

30/100

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No. 347/02

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( SEE RULE -4 )

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI

....

ORDER SHEET

Original Application No : 347 / 02  
Misc. Petition No. \_\_\_\_\_  
Contempt Petition No. \_\_\_\_\_  
Review Application No. \_\_\_\_\_

Applicant (s) N. Rustom Mon

Respondent (s) -Vs- H.O.I. Joms

Advocate for the Applicant (s) S. Sarma, Mins U. Das

Advocate for the Respondent(s) Cafe.

Notes of the Registry	Date	Order of the Tribunal
<p>Application in but not in the Condonation Petition filed / not filed for Rs. 50/- deposited vide IPO No 76576/76 Dated 3.10.02</p> <p><i>for N. Rustom Mon</i> <i>17/10/02</i> <i>Dr. B. B. B.</i></p>	22.10.2002	<p>Present :- The Hon'ble Mr.K.K.Sharma Administrative Member.</p> <p>The application is against the adverse remarks communicated to the applicant vide order D.O.C.No.II(9)24/CON/2001/982-84 dated 30.7.2001 (Annexure-1). The adverse remarks were communicated for the year 1.4.2000-31.3.2001. Another prayer in the application is for the consideration of the case of the applicant for promotion to the Grade of Superintendent, Customs and Central Excise.</p> <p>The applicant joined as Inspector of Customs and Central Excise on 9.8.84. He proceeded on</p>

*10/10/02*

Contd.

22.10.2002 deputation in Narcotics Control Bureau (NCB), Imphal w.e.f.2.8.1999 and continued on deputation till 30.4.2001. For the year 1.4.2000-31.3.2001 the applicant was communicated adverse remarks by the impugned order. It is stated that the report of the reporting officer was very good, but the reviewing officer disagreed with the reporting officer and gave adverse remarks. One of the ground for giving adverse remarks was that the reporting officer and the applicant belong to the same batch and that the reporting officer had been liberal in giving a very good report to the applicant. Mr.U.K.Nair, learned counsel appearing for the applicant submitted that the applicant made a representation against the adverse remarks on 17.8.2001 (Annexure-2) followed by reminder issued by the authority to the reviewing officer for submitting his comments on the representation of the applicant. In the meanwhile, persons junior to the applicant had been promoted vide order No.139/2000 dated 23.9.2002. Because of the pendency of the representation, the applicant's case could not be considered. Also heard Mr.A.K.Chaudhuri, learned Addl.C.G.S.C.

The applicant had been communicated with adverse remarks

Contd./3

Contd.

22.10.2002 and had represented against the adverse remarks within the period allowed. The authority has also reminded the reviewing officer for comments on the representation filed by the applicant. Considering all the facts of the case, I am of the view that ends of justice will be met if a direction is issued to the respondents to take a decision on the representation of the applicant. Accordingly, the respondents are directed to dispose of the representation of the applicant dated 17.8.2001 at the earliest and in any case not beyond two months from the receipt of the order and thereafter consider the case of the applicant for promotion as per law.

The application is treated as allowed. No order as to costs.

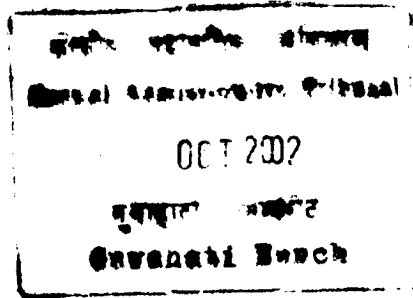
24.10.2002

Copy of the order has been sent to the Dy Sec. for issuing the same to the L/Advocate for the parties.

ifp

K. K. Shetty  
Member

bb



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Title of the case : O.A. No. 347 of 2002

BETWEEN

Ehri N. Rustum Mon ..... Applicant.

AND

Union of India & ore..... Respondents.

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Filed by : Miss, U.Das, Advocate.

Regn.No.:

File :C:\WS7\MON

Date :

Filed by  
the applicant through  
Alsha Das,  
Advocate  
11/10/02

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

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

O.A.No. 347 of 2002

BETWEEN

1. Sri. N.Rustum Mon, Inspector,  
Customs Division, Dimapur,  
Nagaland.

..... Applicant.

- AND -

1. The Union of India.  
Represented by Secretary to the  
Govt. of India.  
ministry of Finance, New Delhi.
2. The Commissioner,  
Central Excise, Shillong-1,  
Meghalaya.
3. The Director General,  
Narcotics control Bureau,  
New Delhi.
4. The Regional Director,  
Narcotics Control Bureau,  
North East Regional Unit.  
Imphal-1 Manipur.
5. Sri Hitesh A. Shah,  
Junior Departmental Representative,  
Customs, Excise & Gold ( Control ) Appellate Tribunal (CEGAT),  
West Region, Laxmi Building Ground Floor,  
Sir P.M. Road Fort, Mumbai-1.

..... Respondents.

PARTICULARS OF THE APPLICATION

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

This application is directed against the Order dated  
30.7.2001 by which adverse remark for the period w.e.f 1.4.2000

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to 31.3.2001 has been communicated to the present applicant. The application is also directed against the action on the part of the respondents is not disposing of the representation filed the applicant against the said order dated 30.7.01. The applicant through this applicant also prays for consideration of his case for promotion to the Grade of Superintendent which has been held up illegally.

2. LIMITATION:

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

3. JURISDICTION:

The applicant further declares that the subject matter of the case is within the jurisdiction of the Administrative Tribunal.

4. FACTS OF THE CASE:

4.1. That the applicant is citizen of India and as such he is entitled to all the rights, privileges and protection as guaranteed by the Constitution of India and laws framed thereunder.

4.2. That the applicant Joined his service as Inspector of Customs and Central Excise in the year 1984 (9.8.84) and by now he is over due for promotion to the Grade of Superintendent. During his service as Inspector, he was sent on deputation to the

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office of Narcotics Control Bureau (NCB), North Eastern Regional Unit Imphal, w.e.f. 2.8.1999. His such appointment on deputation under NCB continued up to 30.4.2001. During such deputation period the applicant received the financial up gradation benefit under ACP scheme.

4.3. That after completion of the term of deputation, the applicant was repatriated to his present department i.e. Customs and Central Excise, and he joined the Post of Inspector in Customs Division Dimapur. Surprisingly enough, the applicant received a copy of the order dated 30.7.2001 by which certain adverse remarks have been communicated, for the period from 1.4.2000 to 31.3.2001. In fact that was the period in which the applicant was on deputation in NCB, Imphal.

A copy of the said communication dated 30.7.2001 is annexed herewith and marked as ANNEXURE-1.

4.4. That in the said Annexure-1 communication the assessment endorsed by the Reporting Officer in part III, was "Very good" but the reviewing authority refused to agree with the remarks of Reporting Officer. To that effect the Reviewing Officer has given altogether 3 (Three) reason for such disagreement. It is pertinent to mention here that the Superintendent NCB is the Reporting Officer to the applicant whereas the Regional Director NCB (Respondent No.5) is the Reviewing Authority Both the Reporting and Reviewing Officer were also deputationist from the same office i.e. Customs and Central Excise. The applicant immediately after receipt of the said Communication, preferred a representation dated 17.8.2001 to the Additional Commissioner (PRV) Central Excise and Customs,



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Shillong, highlighting the factual aspect of the matter .

A copy of the said representation dated 17.8.2001 is annexed herewith and marked as ANNEXURE-2.

