

30/100

5

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A.T.A No. 364/02
R.A/C.P No.
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SECTION OFFICER (Judl.)

(SEE RULE -4)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

....

ORDER SHEET

Original Application No : 364/02
Misc. Petition No. _____
Contempt Petition No. _____
Review Application No. _____

Applicant (s) D. Borna

-Vs-
Respondent (s) N. O. I. Jom

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

Advocate for the Respondent(s) Chd

| Notes of the Registry | Date | Order of the Tribunal |
|--|----------|---|
| <p>This is application in form C. F. for Rs. 50/- deposited vide IPO/BD No <u>74575799</u> Dated <u>29.10.02</u> <u>By Registrar</u></p> | 12.11.02 | <p>Heard Mr. M.Chanda, learn- ed counsel for the applicant and also Mr. A.Deb Roy, learned Sr. C.G.S.C. for the respondents.</p> <p>Issue notice to show cause as to why the application shall not be admitted.</p> <p>Also, issue notice to show cause as to why the impugned order No.UBD/DIB/WC-1/2001/6642-49 dated 23.7.2001 and the office order No.UBD/DIB/WC/PF-75/2002/ 9581-85 dated 9.10.2002 shall not be suspended. Returnable by four weeks.</p> <p>Till the returnable date the instructions to vacate the Govt. accommodation so far the applicant is concerned shall remain suspended and the instructions to thus hvr</p> |

Steps taken. Notice received
and sent to the respondents
the respondents 1 to 4 by legal
AID.

21/11/02
D/N. 31724-75 dated 26/11/02

Contd/-

2

12.11.02 vacatee the Govt, accommodation shall remain inoperative.

List the matter on 13.12.2002 for admission.

Show cause has not yet filed.

K. Ushan
Member


Vice-Chairman

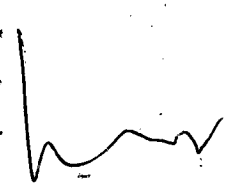
mb

30
12.12.02

13.12.02

This is an application under section 19 of the Administrative Tribunals Act, 1985 assailing the order dated 23.7.2001 as well as the relieving order dated 9.10.2002.

The applicant is working as W/C Khalasi and posted at Subansiri Sub-Division, CWC, Naharlagun. By order dated 23.7.2001, the applicant was transferred to Kabu site in the public interest. The applicant submitted a representation for modification of the order of transfer to Kabu and prayed for transferring and posting at Bhalukpong site. The respondents by its order dated 9.10.2002 relieved the applicant w.e.f. 31.10.2002 with a direction to join in the new place of posting. By the said order, the applicant was also directed to vacate the Govt. accommodation on the date specified vide order dated 9.10.2002. The applicant again submitted a representation before the authority for retention of quarter till the completion of the academic session of his childrens.

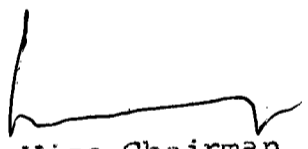

Mr. A. Deb Roy, learned Sr. C.G. S.C. appearing on behalf of the respondents submitted that the authority considered his representation and by order dated 2.12.2002 allowed the applicant to retain the Govt. accommodation at Naharlagun till the end of April, 2003 or the completion of the

