

30/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

FORM NO. 4
(See Rule 42)
CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH.
GUWAHATI.

ORDER SHEET

Original No. 88 / 2002
Misc. Petition No.
Contempt Petition No.
Review Application No.

Applicant(s) Amal Chakraborty

Respondent(s) CCOT 2 CTS.

Advocate for Applicant(s) Mn. Adil Ahmed

Advocate for Respondent(s) Cgsc.

Notes of the Registry

Date

ORDER OF THE TRIBUNAL

15.3.02

Heard learned counsel for the parties.
Issue notice on the Respondents to show
cause as to why the application should
not be admitted.

List on 12.4.02 for Admission.

lm

Vice-Chairman

12.4.02

None is present for the applicant.
Case is adjourned to 13.5.02 for Admission.

lm

Member

15.5.02

Heard Mr.A.Ahmed learned counsel for
the applicant and Mr.A.K.Choudhury learned
Addl.C.G.S.C. for the Respondents, it has
been stated that in pursuance of the order
of transfer dated 23.6.2001 transferring the
applicant from Silchar to Calcutta. The
Authority has now taken decision to give effect to the

contd/-

This is application in form
C. F. No. 35/02 deposited
with IP No. 547804
Dated 26-02-2002
By Registrar
16/3/02

Steps taken.

Notice prepared and sent
to D/S for filing the
Respondent No 1405
By Regd A/S.

D/No 920/15 924

Dtd 27/3/02

Service report are
still awaited.

By 11.4.02

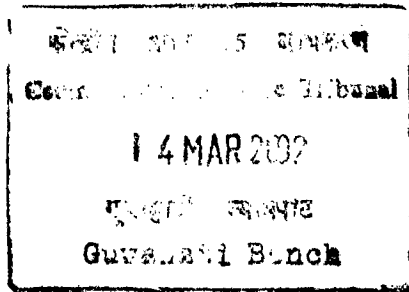
15.5.02

order so far, the applicant is concerned. Mr. Chowdhury, learned counsel for the respondents placed before us the order of posting Shri Sukleswar Talukdar as reliever at Silchar by order dated 19th April 2002. In the circumstances the application stands dismissed as infructuous.

Order copy received
by Mr. A.K. Chowdhury
Addl. C.C.S.C, CAT, CHH,
on 20/5/02 in O.K.

lm

Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

(AN APPLICATION UNDER SECTION OF 19 OF THE
CENTRAL ADMINISTRATIVE TRIBUNAL ACT 1985)

ORIGINAL APPLICATION NO. 88 OF 2002.

Shri Amal Chakraborty

-Applicant.

-Versus-

The Union of India & Others,

-Respondents.

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Filed by

Advocate

(Anil Ahmed)

Shri Amal Chakraborty

Filed by
Shri Amal Chakraborty
Applicant
through JGL
(Asic AMED)
Advocate

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

(AN APPLICATION UNDER SECTION OF 19 OF THE
CENTRAL ADMINISTRATIVE TRIBUNAL ACT 1985)

ORIGINAL APPLICATION NO. 88 OF 2002.

BETWEEN

Shri Amal Chakraborty
Junior Engineer (Elect)
Manipur Central Elect. Sub-Division
No. 1, Central Public Works Department,
Tulihal Airport, Imphal,
PIN- 795140.

-Applicant.

-AND-

1. The Union of India represented by the Secretary to the Government of India Ministry of urban Affairs New Delhi.
2. The Director General (Works) central Public works Department, Nirman Bhawan New Delhi- 110011.
3. The Chief Engineer (Electrical)
Eastern Zone, 234/4 A.J.C. Bose Road,
Kolkata-700020.

Amal Chakraborty

4. The superintendent Engineer
(Co-Ordination) Circle Central Public
Works Department Eastern Region, Nizam Place Kolkata -
20.
5. The Executive Engineer (Electrical) Silchar Central Electrical
Division, Central Public Works Department, Malugram, Mela
Road, Silchar Assam,
Pin - 788002.

-Respondents.

- 1) DETAILS OF THE APPLICATION
- 1) PARTICULARS OF THE ORDER AGAINST WHICH
THE APPLICATION IS MADE:

This application is not made against any specific order but it is made for seeking a direction from this Hon'ble Tribunal Directing the respondents to release the applicant from Imphal to Kolkata as per transfer order issued by the respondent No.4 Vide his office order F No. 21(1) SE(c)/JE(Elect)/ER/CPWD/CAL/2000/570 Dated 09-06-2000 and also another transfer order vide No. 21(1) SE(C)/JE/ER/CPWD/CAL/2001/490 dated 12-07-2001 issued by the Respondent No. 4.

- 2) JURISDICTION OF THE TRIBUNAL

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

Shrakonbhs.

3] LIMITATION

The applicant further declares that the subject matter of the instant application is within the limitation prescribed under Section 21 of the Administrative Tribunal Act 1985.

4] FACTS OF THE CASE:

Facts of the case in brief are given below:

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

4.2] That your applicant was appointed as Junior Engineer in Central Public Works Department. Now he is working as Junior Engineer (Electrical) Manipur Central Elect. Sub-Division No. 1, Central Public Works Department, Tuliha Airport, Imphal, PIN- 795140.