4.5. That the applicant begs to state that from the reasons cited by the Reviewing Officer ( Respondent No.5 ) are vague and indefinite. In fact it does not carry any meaning at all. It is pertinent to mention here that one of such reason i.e. reason No.2, indicates the ill motive of Respondent No.5, in handing the matter. In the said clause, 2 the respondents No.5 indicated his disagreement on the fact that the Reporting Officer of the applicant being his batch met in their Parent Cadre, the assessment made by him shows total non-application of mind without any further detailed discussion over the matter. This reason in fact does not carry any meaning at all and same rather depicts total non-application of mind by the Respondent no.5. It is stated that the Superintendent being the immediate superior to the applicant is the fittest person to know the facts and figures of his junior, and this thus cannot be a factor of such disagreement. Needless to state here that the other two reasons of disagreement by the Respondent No.5 are also baseless. The very root of such disagreement is the reason No.2 as discussed above and that in fact affected the Respondent No.5 in making further remarks. Taking into consideration the submission made by the applicant in his representation it is crystal clear that the Respondents No.5 with an ulterior motive to victimise the applicant recorded these adverse remarks without any basis. Apart from that in the instant case the procedure meant for recording adverse entry in CR has not been followed by the respondents. The respondents before recording of adverse entry in the CR ought to

have communicated the applicant in the form of an warning, but in the instant case no such procedure has been followed.

4.6. that the applicant begs to state that the representation submitted by the applicant ( Annexure-2 ) dated 17.8.2001 against the aforesaid adverse remarks were forwarded to the Respondent No.5 for his comment, and to that effect the Respondent No.2 issued a letter dated 28.8.2001 enclosing the representation .

A copy of the letter dated 28.8.2001 is annexed herewith and marked as ANNEXURE -3.

4.7. That even after a laps of about one year the Respondent No.5, has not yet communicated any reply / remark in terms of Annexure-3 letter dated 28.8.2001. This fact clearly indicates the fact that in reality this remarks have been made only to victimise the applicant with some ulterior motive. It is stated that till date no communication has been received by the applicant as well as the Respondent No.2. During these period, the Respondent No.2 decided to promote number of Inspector of Customs and Central Excise to the Grade of Superintendent Customs and Central Excise. The Respondent No.2 thereafter issued another order dated 28.8.2002 to the Respondent No. 5 who at presently working under ( CEGAT ) Mumbai as Junior Departmental Representative, requesting him to submit the comments on the Annexure-2 representation submitted by the applicant at an early date. Inspite of such repeated request the Respondent No.5 is yet to submit his report.

A copy of the said letter dated 28.8.2002 is annexed herewith and marked as ANNEXURE-4.

4.8. That the applicant begs to state that in the meantime

the Respondent No.2 has issued an order dated 23.9.2002 by which 149 Inspectors have been promoted to the Grade of Superintendent Custom and Central Excise. As per the prevailing seniority position as on 1.5.2001, the name of the applicant should have been at serial No.101 (a) ( in between 101 and 102) in the said order of promotion dated 23.9.2002.

A copy of the extract of the Seniority list of Inspectors as on 1.5.2002 and the other dated 23.9.2002 are annexed as ANNEXURE -5 and 6.

4.9. That the applicant begs to state that the applicant highlighting these factual aspect of the matter submitted yet another representation dated 2.9.2002. to the Additional Commissioner (P&V) Customs and Central Excise, Shillong, but same availed no result in positive.

A copy of the said representation dated 2.9.2002 is annexed herewith and marked as ANNEXURE-7.

4.10. That the applicant begs to state that due to non finalisation of his case for expungtion of adverse remarks, the Respondent No.2 has not considered his case for promotion to the post of Superintendent. It is stated that the Respondent No.5 is solely responsible for such delay in finalisation of the matter. The Respondent No.5 is yet to communicate his remark even after repeated persuasion for last one year by the Respondent No.2 and such an Officer while making comments like " no inclination of work" should have applied his mind . The Respondent No.5, who is yet to react on letter issued to him on 28.8.2001 followed by number of reminders, cannot endorse his remark in respect of " inclination of work". This fact clearly indicates the malafide


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intention of the Respondent No.5 in recording the said adverse remarks, against the applicant and it can safely be concluded that the entire remarks recorded by him thus vague and without any basis. Even the respondents No 5 before recording adverse entry in the CR of the applicant has not issued any short of warning etc. as required under law and on this score alone the impugned order dated 30.7.2001 is not sustainable in the eye of law and liable to be set aside and quashed.

It is a fit case wherein the Hon'ble Tribunal may be pleased to enforce the personal appearance of the Respondent No.5 before this Hon'ble Tribunal to explain reason for such delay in handling the matter.

4.11. That the applicant begs to state that in terms of the promotion order dated 23.9.2002 most of the junior have been promoted to the grade of Superintendent ignoring his case, only in the name of so called adverse entry. The Respondent No.2 being the competent authority ought to have punished the Respondent No. 5 for his such inaction and insubordination. Under these circumstances the Respondent No.2 ought to have acted of its own and ought to have finelised / disposed of the representation of the applicant (Annexure-2) without taking consideration of the remark of Respondent No.5 on the count of inordinate delay. As per the provisions contained in various Govt of India's O.M, the respondents are duty bound to dispose of the representation against adverse remark within three months, but in the instant case there has been complete deviation of such guideline and on this score alone the impugned order is not at all sustainable and liable to be set aside and quashed.

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The applicant craves leave of the Hon'ble Tribunal to produce the said guidelines at the time of hearing of the case.

4.12. That the applicant begs to state that the Respondent No.5 is in habit of harassing his subordinates in all possible manner. It was during the time of repatriation of the applicant, the Respondent No.5 refused to pay his due TTA and put an endorsement in the Last Pay Certificate of the applicant that he is not entitled to TTA. Later on the higher authority modified the said endorsement. In fact the Sri R.K.D. Singh, the Reporting Officer of the applicant was the immediate junior to the Respondent No.5 in NCB. The Respondent No.5 was the Reporting Officer of said Mr. R.K.D.Singh, ( the reporting officer of the applicant ) and while writing the C.R. of Mr. Singh , the Respondent No.5 as usual recorded adverse entry against all the column but same was reviewed by the Reviewing Authority. Those examples are only illustrative but not exhaustive. At the relevant point of time there were few more Inspectors of Customs and Central Excise on deputation to NCB including Mr. Singh as well as the Respondent No.5 , and the Respondent No.5 with ulterior motive spoiled the career of all the said Inspectors, who were due for promotion to the Post of Superintendent.

4.13. That the applicant begs to state that in terms of the promotion orders dated 23.9.2002 most of the juniors have been given benefit of promotion to the Grade of Superintendent ignoring the case of the applicant. However, the said order dated 23.9.2002 is yet to materialised in terms of posting and as such having regard to the urgency in the matter the applicant has come before this Hon'ble Tribunal praying for a speedy redressal of his grievances with an interim prayer specifically to the

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Respondent No.2 not to finalise the posting of these Inspectors and to keep one Post of Superintendent vacant for the applicant, till finalisation of the OA.

4.14. That this application has been made bonafide and to secure ends of justice.

5. GROUND FOR RELIEF WITH LEGAL PROVISION:

5.1. For that the action/inaction on the part of the Respondents in issuing the impugned order dated 30.7.2001 in violation of the guidelines mentioned above is per se illegal and arbitrary and same is liable to be set aside and quashed.

5.2. For that the respondent No 5 with an ulterior motive has recorded the adverse remarks in the CR of the applicant and as such same is not sustainable in the eye of law and liable to be set aside and quashed.