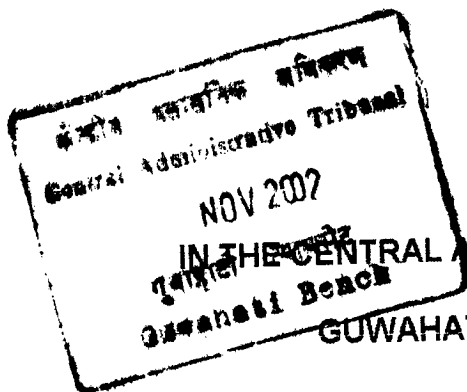
Contd.../-

9

| Note of the Registry | Date | Order of the Tribunal |
|----------------------|-----------------------|--|
| | Contd/- 13.12.2002 | <p>academic session which ever is earlier.</p> <p>Mr. M.Chanda, learned counsel for the applicant submitted that the authority advised the employees to submit representation citing choice station for posting. Mr. Chanda, further submitted that in terms of the communication dated 24.9.2002 issued by the Executive Engineer in conformity with the Govt. letter No. UBD/DIB/WC-1/2002/1739-43 dated 19.8.2002 the applicant submitted his willingness for posting at Margherita, Namsai and Naharkatia.</p> <p>From the materials on record it appears that the applicant has already been transferred and the authority allowed the applicant to retain the Govt. accommodation by order dated 2.12.2002. Since the authority has taken a positive stand for allowing the applicant to retain the Govt. accommodation I do not find any justification for judicial intervention.</p> <p>Mr. Chanda, learned counsel for the applicant further submitted that the applicant has already given his choice station for three places in terms of the Govt. policy which allowed for choice station after two years of service in Arunachal Pradesh. The authority is required to consider the case of the applicant in those places namely, Margherita, Namsai and Naharkatia as per his preference, submitted Mr. Chanda.</p> <p>I have heard Mr. M.Chanda, learned counsel for the applicant and also Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents at length. Considering all aspects of the matter, I am of the view that ends of justice will be met, if a</p> |

Contd/-

| Note of the Registry | Date | Order of the Tribunal |
|--|-----------------------|--|
| | Contd/- 13.12.2002 | |
| <p>19.12.2002</p> <p>Copy of the order has been sent to the Dy Sec. for study the line to the applicant as well as to the Dy. C.S.R. for the Respondent.</p> | | <p>direction is given to the applicant to submit a representation before the authority giving his choice stations a fresh. Accordingly, the applicant is directed to submit a representation within two weeks from the date of receipt of the order. If such representation is made by the applicant the respondents are directed to consider the representation of the applicant justly, fairly and with commiseration and pass an appropriate order as early as possible preferably within a month from the date of receipt of the representation.</p> <p>With the observation made above, the application stands disposed of. There shall, however, be no order as to costs.</p> <p>A copy of the order dated 2.12.2002 allowing the applicant to retain the Govt. accommodation is placed on record.</p> |
| mb | | <p> Vice-Chairman</p> |



(An Application under Section 19 of the Administrative Tribunals

Act, 1985)

Title of the case : O. A. No. 364 /2002

Sri Dharmeswar Baruah : Applicant

- Versus -

Union of India & Others : Respondents.

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Date: 12-11-2002

Filed by
Srinivasa Chakravarthy
Advocate

Filed by the applicant
through Srinivasa Chakravarthy
Advocate on 12-11-02
S

Dharmeswar Baruah

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

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

O. A. No. 364 /2002

BETWEEN

Sri Dharmeswar Baruah

Son of Late Golokeswar Baruah

Working in the office of the Assistant Engineer,
Subansiri Sub Division, Central Water Commission,
Naharlagun, Arunachal Pradesh.

.....Applicant

-AND-

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Water Resources,
New Delhi-110001.
2. The Superintending Engineer,
Hydrological Observation Circle,
Central Water Commission,
Nabin Nagar, Janapath,
Guwahati-781024
3. The Executive Engineer,
Central Water Commission,

Dharmeswar Baruah

Upper Brahmaputra Division,
P.O. Central Revenue Building,
Dibrugarh-786003, Assam.

4. The Assistant Engineer,
Subansiri Sub Division
Central Water Commissioner,
Naharlagun, Arunachal Pradesh.

..... Respondents.

DETAILS OF THE APPLICATION

1. Particulars of order against which this application is made.

This application is made against the impugned order of transfer issued under No. UBD/DIB/WC-1/2001/6642-49 dated 23.07.2001 transferring the applicant from his present place of posting to Kabu site as well as the order issued under No. UBD/DIB/W/C/PF-75/2002/9581-85 dated 9.10.2002 relieving him from duty with effect from 31.10.2002

2. Jurisdiction of the Tribunal.

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

Dhanmeswar Baruah

3. Limitation.

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

4. Facts of the case.

4.1 That the applicant is a citizen of India and as such he is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.

4.2 That the applicant was initially appointed as a W/C Khalasi in the Central Water Commission on 5.5.1979 and he joined as such under the respondents at Dhalla in Assam where he continued till the year 1984. Thereafter, he was transferred to Miao in the State of Arunachal Pradesh where he served till the year 1990 and subsequently he was transferred to Chouldhowaghat in Assam in the year 1990 and he continued there till the year 1992. He was further subjected to a transfer in the year 1992 and this time he was posted at Naharlagun where he has been continuing till date.