4.3] That your humble applicant begs to state that he has joined in the North Eastern Region in Imphal on 07-09-1998. He has already completed his tenure and posting at North Eastern Region. He is entitled to choice place of posting as per Government of India; Ministry of Expenditure office Memorandum No. 20014/83 E.IV dated 14.12.83. The Respondent No. 2 has also issued an office Memorandum dated 10th December 1997 regarding tenure of office and Staffs posted in the North Eastern Region. It has also stated in the said office Memorandum that due to law and order situation prevailing in the North Eastern Region the tenure of posting of officers and Staffs of the Central Public Works

Chakrabarty

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Department posted in the North Eastern Region will be 2 (two) years irrespective of length of their service.

Annexure-A is the photocopy of office Memorandum dated 14th December 1983.

Annexure-B is the photocopy of office Memorandum dated 10th December 1997 issued by the office of the Respondent No. 2.

4.4] That your applicant begs to state that he was transferred to Kolkata PCED-II against a vacant post vide office order F No. 21(I)S.E.(C) JE(Electrical) ER/CPWD/Cal/2000/570 issued by the Respondent No. 4. In that transfer order the name of the applicant appears at Serial No. 52 of the list of Junior Engineer under order of transfer and he is to be transferred from SC FD/Silchar (Head Quarter Imphal) to PC ED-II/Calcutta. He is to be released by J.E.(E) Sri S. N. Sahay whose name appears at serial No. 32 of the said list. In spite of the said order of transfer Sri S N Sahay (JE) did not come to release your applicant. On the other hand, the authority concerned also did not issue any release order of your applicant for the reasons best known to them. In this connection your applicant submitted representation before the Respondent on 08-02-2000, 11-09-2000 and 28-11-2000 for early release of the applicant. But the Respondents did not take any action in this matter. Unfortunately, the said transfer order dated 09-06-2000 was expired on 31-12-2000.

Annexure-C is the photocopy of Transfer Order vide F No. 21(I)S.E.(C) JE Electrical) ER/CPWD/Cal/2000/570 issued by the Respondent No. 4.

Chakraborty

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4.5] That your applicant begs to state that the Respondent No. 2 has issued an office Memorandum dated 12.4.2001 regarding compliance of transfer orders. In this office Memorandum it has been states that the practice of not relieving the officer, pending decision on the representations and Withholding their transfer is viewed seriously and competent authority has decided that all officers under transfer must be relieved forthwith. Their representation if any will be considered only after they join new place of posting.

Annexure-D is the photocopy of office Memorandum dated 12th April 2001 issued by the Respondent No. 2.

4.6] That your applicant begs to state that the Respondent No. 4 issued another transfer order vide F. 21(1)/SE@/JE@/ ER/CPWD/ Cal/2001/490 dated 12-07-2001. In this letter one Sri S. N. Sahay was transferred from PC ED/Patna to SC ED/Silchar (Head Quarter Imphal) vice A Chakraborty (already transferred). Pursuant this transfer order and consequent release order of Assistant Engineer (E), Mukama vide his office order N. 9(1)/MCESD/01/675 ^{Sri Sahay} was released from Patna Division with effect from 24-09-2001 AN. Sri Sahay was directed to report the Respondent No. 5. But more than 4 (four) months have been passed yet he has not joined in his new place of posting at Imphal. But the Respondents have not taken any appropriate step in this regard though your applicant had submitted several representations dated 25-07-2001, 08-08-2001, 10-08-2001 and 15-12-2001 for his early release from Imphal.

It is pertinent to mention here that in the same transfer order, i.e., Order F No. 21(I) S.E.(C)JE(Electrical) ER/CPWD/Cal/2000/570 issued by the Respondent No. 4 dated 12-07-2001 one Sri SN Dey whose

Shri Sahay

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Serial No. appears at No. 21 have been released without awaiting substitute. From this it appears that the Respondents have discriminated your applicant.

Annexure-E is the photocopy of transfer order F No. 21(I)S.E.(C) JE(Electrical) ER/CPWD/ Cal/2000/570 dated 12-07-2001 issued by the Respondent No. 4.

4.7] That your applicant begs to state that your applicant's wife is also working under the Life Insurance Corporation of India at Kolkata and they ^{have} two minor children one is school going and another one is two years old. As per the Government of India Office Memorandum No. 28034/2 /97 Estt (A) dated 12-06-1997 issued by the Department of Personnel & Training the husband and wife may invariably be posted together at the same station, especially, till their children are 10 years of age. In this connection your applicant is entitled to get the benefit of husband and wife posting at the same station. But in spite of two transfer orders one is dated 09-06-2000 and another is 12-07-2001 issued by the Respondent No. 4 he has not yet been released by the Respondents. As such, your applicant is compelled to approach this Hon'ble Tribunal for seeking justice in this matter.

Annexure-F is the photocopy of Memorandum No. 28034/2 /97 Estt (A) dated 12-06-1997 issued by the Department of Personnel & Training.

4.8] That your applicant submits that the Respondents have deliberately and intention-ally discriminated applicant by not releasing him from present place of posting to Kolkata in spite of his clear transfer orders

Chakrabarti

dtd 09-06-2000 and 12-07-2001. As such, it is a fit case for giving adequate direction to the Respondents by the Hon'ble Tribunal to release the applicant immediately in compliance to the transfer orders dated 09-06-2000 and 12.7.2001 issued by the Respondent No. 4.

4.9] That your applicant submits that he has got reason to believe that the Respondents are resorting the colorable exercise of power to accommodate their interested persons in their favorable place.