5.3. For that the Respondent No 5, has acted contrary to the settled principles of law relating to recording of adverse entries without affording him any opportunity of hearing before such action and as such same is not sustainable in the eye of law and liable to be set aside being violative of Art 14 and 16 of the Constitution of India and laws framed thereunder.

5.4. For that adverse remarks contained in the Annexure -1 order dated 30-7-2001 is vague, indefinite and it does not carry any meaning and as such same is not sustainable in the eye of law and liable to be set aside.

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5.5. For that in any view of the matter the impugned action of the respondents are not sustainable in the eye of law and liable to be set aside and quashed.

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

6. DETAILS OF REMEDIES EXHAUSTED:

That the applicant declares that he has exhausted all the remedies available to them and there is no alternative remedy available to him.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER

COURT;

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

8. RELIEF SOUGHT FOR:

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

8.1. To set aside and quash the impugned the adverse entries contained in the order dated 30.7.2001 (Annexure-1.), and to provide all consequential service benefits to the present applicant.

8.2. To direct the respondents to consider the case of the applicant for promotion to the Grade of Superintendent Customs and Central Excise, without taking into consideration the adverse entry contained in the Annexure-1 order dated 30.7.2001, with all consequential service benefits.

8.3. Cost of the application.

8.4. Any other relief/reliefs to which the applicant is entitled to under the facts and circumstances of the case and deemed fit and proper.

9. INTERIM ORDER PRAYED FOR:

Under the facts and circumstances of the case the applicants prays for an interim order directing the Respondents consider the case of the applicant for promotion to the post of Superintendent, Customs and Central Excise, without taking into consideration the adverse entry as reflected in Annexure-1 communication dated 30.7.2001.

10. ....

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

1. I.P.O. No. : 7 G 576176  
2. Date : 10/10/02  
3. Payable at : Guwahati.

12. LIST OF ENCLOSURES:

As stated in the Index.



VERIFICATION

I, Sri, N.Rustum Mon , aged about 47 years, Inspector, Customs Division, Dimapur, Nagaland, do hereby solemnly affirm and verify that the statements made in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 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989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000 are true to my knowledge and those made in paragraphs 43, 44, 45, 46, 47, 48 and 49 are also true to my legal advice and the rest are my humble submission before the Hon'ble Tribunal. I have not suppressed any material facts of the case.

And I sign on this the Verification on this the 18th day of Oct. of 2002.

Signature.

*N.R.*  
Ngora Rustum Mon

My dear Custom Mon,

D.O.C.No.II(9)24/CON/2001/982-84

Dated 30 JUL 2001

Subject:- Adverse remarks contained in the Confidential report for the period from 1.4.2000 - 31.3.2001 - Communication of.

.....

The following is an extract from the report on your work during the period from 1.4.2000 - 31.3.2001.

PART - IIIASSESSMENT BY THE REPORTING OFFICER

1.

Quality of work (Evaluate with reference to intelligence knowledge of Law and procedures, attention to relevant details, ability to analyse problems and find solutions judgment and sense of proportion)

REMARKS :- The officer reported upon is very intelligent, has indept knowledge of law and procedure, always comes up with solution, is very judicious officer.

- Very good.

2.

Promptness in attending to work ( Evaluate with reference to field duties as well as office work and specially with reference to reduction of arrears and preparation and submission of various reports, returns and maintenance of records.)

REMARKS :- The officer reported upon is prompt in attending duties both office and field, does not keep any thing pending, prepares reports and returns timely, maintains records very properly.

- Very good.

3.

Industry and conscientiousness.

REMARKS :- The officer reported upon is very hard working and also very much consious of his duties.

- Very good.

4.

Executive abilities displayed (Evaluate with reference to initiative drive and readiness to assume responsibility)

REMARKS :- The officer reported upon has got all executive abilities - always comes forward for taking initiative in doing work with keen sense of responsibility.

- Very good.

5.

Discipline.

REMARKS :- The officer reported upon is very well disciplin-ed officer within office and outside office.

- Very good.

6.

Punctuality and attendance.

REMARKS :- The officer reported upon is very punctual in attending office - always comes to office in time and leave office in time.

- Very good.

Attested

M  
Advocate.

Contd.....P/2

Other observations, if any.

(a) Mention here any other factor worth special mention e.g. health, family problems, indebtedness, addiction to drink and gambling, temperament, resourcefulness etc. which have a bearing on the Officer's performance.

REMARKS :- The officer reported upon maintains sound health, has no family problem, is not addicted to drink and gambling, has always smiling face.

- Very good.

(b) Special aptitudes-(Mention here special aptitude, if any, such as skill in noting and drafting, tariff classification, valuation, intelligence and investigation work, administrative work, statistical analysis)

REMARKS :- The officer reported upon has skill in noting & drafting, is commendable in intelligence and investigation work has administrative qualities and statistical knowledge

- Very good.

8.6

Integrity.

REMARKS :- Beyond doubt.

- Very good.

PART - IV

REMARKS OF THE REVIEWING OFFICER

9.

Length of service under the Reviewing Officer.

REMARKS :- One year.

10.

Do you agree with the Reporting Officer in regard to his remarks on the resume of the work done by the officer as contained in Part-II of the Report? If not, indicate briefly the reasons for disagreeing with the Reporting Officer and the extent of your disagreement.

REMARKS :- I do not agree with the remarks of the reporting officer for the following reasons.

1. The officer gathered no intelligence, during the reporting period, of any value. He did not make any case. He was sent to conduct some follow up action in Imphal. However he did not know how to conduct a discreet enquiry and could not come up with any result when queries were made on file or details were asked the files were never returned by the officer. He did not maintain his case files. Pages were un-numbered and documents were missing. It was only not insistent prodding that he updated his files.

② His reporting officer is of the same batch in their common parent cadre, Customs & Central Excise. It is possible that Shri. N.R. Mon may be promoted before his supervisory officer in their parent cadre. Hence the supervisory/reporting officer has written platitudes in his version of this ACR.

Assisted

Advocate.

Contd.... P/3

3. Perusal of the technical and case files maintained/ under the charge of this officer shows that he has very little knowledge of the NDPS Act. He can not come up with any analysis. Not only is his performance not competent, he shows no inclination to improve.

11. Over all assessment of performance and qualities.

REMARKS :- The officer showed no inclination to work. He did not gather any intelligence or book any case. He does not know the NDPS Act nor has he made any effort to learn it. This is evident from the case files handled by him. He deliberately stayed away without prior intimation from head quarters on a day when a bail hearing in his case was listed. In cases where investigations were handed over to him, follow up or others, he did not know how to conduct discreet enquiry and would not put up files sent back with remarks. The officer's performance is 'POOR'.

.....

I hope you will endeavour to over come the shortcomings pointed out.

Representation, if any, in duplicate against the adverse remarks should be submitted by you within one month from the date of receipt of this letter, failing which no action will be taken on any such representation.

Please acknowledge the receipt of this letter.

✓ To  
Shri. N. Rustum Mon,  
Inspector,  
RBC Range, Central Excise,  
Digboi.

Yours sincerely,

*[Signature]*  
30.07.01

( B. THAMAR )  
ADDITIONAL COMMISSIONER (P&V)

Attested

Advocate.

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2

To  
The Additional Commissioner ( P & V )  
Central Excise and Customs, Shillong

Subject;- Representation against Adverse Remarks contained  
in the confidential report for the period from  
1.4.2000 to 31.3.2001

Sir,

Please refer to your letter D.O.C no.11(9)24/con/2001/982-84 dt.30/7/2001 received here on 10.8.2001 through the office letter Cno.11(9)2/con/ACR/DIG/2000/35 dt.10.8.'01 of the Asst. Commissioner, Central Excise, Digboi on the above subject.

