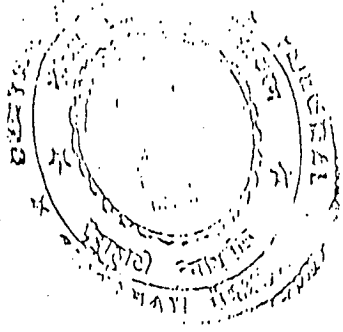
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86

5. As the State Government has extended the period of deputation and further has taken a decision to absorb the applicants in the State Cadre by order dated 12-1-2001, in our opinion, nothing is left to be decided by this Tribunal in these O.A.s. The order of repatriation impugned in these O.A.s stands ~~quashed~~ ^{suspended} by order dated 15-11-1999, filed in Annexure-7.

The applications are accordingly, disposed of. It is made clear that if change in the present situation arises, it is upon to the applicants to approach this Tribunal.

There shall, however, be no order as to costs.



SD/VICE CHAIRMAN
SD/ MEMBER (ADM)

Certified to be true Copy
प्रमाणित प्रतिलिपि

Section Officer (A)
उपनिवेशीय (अ) विभाग
Central Administrative Tribunal
उपनिवेशीय विभाग
गुवाहाटी बेंच, गुवाहाटी
असम प्रदेश, भारत

11/7/2001

attested
Wale
Advocate

ANNEXURE-4

GOVT OF ARUNACHAL PRADESH
DIRECTORATE OF ACCOUNTS & TREASURIES : NAHARLOGUN

(THROUGH FAX/SPEED POST)

No.DA/TRY/15/99/9629

Dated Naharlagun the 15th Nov'99

To,

The Accountant General (A & E),
Meghalaya, Arunachal Pradesh etc.,
Shillong.

Sub :-Recruitment/posting of regular Divisional Accountants.

Ref :- Your letter No. DA/Cell/2-46/92-93/1241 dated 4-10-99 & this office
letter No. DA/29/85/(Part)/6304 dated 8-9-99

Sir,

The issue of recruitment and posting of Divisional Accountants to 38 Rural works divisions of this state which are presently manned by deputationist were under active consideration of the State Government. The Govt of A.P. has observed that prior to this correspondence under reference the State Govt. as well as this Directorate were never consulted while recruiting and posting of DAOs/DAs, though these posts were borned in the establishment of Executive Engineers and paid from the state exchequer. It has also been observed that prior to declaration of the Statehood (20-2-87), the cadres of the DAOs/DAs were enjoying pay scales without anomaly with the comparable status of Accountant/Assistant/Superintendent in the State Govt. working either in the Directorate of Accounts & treasuries as well as in other Directorates or in the District establishment. The Directorate of Accounts and Treasuries now express concern on the pay scales presently enjoying by the cadres of Dais/DAs were enhanced without having approval of the State Govt of A.P. The higher pay scales presently enjoying by the cadre of DAs/DAs

has been posing a problem for granting huge amount in the form of pay and allowances during the proposed training period of 38 Divisional Accountants.

The Govt of Arunachal Pradesh is of the view that recruitment and posting of the DAOs/DAs for 38 working Divisions of PWD may not be done at this stage, since final decision of the Govt is still awaited. The serving Divisional Accountants in the works Deptts on deputation basis may be allowed extension for a further period of two years from the date of expiry of their present respective tenure in the interest of Rural service. This will provide succor to the poor financial position of the state prevailing at the present time. This arrangement is proposed till view of the State Govt in final shape could be put forward to your esteem office.

Yours faithfully,

(C. M. Mongmaw)
Joint Director of Accounts
Directorate of Accounts & Treasuries
Govt. of Arunachal Pradesh

Fax No 0360 244281

Copy to :-

1. The P.S. to the Hon'ble Chief Minister, Arunachal Pradesh, Itanagar for information of the Hon'ble Chief Minister.
2. The P.S. to the Commissioner (Finance), Govt of A.P., Itanagar for information.
3. The P.S. to the Commissioner (Finance), Govt of A.P., Itanagar for information.
4. The Accountant General (Audit) Arunachal, Mehalaya etc, Shillong for favour of information.