4.10] That your applicant submits that the action of the Respondents is mala fide, illegal and with a motive behind.

4.11] That your applicant submits that the action of the Respondents by which the applicant has been deprived of his legitimate rights is arbitrary. It is further stated that the Respondents have acted with a mala-fide intention only to deprive the applicant from his legitimate rights.

4.12] That your applicant submits that the action of the Respondents is highly illegal, improper, whimsical and also against the policy adopted by the Government of India.

4.13] That your applicant submits that the Respondents have violated the fundamental rights of the applicant.

4.14] That in view of the facts and circum-stances it is a fit case for interference by the Hon'ble Tribunal to protect the interest of the applicant and his family members.

dhaknbnh

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4.15] That this application is filed bona fide and for the interest of justice.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1] For that, due to the above reasons narrated in detail the action of the Respondents is in prima facie illegal, mala-fide, arbitrary and without jurisdiction.

5.2] For that, the Respondent has not considered his or her own guideline regarding release of person when he is transferred. As such, there is no jurisdiction in denying the said benefit to the applicant.

5.3] For that, it is settled proposition of law that when the same principle have been laid down in given cases, all the persons who are similarly situated should be granted the same benefit.

5.4] For that, the Respondents have violated the Article 14, 16 and 21 of the Constitution of India.

5.5] For that, the action of the respondents is arbitrary, mala-fide and discriminatory with an ill motive.

5.6] For that, in any view of the matter the action of the respondents are not sustainable in the eye of law and as well as fact.

Shakunbhai

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The applicant craves leave of this Hon'ble Tribunal to advance further grounds at the time of hearing of this instant application.

6. DETAILS OF REMEDIES EXHAUSTED :

That there is no other alternative and efficacious remedy available to the applicant except invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

7. MATTERS NOT PREVIOUSLY FILED OR
PENDING IN ANY OTHER COURT:

That the applicant further declares that he has not filed any application, writ petition or suit in respect of the subject matter of the instant application before any other Court, 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 applicants most respectfully prayed that your Lordship may be pleased to admit this application, call for the records of the case, issue notices to the Respondents as to why the relief and relives sought for by the applicant may not be granted and after hearing the parties and the cause or causes that may be shown your Lordships may be pleased to dispose up this application on the admission stage and may be pleased to direct the Respondents to give the following relives:

Ahmad Khan

8.1] That the Respondents may be directed by the Hon'ble Tribunal to release the applicant from the present place of posting at Imphal (Manipur) to Kolkata as per transfer order F No. 21 (1)/SE@ JE/(Elect)/ER/CPWD/Cal/2000/570 dated 09-06-2000 and also No. 21(1) SE@/JE/ER/CPWD/Cal/2001/490 dated 12-07-2001 (Annexures-C & E).

8.2] To pass any other relief or relives to which the applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.

9] INTERIM ORDER PRAYED FOR :

The applicant most respectfully prays for interim order from this Hon'ble Tribunal directing the Respondents to release the applicant from his present place of posting as per office order F No. 21 (1)/SE@ JE/(Elect) ER/CPWD/Cal/2000/570 dated 09-06-2000 and also No. 21(1) SE@/JE/ER/ CPWD/Cal/2001/490 dated 12-07-2001 (Annexures-C & E) from Imphal to Kolkata.

10] Application Is Filed Through
Advocate.

A. K. S. S. S. S.

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12] Particulars of I.P.O.:

I.P.O. NO. 76547804

Date Of Issue 26.2.2002

Issued from Guwahati G.P.O.

Payable at Guwahati

13] LIST OF ENCLOSURES:

As stated above.

...Verification.

Shankar B.

16
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VERIFICATION

I, Shri Amal Chakraborty, Junior Engineer (Elect) Manipur Central Elect. Sub-Division No. 1, Central Public Works Department, Tuliha Airport, Imphal, PIN- 795140 do hereby solemnly verify that the statements made in paragraphs are true to my knowledge, 4.1, 4.2 —
———— those made in paragraphs 4.3, 4.4, 4.5, 4.6, 4.7 are being matters of records are true to information derived therefrom which I believe to be true and those made in paragraph 5 are true to my legal advice and rest are my humble submissions before this Hon'ble Tribunal I have not suppressed any material facts.

And I sign this verification today on this the 14th day of March, 2002 at Guwahati.

Amal Chakraborty

Declarant

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ANNEXURE - A

No. 20014/3/83-D-IV
Government of India
Ministry of Expenditure

New Delhi, the 14th Dec. '83

Copy of Min. of Def. O.M- No. 4 (19)/83/D Civ-I
dt. 11.1.89

OFFICE MEMORANDUM

Subject: Allowance and facilities for civilian
employees of the Central Govt. servants
in the states and Union Territories of
the North Eastern Region - Improvement
thereon.

The need for attracting and retaining the
services of competent officers for service in the
North Eastern Region comprising the states of Assam,
Meghalaya, Manipur, Nagaland and Tripura and the
union territories of Arunachal Pradesh and Mizoram
has been engaging the attention of the Govt. for
some time. The Govt. had appointed a committee
under the Chairmanship of Secretary, Department of Per-
sonnel and Administrative Reforms, to review the

[Signature]
A. S. K.

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existing allowances and facilities admissible to the various categories of civilian Central Govt. Employees serving in this region and to suggest suitable improvement. The recommendations of the committee have been carefully considered by the Govt. and the President is now pleased to decide as follows:

(1) Tenure of Posting/deputations.