4.3 That the applicant begs to state that suddenly on 23.7.2001, the respondent No.3 issued an order and thereby transferred him to Kabu Site in Arunachal Pradesh. It is stated that the said order was passed in consequence of a letter dated 9.7.2001 of the respondent NO.2 and it was just to accommodate the case

Dhanmeshwar Baruah

of one Sri Bipul Sharma in as much as the transfer of Sri Sharma ordered vide office order dated 21.5.2001 to Kabu was deferred by the instant impugned order of transfer.

Copy of impugned transfer order dated 23.7.01 is annexed as **Annexure-1**.

- 4.4 That the applicant submitted a representation on 3.8.2001 to the respondent no.3 against the impugned order of transfer dated 23.7.2001 and prayed for reconsideration of the matter. In his said representation, he also prayed for a transfer to Bhalukpong site instead of Kabu site. But the respondents did not respond on the said representation, however, the applicant was not released pursuant to the impugned order of transfer.

A copy of the said representation dated 3.8.2001 is annexed herewith as **Annexure-2**.

- 4.5 That in the meantime on 24.9.02, the respondents issued a letter vide No. SSD/ITA/A-4/545-52 whereby a copy of letter No. UBD/DIB/WC-1/2002/7139-43 dated 19.8.2002 was circulated and thereby a scheme for choice station posting was introduced. The applicant being eligible for consideration of his choice station posting, had applied in the prescribed form on 30.9.2002 giving his choice as Margherita, Namsai and Naharkatia in order of

Dhananjoy Baruah

preference. But surprisingly no response was made to his said exercise of option.

A copy of the letter dated 24.9.02 and option dated 30.9.2002 are annexed herewith as **Annexure-3 and 4** respectively.

4.6 That the applicant begs to state that he is a patient of acute hyper tension and suddenly he fell ill on 10.10.2002 and as such became bed ridden. He was sick with effect from 11.10.2002 till 9.11.2002. But surprisingly, when the applicant was anxiously waiting for consideration of his application for choice station posting, in the meantime on 9.10.2002, the respondent no. 3 issued an order and thereby relieved the applicant from duty on 31.10.2002 (AN.) with instruction to join at his new place of posting on transfer i.e Kabu site. By the said order, the respondent no.3, had also directed the applicant to vacate the Govt. accommodation on 1.11.2002. It is relevant to mention here that since the applicant was on leave on medical ground, the office order dated 9.10.2002 was received by him only on 12.10.2002. It is stated that the respondent no. 3 acted arbitrarily and capriciously in an unfair and unjust manner and putting undue harassment on the applicant by way of impugned order of release instead of considering his option for choice station posting.

Copies of the Office order dated 9.10.2002 and the medical certificate dated 11.10.2002 are annexed herewith as **Annexure 5 and 6** respectively.

Dhanmeswar Baruah

4.7 That the applicant begs to state that he was quite shocked and surprised on receipt of the order of release date 9.10.2002 whereby a stale order of transfer was given effect to. However, he submitted a representation on 16.10.2002 against the same stating his difficulties in undertaking the said transfer. In his representation he categorically mentioned of his health problem and the problem of education of his children who were in the mid of their academic session. The applicant also submitted a representation on 29.10.2002 to the respondent no. 3 for retention of the Govt. accommodation allotted to him, but in the impugned order the applicant is directed to vacate the Govt. accommodation allotted to him. It is stated that at this critical juncture when the final examination of the children of the applicant are knocking at the door it will cause irreparable loss and injury to the education of his children if the impugned order transfer and posting and the order of release are implemented. Therefore Hon'ble Tribunal be please to direct the respondents to allow the applicant to continue in service in his present place of posting till the final examination of his children is over and further be pleased to direct the respondents to consider the case of the applicant in terms of his option submitted for choice station posting in the meanwhile and till such time the impugned order of transfer and posting and the order of release be kept in abeyance.