In this regard I am compelled to give the following few facts and points in rejecting the baseless, malicious and vindictive allegation in my ACR report by the Reviewing Officer on the period mentioned above.

1. Gathering no informations etc;- Written intelligence report may not be submitted but verbal intelligence reports were collected many times and reported through the Superintendent who later intimated the Regional Director. Sometimes we had discussion in his chamber for further necessary action for drug related matters. So, this allegation is malicious to victimise me on flimsy ground.
2. Non making of cases etc;- Yes, no case was detected/made after the joining of the Regional Director in NCB, Imphal. He was the overall supervisor for the field as well as office matters. In spite of His orders were strictly complied and executed. In spite of such busy schedules I had assisted the Imphal Customs Preventive for seizure of 90 kgs of Ganja from the Imphal Head Post Office which was booked vide case no.1/NDPS/IMP/2000 dt.14.7.2000. Due to his over-emphasised on co-ordination work with other agencies such as police, state excise, NGOs on drug related matters, I have travelled and toured the drug sensitive areas of Nagaland, Mizoram, Arunachal Pradesh, some part of Assam, Ukhrul, Semapati, Imphal East and West and rehabilitation centres in and around Imphal town during this period. In fact, there was no time for ambushing clandestinely smuggled drugs in order to avoid his wrath on us. Altogether 3 to 4 months were spent for co ordination works. His expectation from me to act like a Hindi Movie star Hero is not possible for me. So, the charges are baseless.
3. Follow up actions/Discreet enquery etc;- whatever follow-up actions assigned to me were executed properly in consultation with the Supdt.NCB, Imphal after conducting discreet enquery/ies whenever required. After such enquery he was informed either verbally or in written. If he was not satisfied it is beyond the capacity of the office under his supervisor.
4. Files not return/documents missing etc;- Not a single file of the office handled by me were missed nor I received any complain on such missing files from him. I had handled 10 case files apart from other related day to day files such as leave, estt files etc during this period. On 27.4.2001 I had submitted detailed files handled by me which were received by him without any complaint. ( copy enclosed)
5. Non updating of files etc;- Whatever files of cases to be updated were done accordingly. The seizure cases of 1992, '93, '94 '95 and one case of 2/2000 were all updated. Pre-trial disposal orders on all these cases were also obtained from the NDPS court Imphal during this period. I along with other I.Os were made to do the work of the depty. SPP as he did not want to clear the bill pending of the SPP. Yet charges me of non-updating of

- 17 -

2 and

files. The SPP was appointed and engaged by the deptt to deal with court matters of the deptt. He had underestimated me as well as all the staffs. So, it may be treated as concocted and baseless allegation.

6. Non attending of court hearing on bail:- In order to attend a religious function with my family to be held (already) at Khongjon village (about 80 kms from Imphal), Chandel Dist. Manipur I had availed casual leave granted by the S.D from 10th to 13th of March, 2000 along with station leave permission. But due to heavy rain and non availability of transportation to reach Imphal on 14-3-2000, I could reach Imphal only on 15-3-2000 and attended the same day. I was served with a MEMO for not attending court on Bail hearing case on 14-3-2000 and charged me for colluding with the accused in connection with case no. 2/NCB/IMP/GANJA/2000 dt 18-1-2000. As I was not aware of the hearing date being fixed on 14-3-2000 nor I was informed by the office/court I responded to the MEMO by flatly denying the charges levelled against me. All the court hearing cases of this case were attended punctually.
7. No knowledge of NDPS Acts etc:- I disagreed this charges as I had undergone training cum workshop on NDPS Acts in February, 2000 at Delhi as well as dealt the concerned files in the office regularly.
8. No inclination to improve works etc:- I had joined this department as Inspector since 9-8-1984. I had been dealing with the works and laws continuously. His charges of non-competent is perhaps due to non-pampering him.  
Till date, he has not return my deptt identity card (perhaps he has impounded it) inspite of requesting him to return the same repeatedly nor my service books sent to the new place of posting i.e. NCB, Nahge, Digboi after a lapse of more than three months. In the absence of identity card and service books I am facing mentally and financially insecure, and in turn greatly hampers my day to day official duties. His ulterior motive and pessimistic attitude by giving me trouble after trouble by withholding the above documents as long as possible shows his real intention to put a brake for my higher promotion and spoil my service career. He had also threatened me by showing me ACR form if I disobeyed him. So question of no inclination to improve my work does not arise at all, it's his concoction and baseless allegation only.
9. His eccentricity and inhuman nature disclosed on the sudden death of Shri H.P. Kumar, I.P.S. Director General, NCB, Delhi in Jan. 2001 by distributing sweets to all the staffs in NCB office, Imphal (out of happiness) instead of mourning for the death struck me unimaginably. His constant accusation and terming us such as conspirators, liars, thieves, etc made us unbearable to hear and work under him. So I have decided to get repatriation before the completion of my deputation period as I feared for the spoilage of my service career. Hence I got repatriated to parent department on my own request.

In view of the above facts and circumstances, the Adverse remarks in my ACR report may kindly be expunged at the earliest possible.

Encls:- as above

Your's Faithfully

(NEORU RUSTUM MON)

Inspector

CENTRAL EXCISE  
NAG BANGHE DIGBOI

Approved

Advocate.

## OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE, SHILLONG

C.No.II(9)24/CON/2001/1033

Dated: - 28 AUG 2001

To,  
Shri. H.A.Shah,  
Regional Director,  
Narcotics Control Bureau,  
North East Regional Unit,  
Videocon House, 1st Floor,  
Paona Bazar, Imphal - 795 001

Subject:- Adverse remarks contained in the ACR for the period from 1.4.2000 - 31.3.2001 in respect of Shri.Ngoru Rustum Mon, Inspr.

.....

Enclosed please find the representation in original dated 17.08.2001. submitted by Shri.N.R.Mon, Inspector against the adverse remarks contained in his Confidential report for the period from 1.4.2000 - 31.3.2001 for your comments being the Reviewing Officer.

The above representation alongwith your comments may be returned to this Office at the earliest.

Enclo :- As above.

B/c

28.8.01

( B.THAMAR )  
ADDITIONAL COMMISSIONER (P)



GOVERNMENT OF INDIA

**OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE**  
**MORELLO COMPOUND, SHILLONG - 793 001**C.No.II(9)8/CON/2002/1110Dated 28 AUG 2002

To,  
Shri. Hitesh A. Shah,  
Junior Departmental Representative,  
Customs, Excise & Gold (Control) Appellate Tribunal (CEGAT),  
West Region,  
Lakshmi Building, Ground Floor,  
Sir P.M.Road Fort,  
Mumbai - 400 001

Subject :- Adverse remarks contained in the Confidential reports for the  
Period from 1.4.2000 - 31.3.2001 in respect of Shri. N.R.Mon,  
Shri.V.Hungzo, Shri. K.N.Singh and Shri. T.B.Singh, all Insps.  
- Non-receipt of comments reg.

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Please refer to this Office's letters under even-No.1047 dated 06.09.2001,  
C.No.II(9)24/CON/2001/1033, C.No.II(9)26/CON/2001/1032 and C.No.II(9)27/CON/2001/1034  
dated 28.08.2001 on the above subject.

Your comments on the representations submitted by the above-mentioned  
officers on the adverse remarks recorded in their ACRs for the period as mentioned above, have not yet  
been submitted till date. You are therefore, requested to submit the same immediately to enable this  
Office to dispose the cases at the earliest.