There will be a fixed tenure of posting of 3 years at a time for officers with service of 10 years or less and of 2 years at the time for officers with more than 10 yrs. of service. Periods of leave, training, etc. in cases of 15 days per year will be excluded in counting the tenure period of 2/3 years. Officers, on completion of the fixed tenure of service mentioned above, may be considered for posting to station of their choice as far as possible.

The period of deputation of the Central Govt. employees to the states/Union Territories of the North Eastern Region will generally be for 3 years.

Atscl
[Signature]
[Signature]

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which can be extended in exceptional cases, in
of public services as well as when
when the employee concerned is prepared to stay
longer. The admissible deputation allowances will
also be continue and be paid during the period
of deputation or extended.

- (11) Weightage for Central deputation/training
abroad and special mention in confidential
records.

Satisfactory performances of duties for the
prescribed tenure in the North Eastern shall
be given due recognition in the case of eligible
officers in the

- (a) Promotion in cadre posts.
(b) Deputation to central tenure posts, and

- (12) Weightage for Central deputation/training
(a) course of training abroad.

The general requirement of at least three
years services in a cadre post between two Central

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JS
Dharm

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tenure deputation may be relaxed to two years in deserving cases of meritorious services in the North East.

A specific entry shall be made in CB of all employees who rendered a full tenure of service in the North Eastern Region to that effect.

(11) Special (Duty) Allowances:

Central Govt. civilian employees who have all India transfer liability will be granted a special (duty) allowance at the rate of 25 per cent of basic pay subject to a ceiling of Rs. 400/- per month on posting to any station in the North Eastern Region. Such of those employees who are exempt from payment of income tax will, however, not be eligible for this special (Duty) Allowance.

Special (Duty) Allowances will be in addition to any special pay and/or deputation (duty) allowance already being drawn subject to the condition that the total of such special (Duty) allowances like special compensatory (Remote Locality) Allowances

Amtd
J.S.
Advocate

-17-

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construction allowances and project allowances will be drawn separately.

(iv) Special Complimentary Allowances
Assam and Meghalaya.

The rate of the allowances will be 5% of basic pay subject to a minimum of Rs.50/- p.m. admissible to all employees without any pay limit. The above allowances will be admissible with effect from 1.7.52 in the case of Assam.

2. Manipur

The rates of allowances will be as follows for the whole of Manipur :-

pay upto Rs. 20/-	Rs. 40 p.m.
pay upto Rs. 20/-	Rs. 15% of basic pay
	subject to maximum of
	Rs. 150/- p.m.

Adv. S. Adv. S.

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3. Tripura

The rates of the allowance will be
~~as follows:-~~ as follows:-

a) Difficult area 25% of pay subject
 to a minimum of
 50/- and a maximum
 of 150/- p.m.

b) Other areas:

Pay upto Rs. 20/- Rs. 40/- p.m.

Pay above Rs. 20/- 15% of basic pay
 subject to a maximum
 of Rs. 150/- p.m.

There will be no change in the existing rates
 of special compensatory allowance admissible in
 Arunachal Pradesh, Nagaland and Mizoram and the
 existing rate of disturbance allowance admissible
 in specified areas of Mizoram.

(v) Travelling allowance on first appointment

The rotation of the person (AR-100)
 that the existing allowance is not admissible for

ALH
 CS
 Advate

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journeys enlisted connection with initial
appointment, in case of journeys for initial
appointment to a post in the North Eastern Region
for travelling allowances limited to by bus
fare/second class rail fare for road/air
in case of first 400 kms. for the Govt.
servant himself. Will be available.

(vi.) Travelling allowance for journey on
transfer.

In relaxation of orders below SR-11, on
transfer to a station in the North-Eastern Region,
the family of the Govt. servant does not accompany
him, the Government servant will be paid travelling
allowances on tour for self only for transit period
to join the post and will be permitted to carry
personal effects upto 1/3 of his entitlement
at Govt. cost or have an equivalent of carrying
1/3rd of his entitlement of the difference in
weight of the personal effects actually
carrying and 1/3rd of his entitlement as the case
may be in line of the cost of transportation of
baggage. In case the family accompanies the

9-11-11

Attd
J.S. Advmt

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Govt. servant on transfer, the Govt. servant will be entitled to the existing admissible travelling allowances including the cost of transportation as charges of the admissible weight of the baggage actually carried. The above provisions will also apply for the return journey on transfer back from the North Eastern Region.

(vii) Road mileage for transportation of personnel effects

In the relaxation of orders below SR 110 for transportation of the personnel effects on transfer between two different stations in the North Eastern Region, higher rate of allowances admissible for transportation in any station subject to the actual expenditure incurred by the Govt. servant, will be admissible.

(viii) Joining time with leave

In the case of Govt. servant proceeding on leave from a place of posting in North Eastern Region, the period of travelling except of two days

APD
[Signature]
[Signature]

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from the station of posting to outside that region will be treated as joining time. The outside will be admissible on return from leave.

(ix) Leave travel concession

A Govt. servant who leaves his family behind at the old duty station or another selected place of residence for the family will have to option to avail of the existing leave travel concession of journey to home town once in a block period of 2 years or in lieu thereof, facility of travel for himself once a year from the station of posting in the north eastern region to his home town or place where the family is residing and in facility for the family (restricted to his wife and two dependent children only) also to travel once a year to the employee at the station of posting in the north eastern region. In case the cost of travel for the initial stage will not be borne by the officer.