Dhananewar Bannik

Copy of the representation dated 16.10.2002 and 29.10.2002 are annexed as Annexure 7 and 8 respectively.

- 4.8 That the applicant states that he is having two children namely Miss Pranati and Master Kalyan who are reading in Class XII in Naharlagun Govt. Higher Secondary School and they are heading towards the final examination in March, 2003. They, therefore need constant parental care. Following the transfer and posting of the applicant to Kabu site, it would be difficult for him to manage and take care of his two children and it has become imperative to stay with his children at this crucial stage for their smooth upbringing.
- 4.9 That the applicant states that surprisingly after passing of the aforesaid order of release, the respondents returned back all the representations submitted so far by the applicant against the impugned order of transfer, including the application exercising option for choice station posting. This action of the respondents clearly indicates their hostile mind and arbitrary approach towards the applicant and as such the impugned order of transfer and posting dated 23.7.2001 as well as the order of release dated 9.10.2002 are liable to be set aside.
- 4.10 That your applicant humbly submits that in the event of implementation of the impugned transfer order, his whole family will be put into extreme distress. As such, finding no other alternative, the applicant is approaching this Hon'ble Tribunal for protection of his rights and interests

Dhanmeswar Baruah

by setting aside the impugned order of transfer dated 23.07.2001 as well as the order of release dated 9.10.2002 and also praying for a direction upon the respondents to allow the applicant to continue in service at his present place of posting till consideration of his option for choice station posting.

4.10 That this application is made bona fide and for the cause of justice.

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

5.1 For that the applicant has submitted his option for choice station posting in terms of letter dated 19.8.2002 issued by the respondent no.3 but the same has not been duly considered.

5.2 For that the respondents have violated their own circular/decision regarding choice station posting and the order of release has been passed arbitrarily.

5.3 For that the impugned order of transfer has been effected during the mid of academic session of the children of the applicant.

5.4 For that the applicant has got two children who are studying in Class XII and their final examination is going to be held in the month of March 2003 and he alone has to take care of them

Dhanmeswari Banerjee

5.5 For that the applicant, in order to ensure proper parental care of her children, needs to stay in the same station or at least at a nearby station.

5.6 For that in any view of the matter, the impugned order of transfer is bad in law and therefore liable to set aside and quashed.

6. Details of remedies exhausted.

That the applicant states that he has no other alternative and other efficacious remedy 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 regarding the matter in respect of which this application has been made before any court or any other authority or any other Bench of the Tribunal nor any such application, Writ Petition or Suit is pending before any of them.

8. Relief(s) sought for :

Under the facts and circumstances stated above, the applicant humbly prays that your Lordships be pleased to issue notice to the respondents to show cause as to why the reliefs sought for by the applicant shall not be granted, call for the records of the case and on perusal of the records and after hearing the parties on the cause or causes

Dhanmousoon Baruah

that may be shown, be pleased to grant the following relief(s) :

- 8.1 That the impugned order of transfer and posting issued under letter No. UBD/DIB/WC-1/2001 dated 23.07.2001 (Annexure-1) and the order of release issued under Office Order No. UBD/DIB/WC/PF-75/2002/9581-85 dated 9.10.2002 (Annexure-5) be set aside and quashed.
- 8.2 That the Hon'ble Tribunal be pleased to direct the respondent to allow the applicant to retain the Govt. accommodation till the final examination of his children is over or any other order or orders as deem fit and proper.
- 8.2 Costs of the application.
- 8.3 Any other relief(s) to which the applicant is entitled to, as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for.

Pending disposal of this application, the applicant prays for the following relief:-

- 9.1 That the Hon'ble Tribunal be pleased to stay the operation of the impugned order of transfer and posting dated 23.07.2001 (Annexure-1) and the impugned order of release dated 9.10.2002 (Annexure-5) till the disposal of this application. ✓
- 9.2 That the respondents be directed to allowing the applicant to continue to retain the existing Govt. accommodation till disposal of this application.