*Attested
W. L. S.
Advocate*

5. The Chief Engineer PWE (EZ/WZ)/RWD/PHED/IFCD/Power for information please. They are requested to give continuation to the serving Das who are on deputation, for a further period of 2 years on expiry of their present term of deputation & meanwhile they may please direct the Executive Engineer concerned not to accept joining report of new appointee (DA) without consulting the State Govt/Directorate of Accounts and Treasuries, Naharlogun.
6. The Chief Accounts Officer PWD (EZ/WZ)/RWD/PHED/IFCD/Power for information.
7. Office copy

(C. M. Mongmaw)
Joint Director of Accounts
Directorate of Accounts & Treasuries
Govt. of Arunachal Pradesh

*Attested
W. S. E.
Advocate*

ANNEXURE-5

GOVERNMENT OF ARUNACHAL PRADESH

Director of Accounts & Treasuries

Naharlagun-791110

No.DA/TRY/15/99

Dated, the 12th January, 2000

To,

**The Accountant General (A&E),
Arunachal Pradesh, Meghalaya, etc.,
Shillong-793 001.**

**Sub : Transfer of the Cadre of Divisional Accounts Officer/Divisional
Accountants to the State of Arunachal Pradesh – regarding.**

Sir,

It was under active consideration of the Government of Arunachal Pradesh for sometime to take over the Cadre of the Divisional Accounts Officers/Divisional Accountants of the Works Department totaling 91 (ninety one) posts from the existing combined cadre being controlled by you. Now, the Government of Arunachal Pradesh has decided to take over the above said Cadre under the direct control of the Director of accounts & Treasuries, Govt. of Arunachal Pradesh, with immediate effect.

Persons those who are borne on regular basis in the cadre and opt to come over to Arunachal Pradesh state Cadre, will be taken over on status quo subject to acceptance of the State Government. It is also decided that henceforth no fresh Divisional Accountant(s) on deputation will be entertained. Cases of those who are presently on deputation and serving in this state shall be examined at this end for their future continuation even after completion of the existing term of deputation.

It is, therefore, requested to take necessary action at your level so that the process of the transfer of the Cadre along with the willing personnel can be completed immediately.

Formal notification is under issue and shall be communicated in due course.

Yours faithfully,

Sd/-

(Y. Megu)

Director of Accounts & Treasuries
& Ex-Officio Dy. Secy(Finance)
Govt. of Arunachal Pradesh
NAHARLAGUN

Attested
WdE
Advocate

-36-
GOVT OF ARUNACHAL PRADESH
DIRECTORATE OF ACCOUNTS & TREASURIES
NAHARLAGUN

NO. DA/TRY/15/99

Dated Naharlagun the 11th March '02

To,

The Accountant General (A&E)
Meghalaya, Arunachal Pradesh etc.,
Shillong.

Subj:- Continuation of service in respect of the Divisional Accountant on deputation.

Sir,

I would like to inform you that the state cabinet of Arunachal Pradesh has already taken a decision for taking over of the administrative control of the cadres of Sr.DAO/DAO/DA of works divisions belonging to PWD/PHED/IFCD/RWD and Power department of Arunachal Pradesh. In order to ensure smooth transition of the controlling authority of the said cadres a scheme has already been formulated which is being submitted to you shortly for obtaining approval of the appropriate authority for issuance of a formal 'Notification'.

Meanwhile you are requested for not to make any fresh recruitment to the post of the Divisional Accountants against the Works divisions of the State of Arunachal Pradesh which is in continuation to our letter No. DA/TRY/15/99 dated 15/11/99. Fresh recruitment of the Divisional Accountants will be made by the state government through Arunachal Pradesh Public Service Commission. Therefore the Divisional Accountants those who are appointed by you on deputation from the state service of Arunachal Pradesh may be allowed to continue as Emergency Divisional Accountants for the time being as a working arrangement. But for their absorption on regular basis they will be given chance to qualify themselves in the Divisional Test examination which will be conducted by the state government through the authorized officer of the state government after taking over the administrative control of the cadres.

Yours faithfully,



(A.K. Guha)
Commissioner (Finance)
Govt. of Arunachal Pradesh
Itanagar.