Treat this as MOST URGENT

O/c

(B.THAMAR)

ADDITIONAL COMMISSIONER (P&V)**Attested**

Advocate.



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**SENIORITY LIST OF INSPECTOR AS ON 01.05.2001.**

Sl.No.	Name & Educational Qualification S/Shri	Date of Birth	Date of Apptt. in Govt. service	Date of confirmation in Govt. service	Date of appointment as Inspector	Whether DR/PR as Inspector	Remarks
01	02	03	04	05	06	07	08
1.	Siba Prasad Neog, B.A	29.08.52	22.07.76	10.10.81	22.07.76	DR	
2.	Bikash Kumar Saikia, (ST), B. Com.	01.01.57	08.03.82	13.05.87	08.03.82	DR	
3.	Chandan Kr. Chanda, B.A	10.12.55	25.01.77	13.05.87	18.01.82	DR	
4.	Chandan Biswas, B.Sc	24.07.57	01.04.82	13.05.87	01.04.82	DR	
5.	Dibakar Choudhury, B.Sc	07.10.57	09.07.82	13.05.87	09.07.82	DR	
6.	Sudip Kr. Nandi, B.Sc	01.02.51	07.09.77	01.12.82	16.11.82	PR	
7.	Amit Kr. Deb, Matric	01.10.41	06.04.74	01.12.82	16.11.82	PR	
8.	Smt. Lilyda Shangpliang, (ST), B.A	27.01.52	03.02.74	01.12.82	16.11.82	PR	
✓9.	Pankajlal Singha, B.A	28.01.60	20.06.83	13.05.87	20.06.83	DR	
✓10.	Tarun Kr. Singha, B. Sc	01.02.57	22.10.83	13.05.87	22.10.83	DR	
✓11.	Pannalal Singha, B.Com	30.01.58	20.06.83	13.05.87	20.06.83	DR	
✓12.	Ashok Kr. Dey, B.A	10.06.53	10.04.78	01.08.83	15.07.83	PR	
✓13.	Smt. H. Memcha Devi, B.Sc	01.12.57	05.05.83	13.05.87	05.05.83	DR	
✓14.	Debashish Mazumder, B.Com	22.01.57	02.05.83	13.05.87	02.05.83	DR	
✓15.	Jamkhogin Haokip, (ST), B.A	01.03.60	30.05.83	13.05.87	30.05.83	DR	
✓16.	Smt. Hilda Mary Synrem, (ST), PU	07.12.50	14.02.78	01.08.83	05.07.83	PR	
✓17.	Abdul Mutalib, B.Sc	01.01.57	31.12.80	13.05.87	07.07.83	DR	
✓18.	Sujit Mishra, B.Sc	17.01.59	08.09.83	13.05.87	08.09.83	DR	
✓19.	Syed Taffique Hussain, B.Sc	20.09.58	06.10.83	30.05.87	06.10.83	DR	
✓20.	Dhani Ram Das, PU	07.02.50	26.02.78	01.08.83	22.07.83	PR	
✓21.	Pabitra Kataki, B.Sc	25.12.57	02.05.83	13.05.87	02.05.83	PR	
✓22.	Jasabanta Mazumder, B.Sc	03.01.61	18.05.83	13.05.87	18.05.83	DR	
✓23.	Rajkumar Kalita, B.Sc	15.10.56	05.05.83	13.05.87	05.05.83	DR	

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01	02	03	04	05	06	07	08
✓24.	Dils. Debajyoti Sinha, M.A	10.01.58	15.06.83	13.05.87	15.06.83	DR	
✓25.	Ganesh Ch. Sharma, B.Sc	01.03.59	04.08.83	13.05.87	04.08.83	DR	
✓26.	Joydeep Dutta, B.Com	01.09.56	01.09.83	13.05.87	01.09.83	DR	
✓27.	Hom Prasad Sharmah, B.A	20.01.57	22.10.83	13.05.87	22.10.83	DR	
✓28.	Swapan Kr. Nath, B.Sc	01.01.58	07.09.83	13.05.87	07.09.83	DR	On Deputation with DRI, New Delhi
✓29.	Tridip Ch. Roy, B.Sc	18.01.57	30.08.83	13.05.87	30.08.83	DR	
✓30.	Rahul Sinha, B.Sc	29.11.58	13.05.83	13.05.87	13.05.83	DR	On Deputation with DRI, Silchar
✓31.	Imdadur Rehman, M.Sc	03.01.58	07.09.83	13.05.87	07.09.83	DR	
✓32.	Sagar Kr. Dutta, B.Sc	31.08.57	11.07.83	13.05.87	11.07.83	DR	
✓33.	Dwigendra Mohan Das, B.A	01.09.57	19.09.83	13.05.87	19.09.83	DR	
✓34.	Nikendra Singha, M.A	02.09.58	02.05.83	13.05.87	02.05.83	DR	
✓35.	Naziruddin, B.Sc	04.10.56	20.06.83	13.05.87	20.06.83	DR	
✓36.	Sudip Kr. Dutta, B.A	31.12.58	10.05.83	13.05.87	10.05.83	DR	On Deputation with DRI, Silchar
✓37.	Hem Chandra Kalita, B.Sc (H)	01.01.57	07.09.83	13.05.87	07.09.83	DR	
38.	Dambaru Borah, (ST)	01.07.55	08.06.83	13.05.87	08.06.83	DR	
✓39.	Debeswar Chandi (ST), B.A	01.03.58	17.09.83	13.05.87	17.09.83	DR	
✓40.	Prafulla Kr. Taye, (ST), B.A	01.10.58	06.10.83	13.05.87	06.10.83	DR	
✓41.	Thangchuilo, (ST), B.A	01.03.52	16.05.83	13.05.87	16.05.83	DR	
✓42.	Tushar Kanti Sen, B. Com (H)	15.01.57	16.09.83	13.05.87	16.09.83	DR	
✓43.	Niharesh Nandi, (SC), B.A	01.11.56	10.11.83	13.05.87	10.11.83	DR	
✓44.	Larho Krelo, (ST), B.A	01.03.60	12.10.83	13.05.87	12.10.83	DR	
✓45.	Sakkam Kilong, (ST), B.A	04.08.59	01.10.83	13.05.87	01.10.83	DR	
✓46.	Dilip Kr. Gogoi, B.Sc	01.09.56	11.11.83	13.05.87	11.11.83	DR	
✓47.	Bibhuti Bhusan Borah, B.Sc	01.03.57	06.10.83	13.05.87	06.10.83	DR	
✓48.	Shyamal Kr. Dutta, B.Sc	25.01.57	01.11.83	13.05.87	01.11.83	DR	
✓49.	Ashok Kr. Chakraborty, B.Sc	01.11.58	01.02.84	13.05.87	01.02.84	DR	
✓50.	Khagen Borah, B.Sc	01.01.59	01.11.83	13.05.87	01.11.83	DR	
✓51.	Bijoy Bhusan Baruah,	01.09.59	07.09.83	13.05.87	07.09.83	DR	
✓52.	Phani Bhusan Roy, B.Sc	01.09.56	05.09.83	13.05.87	05.09.83	DR	
✓53.	Dipak Kr. Deb, B.Sc	16.01.58	06.09.83	13.05.87	06.09.83	DR	
✓54.	Basudeb Bhattacharjee, M.A	23.02.58	26.09.83	13.05.87	26.09.83	DR	
✓55.	Imranul Goni	11.10.56	24.10.83	13.05.87	24.10.83	DR	
✓56.	Subhasish Guha, B.Com	03.03.60	06.10.83	13.05.87	06.10.83	DR	
✓57.	Dilip Kr. Chettri, B.Sc	01.03.57	19.02.83	13.05.87	25.05.83	DR	
✓58.	Parag Kr. Baruah, B.A	12.10.58	10.11.83	13.05.87	10.11.83	DR	On Deputation with DRI, New Delhi

Advocate.