Dhanmeshwar Baruah

10.

This application is filed through Advocates.

11. Particulars of the I.P.O.

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

12. List of enclosures.

As stated in the index.

Dhanmeswar Baruah

VERIFICATION

I, Sri Dharmeswar Baruah, Son of Late Golokeswar Baruah, working in the office of the Assistant Engineer Subansiri Sub Division, Central Water Commission, Naharlagun, Arunachal Pradesh. applicant in the instant Original Application, 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 day of November, 2002.

Dharmeswar Baruah

GRAM FORECAST

PHONE : 314398

GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
UPPER BRAHMAPUTRA DIVISION
P.O. CENTRAL REVENUE BUILDING
DIBRUGARH - 786003

No. UBD/DIB/WC-1/2001/6642-49

Dated, Dibrugarh the 23.7./2001

OFFICE ORDER

Shri Dharmeswar Baruah, W/C Khalasi presently working at Subansiri Sub-Division, CWC, Naharlagun is hereby transferred to Kabu site in the public interest with immediate effect.

The transfer of Shri Bipul Sarmah, W/C Khalasi issued vide this Office Order No. UBD/DIB/WC-1/2001/3620-3674 dated 21.5.2001 to Kabu is deferred till the next rotational transfers.

(A. V. REDDY)
EXECUTIVE ENGINEER

Copy to :-

1. The Superintending Engineer, Hydrological Observation Circle, CWC, Nabin Nagar, Janapath, Guwahati - 781024 with reference to his letter No. A-15017/12(6)/Estt-WC/2001/C-291 dated 9.7.2001 for favour of kind information please.
2. The Assistant Engineer, Subansiri Sub-Division, CWC, Naharlagun in continuation of this office letter No. UBD/DIB/WC-01/2001/171-72 dated 26.6.2001 and No. UBD/DIB/WC-01/2001/4622 dated 6.6.2001 for further necessary action.
3. Accounts Branch, U.B. Division, CWC, Dibrugarh.
- ✓ 4. Shri Dharmeswar Baruah, W/C Khalasi (Through Asstt. Engineer, Subansiri Sub-Divn. CWC, Naharlagun).
5. Shri Bipul Sharma, W/C Khalasi (Through Asstt. Engineer, Subansiri Sub-Divn. CWC, Naharlagun).
6. Personal file of Shri Dharmeswar Baruah, W/C Khalasi
7. Personal file of Shri Bipul Sharma, W/C Khalasi.
8. Office Order file No. G-5.



Disputed
for
Advo cat

Annexure-2

19

To
The Executive Engineer,
Upper Brahmaputra Division
Central Water Commission
Dibrugarh-3

(Through Proper Channel)

Sub : Prayer for change of place of my transfer
from Kambang (Kabu) Site to Bhalukpong Site.

Ref : Office Order No. UBD/Dib/WC-1/2001/6642-49
dated 23.07.2001.

Sir,

With reference to the office order's no. cited above, I humbly beg to request that I am kindly be transferred to Bhalukpong Site instead of Kabu Site where I have a personal acquaintance with many people of my home town area and I feel that I shall be able to find out a suitable boy for my marriageable daughter. Sir, I have been trying to get my daughter married since long back but till not materialized on other problems.

In view of the foregoing I humbly request your honour to kindly transfer me to Bhalukpong site instead of Kabu Site.

And for this act of kindness I shall pray for your honour's well being.

Yours faithfully,

Sd/- Illegible 3.8.2001

(D. Baruah)
W/C, Khalasi
Subansiri Sub Division
CWC, Naharlagun(AP)

Copy to the Superintending Engineer, Hydro Observation Circle, CWC, Guwahati for favour of kind necessary action please.

True copy
J. Advait

Dhanmeswar Baruah

15
Anx-3

Copy of letter No. UBD/DIB/WC-1/2002/7139-43 dated 19.8.2002 of the Executive Engineer, Upper Brahmaputra Division, OWC, Dibrugarh (Assam)

Subj: Posting of Work-charged staff at Arunachal Pradesh - regarding.