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Approved
[Signature]
[Signature]

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officers drawing pay of Rs. 2250/- or above and their families, i.e., spouse and two dependant children (to 18 yrs. for boys and 24 yrs. for girls) will be allowed free travel between Imphal/Silchar/Agartala and Calcutta and vice-versa, while performing journeys mentioned in the preceding paragraph.

(x) Children Education Allowances/Postal subsidy)

Where the children do not accompany the Govt. servant to the North Eastern Region, Children Education Allowances upto class XII will be admissible in respect of children studying at the last station of posting of the employee concerned. If any other station where the children reside without any restriction of pay drawn by the Govt. servant. If children studying in schools are put in hostels at the last station of posting or any other station, the Govt. servant concerned will be given hostel subsidy without other restrictions.

2. The above orders except those in sub para (iv) will also be mutatis mutandis apply to Central Govt. e., places posted to Andaman and Nicobar Islands.

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Handwritten signature and initials

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3. These orders will take effect from 1st Nov. 1983 and will remain in force for a period of three years upto 31st Oct. 1986.

4. All existing special allowance, facilities and concessions extended by any special orders by the Ministries/Departments of the central Govt. to their own employees in the North Eastern Region will be withdrawn from the date of effect of the orders contained in this office memorandum.

5. Separate orders will be issued in respect of other recommendation of the committee referred to in paragraph 1 as and when decisions are taken by them by the Govt.

6. In so far as persons serving in the India Audit & Accounts Deptt. are concerned, these orders issue after consultation with Comptroller and Auditor General of India.

31/-

(S.C. Mahalik)

Jt. Secy. to the Govt. of India

AS
J.S.
Adm. to

No. 29/1/97-EC I
Government of India
Directorate General of Works
Central Public Works Department

Nirman Bhavan, New Delhi.
Dated the 10 December, 97.

OFFICE MEMORANDUM

Subject :- Tenure of officers and staff posted in North-Eastern Region.

It has been decided by the Director General of Works, Central Public Works Department, New Delhi, after taking into consideration the prevailing law and order situation in the North Eastern States, that the tenure of posting of officers and staff of C.P.W.D. posted in North Eastern Region will be two years irrespective of their length of service.

The decision will be reviewed after one year depending upon the law and order situation prevailing at that time.


(B.B. SINGH)
DY. DIRECTOR OF ADMN.

To

All Chief Engineers (Civil) and (Elect.) / Superintending Engineers (Civil) and (Elect.) and Executive Engineers (Civil) and (Elect.) in C.P.W.D./P.W.D. including Valuation, App. Authority, I.T. Department, Ministry of E&F etc.

SO
30/11/2
SL R.R.
31/11/2
copy to PCB to keep in file
14/11
AS
Sharma

Office of the Superintending Engineer, Co. Distribution, Cuttack, Western Region
Bhubaneswar, Odisha-751005

Received at Impul on 23-06-2000 at 11-30 Am.

DATED: 23-06-2000

Respectful findings of the following Major Engineers (Elect) are hereby ordered in public interest

S.No.	Name	From	To	Remarks
1.	R. H. Das	CCED-IV/Cal	PCEC/Cuttack	Existing Vacancy
2.	Amulya Kumar	CCED-IV/Cal	CCED-IV/Cal	Vice N. B. Das
3.	S. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
4.	R. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
5.	P. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
6.	P. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
7.	N. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
8.	N. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
9.	G. R. P. Rao	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
10.	P. S. Ashikary	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
11.	S. N. Naskar	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
12.	S. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
13.	Amulya Kumar	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
14.	Amulya Kumar	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
15.	S. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
16.	S. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
17.	S. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
18.	S. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
19.	P. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
20.	S. C. Roy	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
21.	G. Ghosh	SE(P)EZ-IV/Cal	CCED-IV/Cal	Vice S. K. Das
22.	R. K. Das	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
23.	S. K. Naskar	CCED-IV/Cal	CCED-IV/Cal	Vice S. K. Das
24.	S. K. Mazumdar	CCED-IV/Cal	Bhaskar Bhawan	Existing Vacancy

Office order 2

Handwritten signature and initials.

Handwritten signature: Anil Chakrabarty

Office of the Superintending Engineer, Co-Ordination, CPWD, Eastern Region
Nizam Palace, Calcutta-700029.