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01	02	03	04	05	06	07	08
✓59.	Ashit Chakraborty, B.Sc	02.01.57	28.09.83	13.05.87	28.09.83	DR	
✓60.	Binayak Bhattacharjee, B.Sc	18.06.58	03.09.83	13.05.87	03.09.83	DR	
✓61.	Ashish Adhikary, B.Sc	28.02.58	09.11.83	13.05.87	09.11.83	DR	
✓62.	Biswendu Dey, M.Sc	26.09.56	03.10.83	13.05.87	03.10.83	DR	
✓63.	Tarun Ch. Mahanta	01.09.58	07.10.83	13.05.87	07.10.83	DR	
✓64.	Subir Das, B.Sc (H)	01.01.60	20.10.83	13.05.87	20.10.83	DR	On Deputation with DRI, Guwahati
✓65.	Bikash Ch. Nath, B. Sc.	01.12.58	19.03.84	13.05.87	19.03.84	DR	
✓66.	Nihar Ranjan DebRoy, B. A	17.10.58	21.03.84	13.05.87	21.03.84	DR	
✓67.	Guru Prasad Das, B. Sc.	15.06.58	14.11.83	13.05.87	14.11.83	DR	
✓68.	Bhaskar Kanti Bhattacharjee, B. A	01.04.57	13.10.83	13.05.87	13.10.83	DR	
✓69.	Pannalal Dutta, B. Sc	01.12.59	03.10.83	13.05.87	03.10.83	DR	
✓70.	Gopeswar Ch. Paul, B. A	12.09.59	20.07.84	13.05.87	20.07.84	DR	
✓71.	Ajit Mohan Paul, B. Sc	08.09.59	21.10.83	13.05.87	21.10.83	DR	
✓72.	Mohit Kanti Dey, B. Com	11.01.58	09.09.83	13.05.87	09.09.83	DR	
✓73.	Mahendra Dutta, B. Sc	01.02.57	07.09.83	13.05.87	07.09.83	DR	On Deputation with DRI, Guwahati
✓74.	Mrinal Kanti Goswami, B. A	02.01.57	23.12.83	13.05.87	23.12.83	DR	
✓75.	Sasanka Sekhar Das, (SC), B. Com	21.02.53	24.08.83	13.05.87	24.08.83	DR	
✓76.	Md. Muhibur Rahman, B. Sc	01.12.57	21.01.81	13.05.87	16.09.83	DR	
✓77.	Jagadindu Das, B. Com	30.12.57	09.09.83	13.05.87	09.09.83	DR	
✓78.	Ganesh Ch. Deka, B. Sc	01.01.58	26.03.84	13.05.87	26.03.84	DR	
✓79.	Pijush Banerjee, B. Com	01.01.58	13.01.84	13.05.87	13.01.84	DR	
✓80.	Md. Hanif Alam Bora, B. A	25.01.57	07.10.83	13.05.87	07.10.83	DR	
✓81.	Swapnatur Mahanta	01.10.60	29.07.85	29.07.87	29.07.85	DR	
✓82.	Harapada Roy, B. Sc	06.10.56	29.03.84	29.07.87	29.03.84	DR	
✓83.	Rabindra Kr. Borah	01.01.57	09.12.83	29.07.87	09.12.83	DR	
✓84.	Nijit Kr. Nandi, B. Sc	01.09.59	09.12.83	29.07.87	09.12.83	DR	
✓85.	Dharani Borah, B. A	01.01.57	19.12.83	29.07.87	19.12.83	DR	
✓86.	Md. Abdul Muneem, B. Sc, LLB	01.01.57	13.12.83	29.07.87	13.12.83	DR	
✓87.	Prahlad Borborah, B. Sc	01.03.58	10.10.83	29.07.87	10.10.83	DR	
✓88.	Rabindra Pathak, (SC), B. A	04.09.60	14.11.83	29.07.87	14.11.83	DR	
✓89.	Narendra Ch. Talukdar, (ST), B. A	02.07.51	06.01.84	29.07.87	06.01.84	DR	
✓90.	Lokhendra Nath Sonowal, (SC), B. Sc	30.10.58	01.10.83	29.07.87	01.10.83	DR	
✓91.	Jitendra Kr. Saikia, (ST), B. A	01.12.54	22.12.83	29.07.87	22.12.83	DR	
✓92.	Balaram Pegu, (ST), B. Sc	01.07.59	18.11.83	29.07.87	18.11.83	DR	
✓93.	Ratneswar Doley, (ST), B. Sc	01.02.56	29.11.83	29.07.87	29.11.83	DR	
✓94.	Jogesh Sonowal, (ST), B. A	01.03.56	07.09.83	29.07.87	07.09.83	DR	
✓95.	John Oscar Marak, (ST), B. A	01.02.56	31.10.83	29.07.87	31.10.83	DR	