The undersigned desires to post some of Work-charged staff in Arunachal Pradesh under Subansiri Sub-Division, OWC, Naharlagun, U.B. Sub-Division No. I, OWC, Dibrugarh and D(S)K Sub-Division, OWC, Nagaon in public interest. It is therefore requested to send the willingness of the staff in the proforma enclosed herewith.

The persons who are willing to be posted in the Sites and Sub-Division located in Arunachal Pradesh will be transferred at their choice of place in public interest after completion of ~~the~~ two years service in Arunachal.

Sd/-

(G. PENCHALAIAM)
Executive Engineer

Copy to:-

1. The Superintending Engineer, Hydrological Observation Circle OWC, Nabin Nagar, Janapath Guwahati.

PROFORMA

- | | | |
|--|---|---|
| 1. Name and Designation | : | DHARMESWAR BARUAH |
| 2. Present place of posting | : | SSD/OWC/ Naharlagun |
| 3. Date from which working at present place | : | 12-10-1992 to till date |
| 4. Date of joining in regular Work-charged establishment | : | 15-05-1979 |
| 5. Choice place of posting | : | 1. Subansiri Sub-Division Naharlagun (16 years in AP) 2. Yazali (1992 to till date) 3. Daporizo 4. Pasighat 5. Kabu 6. Seppa 9. Bhalukpong 10. Tezu 11. Namsai 12. Miao (6 years) (1984 to 1990) |

Choudhury
on - 1990 to 1991

Attended
for
advocate

Signature of applicant

No: SSD/ITA/A-4/ 545-52 Dated: 24/9/2002

Copy to Junior Engineer(C), SSD/Naharlagun, Choudhury, Site In-charge, Pasighat/Kabu/Daporizo/Yazali/Badatighat/N.T. Road King, Ranganadi. Willingness of interested officials may please be sent to this Office for further necessary action.

for circulation - note by staff

1. Sh. D. Baruah - *[Signature]* 25/9/2002
2. Sh. T. C. Hazarika - *[Signature]*
3. Sh. M. B. Chetty - *[Signature]*
4. Sh. U. B. Das - *[Signature]* 25/9/02

[Signature]
G.A. VENKATACHARI
Assistant Engineer

1.11.55
16

Anx-4 22

PROFORMA : OPTION FOR CHOICE STATIONON TRANSFER/POSTING.

1. Name : Shri Dharmeswar Baruah
2. Designation : w/c, khalafi
3. Date of Birth : 1956 12.1956
4. Date of joining service : 15.5.1979
5. Date of superannuation : 29-02-2016
6. Declared Home Toen : Dibrugarh.
7. Place of present posting and since posted : SSD/Care/
Naharlagun (Assamahal Pradesh)
8. Details of previous posting since appointment in Govt. Service

| Post held | Office/Division/ Distt./State | Period of stay | | Remarks |
|-------------|----------------------------------|----------------|-----------|---------|
| | | From | To | |
| w/c khalafi | Delhi | 1979 | 1984 | |
| | Maio | 1984 | 1990 | |
| | Chandigarh | 1990 | 1992 | |
| | SSD/Care | 1992 | Till date | |
| | NLP | | 2002 | |

9. Option for choice of station : 1. Margherita
in case of transfer/posting outside Delhi/Noida/Faridabad 2. Namsai
3. ~~Tezpur~~, Naharlagun

(Choice stations will be considered as far as possible, subject to administrative requirements/exigencies and provisions of transfer policy)

10. Any specific information the official wish to furnish. : Children education problem, daughter's Marriage problem & self Medical problems.

(I was stayed 3 years in Maio bet. 1984 to 1990)
as per discretion to transfer me to any other place of my choice
as per Govt Circular No. vide GSO/1216/02-1/2002/7139-43 dt. 19.8.2002
Since I have completed more than 10 years at
Place : SSD/Care/Naharlagun (AP).