25.	A. K. Ghosh	CCED-II/Cal	CCED-I/Cal	Vice D. Dey
26.	Probit Kr. Soha	CCED-III/Cal	CCED-I/Cal	Vice Amit Dey
27.	S. K. Dhara	CCFC-II/Cal	CCED-III/Cal	Vice N.K. Das
28.	D. Sikdar	CCED-II/Cal	CCED-II/Cal	Vice N.K. Kundu
29.	S. Bandyopadhyaya	CCED-III/Cal	CCED-II/Cal	Vice S. Dutta Roy
30.	K. K. Dhakui	SE(P&A)/Elect/Cal	CCED-II/Cal	Vice Anup Kumar Roy
31.	A. K. Palit	CCEC-I/Cal	CCED-III/Cal	Vice P. K. Halder
32.	S. N. Sahay	PCED/Patna (H.Q. Mokamaghat)	SCED-Silchar	Vice A. Chakraborty
33.	S. Halder	SCED/Siliguri	BLCD/Balurghat	Vice D. Sarkar
34.	S. Dutta	BCED/BBSR	CCED-V/Cal	Vice S. C. Roy
35.	D. Mishra	PCED/Patna	CCED-III/Cal	Vice Ashok Kumar
36.	Anup Sengupta	SCED/Siliguri	CCED-VI/Cal	Vice S. K. Naskar
37.	S. G. Dasgupta	BCED/BBSR	CCED-III/Cal	Vice P. K. Saha
38.	Sudipta Ganguly	PCED/Patna	GED-I/Guwahati	Vice P. K. Pal
39.	S. Karmakar	CCED-V/Cal (H.Q. Durgapur)	CCED-V/Cal (H.Q. Durgapur)	Vice B. C. Dutta
40.	K. K. Roy	PCED/BBSR	CCED-III/Cal	Vice S. Bandyopadhyaya
41.	B. C. Dutta	CCED-V/Cal (H.Q. Durgapur)	CCED-V/Cal (H.Q. Durgapur)	Vice S. Karmakar
42.	R. N. P. J. Paul	BCED/BBSR	PCED/BBSR	Vice S. Dutta
43.	P. K. Das	SCED/Siliguri (H.Q. Rayguange)	SCED-Siliguri (H.Q. Siliguri)	Vice S. Halder In Continuation of present posting as 'A' station
44.	D. Sarkar	BLCD/Balurghat	CCED-IV/Cal	Existing Vacancy
45.	N. Kalita	GED-I/Guwahati	SE(PY/NEZ/Shillong)	Ex. vacancy
46.	U. Deori	GED-I/Guwahati (H.Q. Dooindooma)	GED-I/Guwahati (H.Q. Guwahati)	Vice R. Deori
47.	B. Deori	GED-I/Guwahati	GED-I/Guwahati (H.Q. Dooindooma)	Vice D. K. Guha
48.	I. Sinha	SCED-Silchar	CCED-I/Cal	Vice S. Mazumdar
49.	S. K. Dasgupta	GED-I/Guwahati	PCED/Patna	Vice S. N. Sahay
50.	S. Dutta	SCED-Silchar (H.Q. Agartala)	BCED/BBSR	Ex. Vacancy
51.	D. K. Guha	GED-I/Guwahati	CCEC-III/Cal	Vice S. K. Basak
52.	A. Chakraborty	SCED-Silchar	CCED-II/Cal	Ex. Vacancy

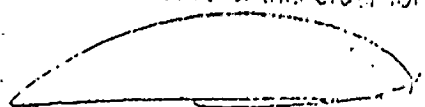
Attal
J.S. Datta

Office of the Superintending Engineer, Co-Ordination, CPWD, Eastern Region
Nizami Palace, Calcutta-700020

53.	A. K. Bhunia	SCED/Silchar	CCEC-IVCal	Ex. Vacancy
54.	M. K. Biswas	SCED/Silchar	CCED-IVCal	Existing Vacancy
55.	S. Lahiri	GED-IVGuwahati	CCED-IVCal	Existing Vacancy
56.	N. Peddar	GED-IVGuwahati	CCED-IVCal	Existing Vacancy
57.	J. Biswas	SCED/Silchar	CCED-IVCal	Existing Vacancy
58.	P. K. Pal	GED-IVGuwahati	CCED-IVCal	Vice R.K. Dutta
59.	S.K. Paul	KCD-IVKishinagar	CCEC-IVCal	Vice R.K. Bose

Note:-

- Sl.no. 5, 9, 10, 21, 27, 30, 31 & 33 shall move first.
- Sl.No. 51 to 59 shall not be relieved before 15.09.2000
- Unless otherwise specified, the Junior Engineers under order of transfer and posting shall immediately proceed to their respective place of posting and all the controlling officers are, therefore, requested to relieve the officials under order of transfer at the earliest without waiting for substitute.
- The above order shall be valid up to 31.12.2000. All the orders which could not implemented by 31.12.2000 due to whatsoever reasons, shall be got revalidated by the concerned controlling Superintending Engineers from this office stating the reasons for non-implementation or otherwise, the unimplemented orders are likely to be cancelled and fresh orders be issued in lieu of the same.
- Due to increase in the normal tenure at soft stations, it is very likely that there will be Junior Engineers in excess of sanctioned strength in some offices which is unavoidable. All Superintending Engineers & Executive Engineers are therefore requested to accept the joining reports of Junior Engineers concerned who, on their transfer, submit their joining report to them. If something they want to say, they may take up the matter later with this office.
- The representations, if any, against the above transfer/posting orders shall reach this office within 7(seven) days for Junior Engineers presently posted at Calcutta and within 15(fifteen) days for Junior Engineers presently posted outside Calcutta from the date of issue of this order for consideration by the competent authority.