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01	02	03	04	05	06	07	08
96.	Priyoram Doley, (ST)	01.01.57	07.12.83	29.07.87	31.10.83	DR	
✓97.	Bishnu Ram Boro, (ST), B. A	23.03.57	13.11.83	29.07.87	13.11.83	DR	
✓98.	Ms. Lalchangliani Sailo, (ST)	01.01.55	26.05.76	29.07.87	20.05.83	DR	
✓99.	Dambaro Bhoktiari, (ST), B. A	01.09.59	07.10.83	29.07.87	07.10.83	DR	
✓100.	Paul Peter Kujur, (ST)	05.06.58	08.09.83	29.07.87	08.09.83	DR	
✓101.	Ajit Debnath, B. A	31.01.58	07.09.84	29.07.87	07.09.84	DR	
✓102.	Rex Hungjo, (ST)	01.06.51	11.06.84	29.07.87	11.06.84	DR	
✓103.	R.K. Darendrajit Singh, B. A	01.01.59	22.03.84	29.07.87	22.03.84	DR	
✓104.	Ranabir Chakraborty, B. Sc	24.02.53	08.01.79	05.03.86	05.03.84	PR	
✓105.	Harotosh Kr. Das, B. A	16.05.60	27.10.84	29.07.87	27.10.84	DR	
✓106.	Hareswar Goswami, B.Sc.LLB	01.09.58	28.09.84	29.07.87	28.09.84	DR	
✓107.	Sanjay Kr. Mazumder,	31.12.58	04.05.85	29.07.87	04.05.85	DR	
✓108.	Dipankar Dey, B.Com.	27.01.53	26.05.71	02.02.81	05.03.84	PR	
✓109.	Buddha Pratim Dutta, B.Sc.	29.03.58	04.07.84	29.07.87	04.07.84	DR	On Deputation with DRI, Shillong
✓110.	Rajkumar Debendra Singh, B.Sc.	01.02.60	20.03.84	29.07.87	20.03.84	DR	
✓111.	Subir Dutta Choudhury, B.Sc.	02.12.59	17.05.84	29.07.87	17.05.84	DR	On Deputation with NEPZ, NOIDA
✓112.	Ms. Shibani Bhattacharjee, P.U.	01.09.55	28.07.76	13.03.86	14.03.84	PR	
✓113.	Rajkumar Surchandra Singh, B.Sc.	01.02.60	14.03.84	29.07.87	14.03.84	DR	
✓114.	Ng. Rustom Mon (ST), MA	01.03.57	09.08.84	29.07.87	09.08.84	DR	
✓115.	Vungzakhpung Hungzo, (ST), MA	01.03.57	24.04.84	29.07.87	24.04.84	DR	On Deputation with N.C.B. Imphal
✓116.	Ms. Rita Rani Bhowmick, BA	01.07.57	31.07.76	13.03.86	12.03.84	PR	
✓117.	Sivaji Chanda B.Sc.	23.06.60	27.04.84	29.07.87	27.04.84	DR	
✓118.	Abhijit Dey (No.1) B.Sc.(H)	01.02.61	12.06.84	29.07.87	12.06.84	DR	
✓119.	Ratnangshu Chakraborty B.Sc.LLB	24.12.61	10.04.84	29.07.87	10.04.84	DR	
✓120.	Ms. Champa Shome, BA	03.09.51	26.07.76	19.03.86	19.03.84	PR	
✓121.	Phanidhar Kakoti,	01.12.58	26.04.84	29.07.87	26.04.84	DR	
✓122.	Gobindo Nath Kalita, B.Sc. (ExS)	01.12.50	24.09.84	29.07.87	24.09.84	DR	
✓123.	Jatindra Mohon Bora, B.Sc.	01.08.60	01.05.84	29.07.87	01.05.84	DR	
✓124.	Ms. K. Patricia Laloo, (ST) PU	09.07.56	22.07.76	19.03.86	07.03.84	PR	
✓125.	Ashim Roy	21.07.60	28.05.84	29.07.87	28.05.84	DR	
✓126.	Pallav Lochan Saikia, B.Sc.	03.01.60	23.11.84	29.07.87	23.11.84	DR	
✓127.	Nirmal Kr. Das, (SC), B.Com.	01.05.57	11.06.84	29.07.87	23.05.84	DR	
128.	Chakrendu Baruah, B.Sc.	01.02.53	03.08.79	07.06.86	09.06.84	PR	
129.	Pranab Kr. Phukan, B.Com. (Hon)	01.02.59	30.04.85	29.07.87	30.04.84	DR	
130.	Pankaj Kr. Bhattacharjee, B.Com (H)	01.12.59	26.08.81	29.07.87	25.01.84	DR	
131.	Sanjeev Kr. Chakraborty, BA	15.08.60	17.04.84	29.07.87	17.04.84	DR	
132.	Md. Ali Mazar Bhuiyan, BA	11.02.52	13.03.74	17.06.86	29.11.84	PR	On Deputation with C.S.I Airport

Noted

Advocate.

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ANNEXURE

6

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29

GOVERNMENT OF INDIA  
OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE  
MORELLO COMPOUND, SHILLONG - 793 001

ESTABLISHMENT ORDER NO. 139/2002. DATED SHILLONG THE 23<sup>rd</sup> SEPTEMBER 2002

Subject: Estt. Promotion, transfer and posting in the grade of Supdt. Gr. 'B' - order regarding.

PART - I

PROMOTION

Following Inspectors of Central Excise and Customs are hereby promoted to the grade of Supdt. Gr. 'B' in the scale of pay of Rs. 6500-200-10,500/- with effect from the date they assume charge of the higher post at their places of postings with immediate effect and until further orders

Sl.No.	Name
1.	Pankajlal Singha
2.	Tarun Kr. Singha
3.	Pannalal Singha
4.	Ashok Kr. Das
5.	Smt. H. Memcha Devi
6.	Debanshi Mazumder
7.	Jainkhogin Haokip (SI)
8.	Smt. Hilda Mary Syntem (SI)
9.	Abdul Mutalib
10.	Sujit Mishra
11.	Syed Taifique Hussain
12.	Dhani Ram Das
13.	Pabitra Katakli
14.	Jasabanta Mazumder
15.	Rajkumar Kalita
16.	Dils. Debajyoti Sinha
17.	Ganesh Ch. Sharma
18.	Jaydeep Dutta
19.	Hori Prasad Sharma
20.	Swapan Kr. Nath
21.	Indip Ch. Roy
22.	Rahul Sinha
23.	Imdadur Rehman
24.	Sagar Kr. Dutta
25.	Dwigendra Mohan Das
26.	Nikendra Singha
27.	Naziruddin
28.	Sudip Kr. Dutta
29.	Hem Chandra Kalita
30.	Deboshwar Chandi (SI)
31.	Pratulla Kr. Taya (SI)
32.	Thangchuilo. (ST)
33.	Tushar Kanti Sen
34.	Niharesh Nandi. (SC)
35.	Laluo Kieb. (SI)
36.	S. Killong. (SI)
37.	Dilip Kr. Gogoi
38.	Bibhuti Bhusan Borah
39.	Shyamal Kr. Dutta
40.	Ashok Kr. Chakraborty
41.	Khagen Borah
42.	Eljoy Bhusan Baruah
43.	Phani Bhusan Roy Choudhury
44.	Dipak Kr. Deb
45.	Basudeb Bhattacharjee
46.	Imranul Goni
47.	Subhasish Gaha

ATTN.  
G. PANMEI  
DY. COMMISSIONER  
CUSTOMS  
SHG.

Attested

Advocate.

-25-

48	Dilip Kr. Chettri
49	Parag Kr. Baruah
50	Ashit Chakraborty
51	Binayak Bhattacharjee
52	Ashish Adhikary
53	Blawendu Dey
54	Subir Das
55	Blkash Ch. Nath
56	Nihar Ranjan Datta
57	Ghanshar Kanti Bhattacharjee
58	Pannalal Dutta
59	Gopeshwar Ch. Paul
60	Ajit Mohan Paul
61	Mohit Kanti Dey
62	Mahendra Dutta
63	Minjal Kanti Goswami
64	Sasanka Sekhar Das, (SC) ✓
65	Md. Muhibur Rahman
66	Jagadindu Das
67	Ganesh Ch. Deka
68	Pijush Banerjee
69	Md. Hanif Alam Bora
70	Swapnatur Mahanta
71	Harapada Roy
72	Rabindra Kr. Borah
73	Nijit Kr. Nandi
74	Dharani Borah
75	Md. Abdul Munem
76	Prahlad Borborah
77	Rabindra Pathak (SC) ✓
78	Narendra Ch. Talukdar, (ST) ✓
79	Lokendra Nath Sonowal, (SC) ✓
80	Jitendra Kr. Saikia, (ST) ✓
81	Balaran Pegu, (ST) ✓
82	Ratneswar Doley, (ST) ✓
83	Jagesh Sonowal, (ST) ✓
84	John Oscar Marak, (ST) ✓
85	Bishnu Ram Boro, (ST) ✓
86	Ms. Lalchangliani Saito (ST) ✓
87	Dambaro Bhoktiari, (ST) ✓
88	Paul Peter Kujur, (ST) ✓
89	Ajit Deb Nath ✓
90	Rex Hungzo (ST) ✓
91	R.K. Darendrajit Singh
92	Ranabir Chakraborty
93	Harotosh Kr. Das
94	Hareeswar Goswami
95	Sanjay Kr. Mazumder
96	Dipankar Dey
97	Buddha Pratim Dutta
98	Rajkumar Debendra Singh
99	Subir Dutta Choudhury
100	Ms. Shibani Bhattacharjee
101	Rajkumar Surchandra Singh
102	Ms. Rita Rani Bhowmick
103	Sivaji Chanda
104	Abhijit Dey (No.1)
105	Ratnangshu Chakraborty
106	Ms. Champa Shome
107	Phanighar Kakoti
108	Gobindo Nath Kalita
109	Jatinora Monori Bora
110	Ms. K. Patricia Laloo, (ST) ✓
111	Ashim Roy
112	Pallav Lochan Saikia
113	Nirmal Kr. Das, (SC) ✓