Date : 30/09/2002
Naharlagun

Signature : *Dharmeswar Baruah*
Name : (D. Baruah)
w/c, khalafi

Attested
for
Signature

17

Anx-5

23

GRAM : FORECAST

FAX/PHONE : 314398

GOVERNMENT OF INDIA
CENTRAL WATER COMMISSION
UPPER BRAHMAPUTRA DIVISION
P.O. CENTRAL REVENUE BUILDING
DIBRUGARH - 786003

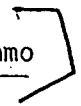
NO.UBD/DIB/WC/PF-75/2002/9581-85 Dated, Dibrugarh the 09.10./2002

OFFICE ORDER

Consequent upon his transfer from Subansiri Sub-Division, CWC, Naharlagun to Kabu site, Shri Dharmeswar Baruah, W/C Khalasi is hereby stands relieved from duty on 31.10.2002(AN) with instruction to join at his new place of posting on transfer i.e. Kabu site.


(G. PENCHALAI AH)
EXECUTIVE ENGINEER

Copy to :-

1. The Superintending Engineer, Hydrological Observation Circle, CWC, Nabin Nagar, Janapath, Guwahati - 24 for information.
2. The Assistant Engineer, Subansiri Sub-Division, CWC, Naharlagun.
3. Accounts Branch, U.B. Division, CWC, Dibrugarh.
- ✓ 4. Shri D. Baruah, W/C Khalasi with instruction to vacant the Govt. accommodation on 01.11.2002. 
5. Office Order file No.G-5.

Received by Shri D. Baruah
on 27/10/2002

(Mid-Session)

Attested
by
Sd/-

Medical Certificate for non recommended leave
or extension of leave or commutation of leave

Signature of Government Servant

I, Dr. S.F. Khumti after careful personal examination
of the case hereby certify that Sri/Smti/Kumari X. Baruah
whose signature is given above is suffering from Excessive pressure Hypertension
and I consider that a period of absence from duty of 1 (one) month
days with effect from 11/10/02 is absolutely necessary for the restoration of his/her health.

Date. 11/10/02

S.F. Khumti
Authorised Medical Attendant.
General Hospital
Nabariagan (A. P.)

Arunachal Govt. Press—9/2002-CMO(GH)-30 bks x 100 pages-1-2002.

Attested
by
Sd/-

19

To

The Executive Engineer,
Upper Brahmaputra Division
Central Water Commission
Dibrugarh.

(Through Proper Channel)

Subject: — Transfer — regarding.

Ref: — Office order No. UBD/Dib/WTC/PF-75/
2002/9581-85 dated 9.10.2002.

Sir,

Respectfully I beg to state that, in materialising that office order No. UBD/Dib/WTC-1/2001/6642-49 dt. 23.7.01 in regards to my transfer to Kabu Sibi, I have been transferred vide above referred order and released me from duty on 31.10.2002.

I beg to state that, The transfer which was made on 23.7.2001. The same was deferred on my request in view of self health problem, daughter marriage problem and other children education problem. However it appears after a years The transfer order again makes effective one.

That, Sir two of my children Miss Pranati Baruah daughter, and Shri Kalyan Baruah, son both are regular student of class - XII, studying in Govt. H.S. School, Naharlagun. Their final examination is scheduled in The March/April-2003. The place of Kabu being a interior place have no school facilities to accommodate my children. Further more at this eleven hour of due final examination, it is difficult to join at Kabu which is situated at a distance of more than 400 KM, ~~Further~~ future, it is needless to mention here that my health also not sound as evident to my controlling officer and requires regular medical checkup. However no such medical facilities are available at Kabu.

Therefore consequences upon my problem which are genuine, request herewith kindly to defer my transfer till the month of March/April 2003, so as to facilitate my children to appear in their class XII final examination and after that at per your discretion to transfer me to any other place of my choice as per Govt. Circular. Since I have completed more than 10 years at Naharlagun and other (6 years at Niao Ket. 1984-1990 total 16 years in Akerashal Pradesh) where I can allow both my children to pursue their further college education. Because I being a low paid employee have no financial means to let the hostel boarders or arranging separate accommodation.