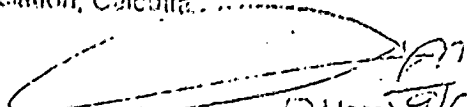


(D.Hore)

Superintending Engineer, Co-ordination

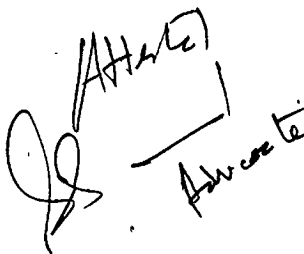
Copy to:-

- The Director General of Works, CPWD, New Delhi
- The Addl. Director General (ER), CPWD, Calcutta
- Chief Engineer (Elec.) /EZ/Calcutta
- Chief Engineer, IBBZ, CPWD, Siliguri
- All Superintending Engineers (Elec.) /Co Supdtg. Engineers (P&A)/Elec. of CPWD, Eastern Region
- All Executive Engineers (Elec.) of CPWD, Eastern Region
- Concerned Executive Engineer (Civil)/IBBZ, CPWD
- Concerned officials through respective controlling officers
- Regional Secretary, CPWD Junior Engineers' Association, Calcutta.



(D.Hore)

Superintending Engineer, Co-ordination



S. No. 152 (A)

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ANNEXURE - CC

32

ANNEXURE - D

No.23/6/2001-EC.1
GOVERNMENT OF INDIA
DIRECTORATE GENERAL OF WORKS
CENTRAL PUBLIC WORKS DEPARTMENT

2/4/01

Nirman Bhavan, New Delhi-110011
Dated the 24th April, 2001

OFFICE MEMORANDUM

Subject:- Compliance of transfer orders issued by Directorate General of Works,
C.P.W.D.

It is seen that transfer orders issued by this Directorate are not complied promptly due to one reason or other. Many a times a representation is forwarded by Controlling Officer and under this plea the officer is not relieved.

The practice of not relieving the officers, pending decision on the representations and withholding their transfer is viewed seriously and competent authority has decided that all officers under transfer must be relieved forthwith. Their representation if any will be considered only after they join new place of posting.

It is also decided that officer under transfer should not be sanctioned leave preparatory to join new posting.

It will be the responsibility of respective Controlling Officers to adhere to above guidelines

(J.L. CHUGH) 12/4/01
DY. SECRETARY (ADMN.)

TO

1. All Additional Directors General of CPWD/Engineer-in-Chief, PWD.
2. All Chief Engineers (Civil) & (Elect.), including PWD, Appropriate Authority/Valuation/Ministry of Environment & Forests etc. (The above guidelines are to be circulated to all lower formations for strict compliance.)

cc: circulate

24/4

we may wish to see
the release of the documents
to the public, with the CPWD

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1/4

Annex
1
Annex

F.No. : 21(1)SEC/JEC/ER/CPWD/CAL/2001/490-29 - DATE: 12.7.2001

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ANNEXURE-E

OFFICE ORDER

The Chief Engineer, EZ (E) CPWD, Kolkata is pleased to order the transfer/posting of the following Junior Engineers (Electrical) with immediate effect in public interest :-

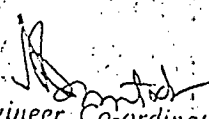
Sl. No.	Name	From	To	Remarks
1.	R.K. Bose	CCEC-II/CAL	CCEC-II/CAL	Retention granted up to 03/2002
2.	S.K. Basak	CCEC-II/CAL	CCED-V/CAL	Vice Salil Tarafdar
3.	Probir Kr. Paul	CCED-III/CAL	PCED/PATNA	Vice S. N. Sahay
4.	Arun Kr. Addhya	CCED-I/CAL	GCED-I/GUWAHATI	Vice Dilip Deka
5.	B.S. Saha	CCED-III/CAL	CCED-III/CAL	Retention granted up to 03/2002
6.	Salil Tarafdar	CCED-V/CAL	SCED/Silchar (H. Q. Imphal)	Vice S. N. Dey
7.	N.P. Chakraborty	CCED-IV/CAL	BCED/BBSR	Vice K.K. Roy (Already Transferred)
8.	U.K. Mondal	CCED-IV/CAL	SCED/Silchar (H.Q. Imphal)	Vice M.K. Biswas (Already Transferred)
9.	S. N. Sahay	PCED/Patna	SCED/Silchar (H.Q. Imphal)	Vice A. Chakraborty (Already Transferred)
10.	B. C. Dutta	CCED-V/CAL	PCED/Patna	Vice S. Ganguly (Already Transferred)
11.	Dilip Deka	GCED-I/Guwahati	TCED/Tezpur	Existing Vacancy
12.	Debrabata Das	CCED-I/CAL	CCED-IV/CAL	Vice Subrata Ghosh
13.	Mukul Chandra Das	CCED-III/CAL	CCED-IV/CAL	Vice U. K. Monda
14.	Subrata Ghosh	CCED-IV/CAL	CCED-II/CAL	Vice Debrabata Das
15.	T. K. Nanda	CCED-IV/CAL	CCED-III/CAL	Vice Mukul Chandra Das
16.	B.K. Biswal	RCED/Ranchi	RCED/Ranchi	Retention granted upto 03/2002
17.	A.B. Kundu	SCED/Siliguri	SCED/Siliguri	Retention granted upto 03/2002
18.	B. Bhattacharjee	CCEC-II/Cal	CCED-V/ (H.Q. Durgapur)	Vice B. C. Dutta
19.	Kallol Mukherjee	CCED-IV/CAL	SCED/Silchar (H.Q. Imphal)	Vice A. K. Bhunia (Already Transferred)
20.	S. Sinha	GCED-I/Guwahati	CCED-III/Cal	Vice P. K. Paul
21.	S. N. Dey	SCED/Silchar (H.Q. Imphal)	CCED-IV/CAL	Vice Kallol Mukherjee

(Superintending Engineer, Co-ordination/Director of Works)

READ Office of the Superintending Engineer, Co-ordination, Eastern Region, CPWD, Nizam Palace, Kolkata - 700 020.