Memo No. DA/TRY/15/99/

Copy to :-

Dated Naharlagun the 11th March '02

- 1). The Chief Engineer, PWD (TZ, W/Z)/PHED/IFCD/RWD and Power Department of Arunachal Pradesh for information.

✓ 2).

All Executive Engineers, PWD/PHED/IFCD/RWD & Power department of Arunachal Pradesh for information. They are requested for not to release the Divisional Accountants, who are on deputation from the state service of Arunachal Pradesh, on expiry of their deputation term, until further order from this end.

15/11/99
23/03/02

Attested
Advocate

(A.K. Guha)
Commissioner (Finance)
Govt. of Arunachal Pradesh
Itanagar.

Submitted
12/12/2001

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37
-37-
Attested
Walter
Advocate

Annexure - 7

THE ARUNACHAL TIMES

THE PREMIER ENGLISH DAILY FROM THE STATE
SUNDAY, DECEMBER 2, 2001

Vol. 13 No. 166

Rs. 1.00

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arunachal@sancharnet.in
NEWS
IMPACT

AMSU to boycott Manipur governor

IMPHAL, (UNI): The All Manipur Students' Union (AMSU) Saturday announced to boycott Governor Ved Prakash Marwah and his advisors with immediate effect.

The decision was taken to protest the governor's failure to concede to the organization's charter of demands for improvement in the quality of education in the state.

PWG naxals blow up court building

HYDERABAD, (UNI): Continuing with their violent spree, naxalites of the banned peoples war group (PWG) have blown up a court building housing the offices of assistant session judge and judicial first class magistrate at Ashabad in Adilabad district of Andhra Pradesh.

According to police, six ultras came to the court building late Friday night and blew it by placing detonators.

2 convicts escape

MADRAS, (UNI): Two convicts escaped from the Madras central prison here escaped after scaling the wall in the wee hours Saturday.

Govt approves Women Commission, clears its stand on Rottung dam

ITANAGAR, Dec 1, (UNI): The Arunachal Pradesh government has approved the setting up of a state women commission, a statutory body to look after the interest of women in the state.

Arunachal Pradesh Information and Public Relations Minister Takam Sanjoy told newsmen here today that the recently concluded cabinet had approved the levying of monthly service charges on *pakka* (concrete) and semi-*pakka* (half concrete) government accommodation in places connected by motorable roads at a nominal rate.

In its recently concluded meeting at Along, the district headquarters of West Siang, the cabinet also approved the policy in respect of use of public sites and facilities for advertisement or publicity campaign in the state.

Sanjoy, who is also the government spokesman, said the

cabinet meeting has further approved the creation of three ex-cadre post of deputy commissioners for Upper Siang, Kurung Kumey and Lower Dibang valley districts with headquarters at Yingkiang, Laying Yangie and Roing respectively.

It has approved the proposal for realization of nominal fee in connection with the processing and issuances of land processing certificates in the state at the rate of ten paise per square metre from private and individuals, subject to a minimum of Rs 500 and Rs 150 as fee for registration, Sanjoy said.

The cabinet meeting, which was chaired by Chief Minister Mukut Mithi, approved the revised estimates of micro-hydel projects and utilization of existing equipment under dispute.

Sanjoy said the state government had handed over some cases relating to the construction

of disputed micro-hydel projects to the CBI, adding that the investigating agency had now allowed further construction work.

The cabinet further approved the proposal to take over the administrative control of senior divisional accounts officers, divisional accounts officers and divisional accountants belonging to PWD, rural works department, public health engineering, irrigation and flood control department and power department of Arunachal Pradesh from the administrative control of the accountant general, Meghalaya, he informed.

The cabinet was also informed about the medium term fiscal reform programme of the state government, he said.

The cabinet noted that as the investigation had not been completed for the proposed Siang hydel project, it was premature

to speculate which areas might get submerged in and around Along township.

To allay any unwarranted fear, the cabinet decided that the National Hydro Electric Power Corporation (NHPC) would be directed to ensure that the design of the Rottung dam do not result in submergence of any part of Along township. Otherwise the project would be unacceptable to the state government, Sanjoy said.