I shall remain ever grateful for your kind and sympathetic action.

Yours faithfully.

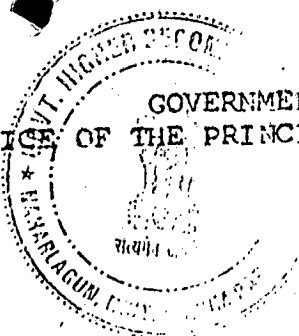
(D. Baruah)
WTC, Khabari

Adv-copy to The Superintending Engineer,
H.O.C. case, Guwahati, for information and
necessary action please.

Dibrugarh
16/10/2002
(D. Baruah) WTC, Khabari

Pls. Ed
Dibrugarh
Dibrugarh

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE PRINCIPAL::GOVT.HIGHER SECONDARY SCHOOL
NAHARLAGUN.



// TO WHOM IT MAY CONCERN, //

Certified that Shri/Miss Kalyan Boruah
----- Son/Daughter of Shri/Smti D. Boruah is
presently reading in class XII (Hon) Sec 1 Roll 75 in this
Institution.

Certified that HE/She has not appeared AISSCE'03
which was to be scheduled on March'2003.

Date: 11/10/2002

Place:- Naharlagun.

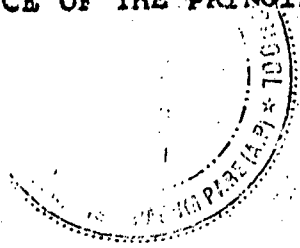
11/10/02
Principal i/c.
Principal, School
Govt. Higher Secondary School,
Naharlagun.

*Attested
by
Advocate*

22 21

Ann - 7 (contd.)

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE PRINCIPAL: GOVT. HIGHER SECONDARY SCHOOL
NAHARILAGUN.



// TO WHOM IT MAY CONCERN. //

Certified that Shri/Miss Pranati Boruah
----- Son/Daughter of Shri/Smt D. Boruah ----- is
presently reading in class XII (Hum) Sec A Roll 8 ----- in this
Institution.

Certified that HE/She has not appeared AISCCE'03
which was to be scheduled on March'2003.

Date: 27/10/2002

Place: Naharilagun.

h 11/10/02
Principal 1/c
Govt. High Principal
Govt. Higher Secondary School,
Naharilagun.

*Attested
by
Advocate*

Annexure-8

To

The Executive Engineer,
Upper Bhrahamputra Division
Central Water Commission
Dibrugarh

(Through Proper Channel)

Sub : Retention of Quarter at CWC Complex, at
Naharlagun (Arunachal Pradesh).

Ref : (i) Office Order No.UBD/Dib/WC/PF-75/2002/9581-85
Dated 9.10.2002.

(ii) My prayer dated 16.10.2002.

Respected Sir,

With reference to above mentioned letters I am to state that till date I have not received any letter about action taken on my prayer dated 16.10.2002. I am honestly stating that if I am compelled to vacate the Government Quarter, due to non-availability of private accommodation/rented house and my financial position, I will have to discontinue the studies of my both the children. As both the children are studying in Class XII and at their final stage of schooling, if studies discontinued my children will never excuse me in future.

At this juncture I have no option except making a prayer to your good office to allow me to retain the Government accommodation at CWC Complex, Naharlagun (A.P.) for the shake of future of my children, till their final examination of class XII is over, which is scheduled to be held in the month of March/April-2003.

This is for favour of your kind consideration and favourable action please.

*True copy
Dhan
Advocate*

Dhanmeshwar Baruah

- Enclo : 1. UBD/Dib/WC/PF-75/2002/9581-85 dated
9.10.2002.
2. My prayer - 16.10.2002

Date : 29.10.2002
Place - Naharlagun.

Yours faithfully,

Sd/- Illegible 29.10.2002
(D. Baruah)
W/C, Khalasi

Advance copy : To the Superintending Engineer, Hydro
Observation Circle, CWC, Guwahati for favour of kind
necessary action please.

Sd/- D. Baruah
29.10.02

Dhanmeswar Baruah