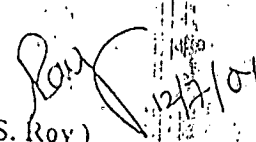
Advocate

- 30
1. In terms of DGW, CPWD, New Delhi's O.M. No. A-22015/72/2000-EC-VI dated 5.8.2000, unless otherwise specified, the Junior Engineers Under order of transfer and posting shall immediately proceed to their respective place of posting and all the controlling officers shall relieve the officials under order of transfer at the earliest without waiting for substitute. The relief of officials should not be delayed by the controlling officers for any reason. The cases, where officials under orders of transfer are not relieved within 30 days, will be brought to notice of the Director General of works for taking action against the defaulting controlling officers.
 2. Whenever a Junior Engineer (Electrical) is posted in a particular Division/Circle/Zone the controlling officer must accept the joining report and in case of non-availability of the particular post, an intimation may be given to this office. This has become necessary to avoid regularization of waiting period of Junior Engineers (Electrical).
 3. Due to increase in the normal tenure at soft stations, it is very likely that there will be Junior Engineers in excess of sanctioned strength in some offices, which is unavoidable. All Superintending Engineers & Executive Engineers are therefore requested to accept the joining reports of Junior Engineers concerned who, on their transfer, submit their joining report to them. If something they want to say, they may take up the matter later with this office.
 4. All Chief Engineers, Superintending Engineers and Executive Engineers are requested to ensure that the Junior Engineers (Electrical) under orders of transfer are relieved within a time frame of 30 days to enable them to join their new places of posting and the relief of such officials should not be held up for any reason whatsoever.
 5. In case the Junior Engineers (Electrical) are not relieved, they will automatically stand relieved at the end of the month immediately following the month of issue of transfer orders and they will not be eligible to draw pay and allowances from their present office thereafter unless their transfer order are cancelled / modified or further instructions issued by this office or the Director General of Works, CPWD, New Delhi.
 6. The Posting of Junior Engineers (Electrical) have been issued after observing due procedures / broad guidelines, as per DGW's O.M. No. A-22015/8/97-EC-VI dt. 04.10.99 and transfer / Posting policy as per this office O.M. No. 21(1)/SE@/CPWD/ER/JE (C & E) / CAL / 2001 / 153 dt. 23 / 02 / 2001.


 (Superintending Engineer, Co-ordination / Director of Works)

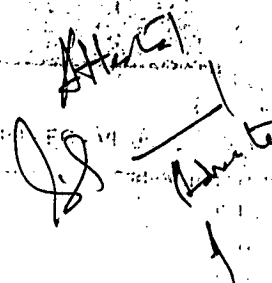
Copy To:

1. The Director General of Work, CPWD, New Delhi.
2. The Addl. Director General (ER), CPWD, Kolkata.
3. All Chief Engineers (Civil & Electrical), CPWD of Eastern region.
4. All Superintending Engineers (Civil & Electrical) i/c Superintending Engineers (P & A) of CPWD Eastern Region.
5. All Executive Engineers (Civil & Electrical) of CPWD, Eastern Region.
6. The concerned officials through respective controlling officers.
7. The Regional Secretary, CPWD Junior Engineers' Association, Kolkata.


 (S. Roy)

Engineer Assistant to Superintending Engineer, Co-ordination

READ Office of the Superintending Engineer, Co-ordination, Eastern Region, CPWD, Nizam Palace, Kolkata-700 020


 S. Roy

31 -

ANNEXURE - F

Copy of Office Memorandum No. 28034/2/97-Estt(A) dated 12th June, 1997 received from Ministry of Personnel, Public Grievances & Pensions (DOPT).

SUBJECT: Posting of husband and wife at the same station.

The undersigned is directed to say that on the subject mentioned above, Government had issued detailed guidelines vide O.M.No.28034/7/86-Estt.(A) dated 3.4.86. The Fifth Central Pay Commission has now recommended that not only the existing instructions regarding the need to post husband and wife at the same station need to be reiterated, it has also recommended that the scope of these instructions should be widened to include the provision that where posts at the appropriate level exist in the organisation at the same station, the husband and wife may invariably be posted together in order to enable them to lead a normal family life and look after the welfare of the children, especially till the children are 10 years of age.

2. The Government, after considering the matter, has decided to accept this recommendation of the Fifth Central Pay Commission. Accordingly, it is reiterated that all Ministries/Departments should strictly adhere to the guidelines laid down in O.M.No.28034/7/86-Estt.(A) dated 3.4.86 while deciding on the requests for posting of husband and wife at the same station and should ensure that such posting is invariably done, especially till their children are 10 years of age, if posts at the appropriate level exist in the organisation at the same station and if no administrative problems are expected to result as a consequence.

3. It is further clarified that even in cases where only the wife is a government servant, the concession elaborated in para 2 of this O.M. would be admissible to the government servant.

4. These instructions would be applicable only to posts within the same department and would not apply on appointment under the Central Staffing Scheme.

5. A copy of this Department's O.M. No.28034/7/86-Estt.(A) dated 3.4.86 is enclosed for ready reference and guidance.

sd/-

(HARI DER SINGH)

JOINT SECRETARY TO THE GOVT. OF INDIA
Tel.No. 301 1276

Handwritten signature and initials.