The people of Along were agitating over the proposed construction of Rottung dam over Siang river under the banner of Siang Bachao Andolan apprehending danger to the township.

The state government had directed the NHPC to investigate into the construction of three dams in three different places of the river instead of going for one mega dam, he said.

CM announces Rs 50 lakh to Nacho landslide victims

DAPORJIO, Dec 1: Arunachal Pradesh Chief Minister Mukut Mithi recently visited Nacho in Upper Subansiri district. He was accompanied by Urban Development, Tax & Excise Minister T. C. Teni, IFCD Minister Hari N. W. R. Relief and Rehabilitation

that, to decentralize the relief system, Rs 20 lakh has been placed under Upper Subansiri DC and some fund under the DCs of the state according to the need for relief from this year by his Govt. Mithi also announced

ULFA to talk on condition

GUWAHATI, Dec 1, (UNI): The outlawed ULFA has clarified that they were ready to hold political dialogue to end the Indo-Assam confrontation on the basis of conditions earlier put forward by them. In a formal message last night, its publicity secretary Manjira Daryani denied a report brood-

Arabinda Rajkhowa and armed wing chief Parash Barua were in favour of holding unconditional political dialogue. The report was motivated and baseless, he said and appealed to the media not to publish such baseless report which could hamper possible negotiations. The message should also not be

LCN observes World AIDS Day

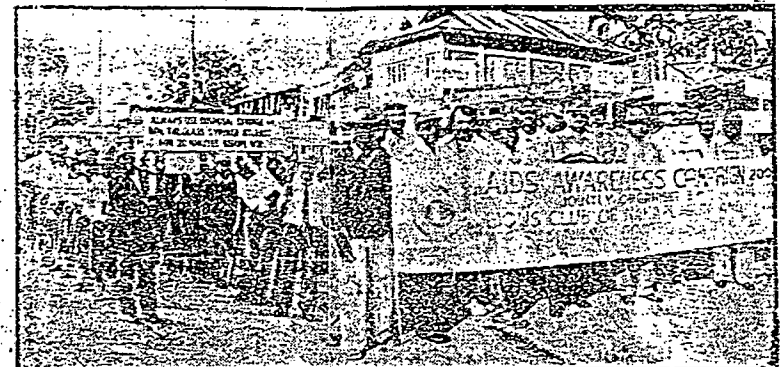


Photo: Proca Studio

NAHARLAGUN, Dec 1: The Lions Club of Naharlagun (LCN) in association with State AIDS Control Society, here observed December 1 as 'World AIDS Day' with the rest of the world. A massive rally was organized at the Community Hall premises here to mark the occasion, according to a LCN release.

Earlier, in the morning the members of LCN, its well-wishers and students of various schools in large number took out procession through the main

thoroughfare of the town holding placards and banners on prevention of AIDS and converged at the Community Hall premises.

Minister of State for Health Dr T. Tapak and high ranking health department officials also attended the rally. In his address Dr Tapak cautioned the people in general and the students in particular about the dreaded disease and called upon them to aware the people of the killer virus and do their best for prevention of the disease in the so-

ciety. A blood donation camp and AIDS awareness exhibition which was inaugurated by the Dr. Tapak, besides a spot-quizz contest on AIDS among the school children were the main highlights of the day.

Later in the day, the Lions Club members met the truck drivers who are considered to be the most vulnerable to HIV/AIDS virus and aware them of the dreaded virus and various preventive measures required to be taken to remain free from the killer virus, the release added.

Jamir stresses on socio-economic dev.

KOHIMA, Dec 1, (UNI): Nagaland Chief Minister S. C. Jamir today said socio-economic development should get priority over the process of settlement of the Naga issue which will be based on wide-ranging consultations and will be eventually

alerted the people to look into the proper implementation of the last 38 years' funds and projects meant for them. Jamir said any settlement of the Naga issue will emerge only when there is peace, reconciliation and unity among all sections

had made great achievements in the last 38 years. He expressed happiness that the festival which reflected the heritage of Nagaland caught the imagination of the entire world. Tapak visits proposed