ATTN.  
G. PANMEI  
D.C. (CUSTOMS)

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114	Lobendu Sekhar Das (SC) ✓
115	Dipen Ch. Banerjee (SC) ✓
116	Kshitendu Kr. Banerjee (SC) ✓
117	L.L. Mate Ganguli (ST) ✓
118	Lalkhonesh Sinha (ST) ✓
119	Kaizadal (ST) ✓
120	Jayanta Kr. Paulak (SC) ✓
121	Uditavinkana (ST) ✓
122	Gautam Ch. Mondal (SC) ✓
123	Stringsing Hungbet (ST) ✓
124	Benu Ranjan Sutrachar (SC) ✓
125	R. Valentine Basalawmot (ST) ✓
126	Swapan Das (SC) ✓
127	Ms. Zarina Khan Shadap (ST) ✓
128	Tapen Kr. Rajkhowa (SC) ✓
129	Tapen Ch. Gayan (SC) ✓
130	Anthony Pohthmilong (ST) ✓
131	K. Hmar (ST) ✓
132	Hiramba Basumatari (ST) ✓
133	Ms. Lodya Dutta (ST) ✓
134	Pramananda Saikia (ST) ✓
135	N.R. Das (SC) ✓
136	Jyotish Ch Das (SC) ✓
137	B.B. Karmakar (SC) ✓
138	Gautam Das (SC) ✓
139	Sribash Dhar (SC) ✓
140	J.K. Hiwali (SC) ✓
141	S.K. Roy (SC) ✓
142	M.L. Choudhury (SC) ✓
143	N.C. Sutrachar (SC) ✓
144	G.N. Haki (SC) ✓
145	Golap Ch. Das (SC) ✓
146	N.N. Deka (SC) ✓
147	S.K. Kundu (SC) ✓
148	Ms. Kiranmoyee Das (SC) ✓
149	G.K. Bhuyan (SC) ✓

ATTN.  
G. PANMEI  
D.C. (CUSTOMS)

The seniority of the officers will be fixed in the order shown above.

The officers promoted vide this order are hereby asked to exercise options within one month from the date of promotion as to whether their initial pay should be fixed in the higher post on the basis of FR22(i)(a) (1) straightway without any further review on accrual of increment in the pay scale of the lower post or their pay on promotion should be fixed initially in the manner as provided under FR22 (a) (i) which may be revised under the provisions of FR 22(i) (a) (1) on the date of accrual of next increment in the scale of pay of lower post. Option once exercised shall be final.

In the event of refusal of promotion they would be debarred from promotion for a period of one year.

#### PART - II

#### TRANSFER AND POSTING

On promotion the above mentioned officers are retained in their present places of postings. The postings of these officers in the grade of Superintendent will be decided at a later date.

#### NOTE:

In the event of reversion of any officer(s) to Central Excise Commissionerate, Shillong, who is/are on deputation, the junior most officer (s) in the above promotion order will be reverted as Inspector.

31/-

(Z. TOCHHAWNG)  
COMMISSIONER  
CENTRAL EXCISE  
SHILLONG.

Attested

Advocate.

-27-

C.No. II(3)28/ET.III/2000/34608-34788

Dated:

23 SEP 2002

Copy forwarded for information & necessary action to :-

1. The Joint Secretary (Admin.), Central Board of Excise & Customs, North Block, New Delhi 110 002. This has reference to the Ministry's letter dated 23rd Sept. 2002 issued under F.No.A-60012/23/2002/Ad II(B).
2. The Chief Commissioner (EZ), Central Excise & Customs, 15/1, Strand Road, Customs House, Calcutta - 700 001. This has reference to the Ministry's letter dated 23rd Sept. 2002 issued under F.No.A-60012/23/2002/Ad II(B).
3. The Commissioner of Customs NER, Shillong.
4. The Additional Director General, Directorate General of Revenue Intelligence, 'D' Block, I.P. Bhawan, (7th Floor), I.P. Estate, New Delhi - 110 002. Copies meant for the concerned officers are enclosed.
5. The Commissioner (Appeals), Customs & Central Excise, Guwahati.
6. The Additional Commissioner (Tech.), Central Excise Hqrs. Office, Shillong.
7. The Additional Director, Directorate General of Audit, Room No-172, 107, C.R. Building, I.P. Estate New Delhi.
8. The Deputy Development Commissioner, Noida Export Processing Zone, Noida Dadri Road, Phase-II, Noida-201 305. Copy meant for the concerned officer is enclosed.
9. The Regional Director, Narcotics Control Bureau, Imphal Regional Unit, Paona Bazar, Imphal - 795 001.
10. The Deputy Director, DRI Regional Unit, Shillong Oak Hall, Oakland, Shillong - 793 001. Copies meant for the concerned officers is enclosed.
11. The Dy./Asstt. Commissioner of Central Excise/Customs \_\_\_\_\_ Division. The copy meant for the concerned officer is enclosed.
12. The CAO/PAO, Central Excise & Customs, Hqrs. Office, Shillong.
13. The S.I.O. DRI, Intelligence Cell, Silchar Normal School Road, (Adjacent to Chakraborty Medical Centre) Tarapore, Silchar.
14. Shri/Smt. \_\_\_\_\_ for compliance.
15. Accounts I & II/ET I & II/ Confdl. Br./CIU-cum-VIG Br. Of Hqrs. Office, Shillong.
16. The General Secretary, Gr. 'B' / 'C' Executive Officers' Association, Customs & Central Excise, Shillong.
17. Guard File.

*[Handwritten Signature]*  
23.9.02

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

Attested

Advocate.

✓



To

The Additional Commissioner ( P & V )  
Customs and Central Excise, Shillong.  
( Through Proper channel )

Respected Sir,

Subject:- Representation against Adverse Remarks  
by the Reviewing Officer, contained in  
the Confidential Report 1.4.2000 to  
31.3.2001. A REMINDER.

With due respect and humble submission, with  
reference to the above representation dated.17.08.01, I beg to draw  
your kind attention to the following facts, that:

1) more than 1 (one) year has lapsed but the  
outcome of the representation is not yet known to me. It is too long  
a time for a humble staff like me to wait for a decision that is  
deeply related to my service interest i.e. my career;

ii) Justice delayed is justice denied. My apprehensi-  
-on of the malafide intention of spoiling my service career by the  
Reviewing Officer as already expressed in para 9 of the referred  
representation dated.17.8.2001 is going to be automatically mater-  
-ialized if the decision on the said representation is delayed  
further by the department and I shall suffer for an action that is  
not yet decided. It is a gross injustice to me as well as to any  
citizen.

Under the above circumstances, I humbly beg to  
your kindness to consider my representation dated.17.8.2001 and  
thereby, to rescue me from the anxiety of uncertainty of my  
service career at present.

Enclosure : 1 (one) copy of representation  
dated.17.8.01.

Dated, HQ. Dimapur  
The 2nd Sept. 2002.

Your's faithfully,

( NGORU RUSTUM MON )

INSPECTOR

ANTI-SMUGGLING UNIT

CUSTOMS DIVISION: DIMAPUR,  
NAGALAND.

Arrested  
Advocate.