

50/100
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No. 166/02.....

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

ORDER SHEET

Original No. 166 / 2002
Misc. Petition No.
Contempt Petition No.
Review Application No.

Applicant(s) T. K. Borua

Respondent(s) U.O.I & Oms.

Advocate for Applicant(s) M. Chanda, Mrs. N. D. Goswami,
G. N. Chakrabarty

Advocate for Respondent(s) Mrs. A. Deb Roy, Sr. C.G.S.C.

Notes of the Registry

Date

ORDER OF THE TRIBUNAL

24.5.02

Heard Mr. M. Chanda, learned counsel
for the applicant and also Mr. A. Deb Roy,
learned Sr. C.G.S.C. for the respondents.

This application is squarely covered
by the Judgment and order passed by this
Tribunal in O.A. Nos. 230, 234 and 276 of 2001
dated 11.1.2002. In the light of the said
judgment this application is dismissed. The
dismissal of this application, shall not,
however, preclude the respondents, viz. the
Govt. of Arunachal Pradesh in absorbing the
applicant as per policy decision, if any, even
after the persons are repatriated.

The application thus stands dismissed.
There shall, however, be no order as to costs.

Vice-Chairman

mb

755779648
15.5.2002
V.Dy. Registrar
24/5/02

No steps taken

30/5/02

PUC

Memo No. HC. XXI. 2526-32/RM. Dtd 20.1.07
received from The Asstt. Registrar (Judl)
Gauhati High Court.

The order dtd 31.7.06 passed in
WP(c) No 5631/02 may kindly be
seen at The PUC.

The applicant Sri Tuskar Kanti
Baruah has filed the above mentioned
WP(c) against the order dtd. 24.5.02
passed in OA 166/02. But the Hon'ble
High Court dismissed the same on
31.7.06.

Submitted for favour of record
perusal.

th
7/2/07

Noted
8.2.07
SO(S)

DL

Ve 8/2/07

(High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura,
Mizoram & Arunachal Pradesh)

~~Civil Rule~~

No. 5631 of 2002

Petitioner

Dr. Tushar Kanti
Baruah

Union of India is

Opposite Party

For:

Petitioner

For

Opposite Party

Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
1	2	3	4

Filed by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
1	2	3	4

WP(C) NO.5631/02

BEFORE

HON'BLE THE CHIEF JUSTICE MR BS REDDY
HON'BLE MR JUSTICE T NANDAKUMAR SINGH

31-07-06

(BS Reddy, CJ)

Mr SK Ghose, learned counsel for the petitioner seeks leave of this court to withdraw this writ petition and rightly so in our considered opinion. The leave is accordingly granted.

The writ petition shall stand dismissed without any order as to costs. However, liberty is granted to the petitioner to avail such remedies as may be required and in case any such occasion arises in that event this order shall not come in their way and the matter may have to be disposed of on its own merit uninfluenced by dismissal of this writ petition.

Sd/- T.N.K. Singh.
JUDGE.

Sd/- B.S. Reddy.
CHIEF JUSTICE.

Contd...

By Spl. Messenger

Memo No. HC.XXI. 2526-32 /R.M. Dtd. 20/11/07

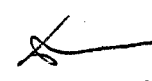
Copy forwarded for information and necessary action to:-


1. The Union of India, through the Comptroller & Auditor General of India, 10 Bahadur Shah Zafar Marg, New Delhi-110003.
2. The Accountant General (A&E), Arunachal Pradesh, Meghalaya, Assam etc., Shillong- 793001.
3. The State of Arunachal Pradesh, represented by the Secretary to the Government of Arunachal Pradesh, Public Works Department, Itanagar.
4. The Director of Accounts & Treasures, Government of Arunachal Pradesh, Naharlagun.
5. The Executive Engineer, Rural Works Department, Khonsa Division, District Tirap, Arunachal Pradesh.
6. The Commissioner (Finance), Government of Arunachal Pradesh, Itanagar.
7. The Deputy Registrar, Central Administrative Tribunal, Guwahati Bench, Rajgarh Road, Bhangagarh, Guwahati- 781005. He is requested to acknowledge the receipt of the following ~~XXXXXX~~ records. This has a reference to his letter No. CAT/GHY/68/Judl/423 Date 07.06.2005.

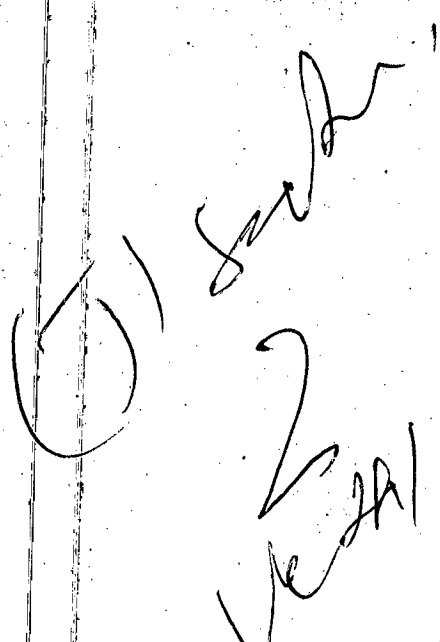
Encls:-

1. O.A. 166/2002 Part 'A' with Original Orders.

By order


Asstt. Registrar (Judl.)
Gauhati High Court, Guwahati.


17/11/07


20/11/07

Mr K.K. Samra

for take action

N Samra
24/11/07

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

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

Title of the case : O. A. No. 166 /2002
Sri Tushar Kanti Barua : Applicant

- Versus -

Union of India & Others : Respondents

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Date : 20.05.2002

Filed by

[Signature]
Advocate

Tushar Kant. Barua

*Filed by the applicant
through advocate
G N Chakravarty on 23-5-02*

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

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

O.A. No. /2002

BETWEEN

Sri Tushar Kanti Barua
Son of Sri Baroda Ranjan Barua
Working as Divisional Accountant in the
Office of the Executive Engineer,
Rural Works Department, Khonsa Division,
Government of Arunachal Pradesh,
District - Tirap, Arunachal Pradesh.

Applicant

-versus-

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

Tushar Kanti Barua

4. The Director of Accounts & Treasuries,
Government of Arunachal Pradesh, Naharlagun.
5. The Executive Engineer,
Rural Works Department, Khonsa Division
District - Tirap, Arunachal Pradesh.
6. The Commissioner (Finance),
Government of Arunachal Pradesh,
Itanagar.

.....Respondents

DETAILS OF APPLICATION

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

Order No. DA Cell/2-46/92-93/2000-01/Vol.II/1216 dated 25.02.2002 issued by the respondent no. 2 repatriating the applicant to his parent department without considering his case for permanent absorption in the cadre of Divisional Accountant now taken over by the Government of Arunachal Pradesh from Accountant General (A&E) Arunachal, Meghalaya, etc. Shillong in total disregard to the decision/contention as communicated through the letter bearing No. DA/TRY/15/99 dated 12.1.2000 as well as the letter under Memo No. DA/TRY/15/99 dated 11.3.2002 issued by the Government of Arunachal Pradesh;

2. Jurisdiction

That the applicant states that the subject matter of this application is within the jurisdiction of this Hon'ble Tribunal:

Turkar Kast. Barua

3. Limitation

That the present applicant further declares that this application is filed within the prescribed period of limitation as per Administrative Tribunals Act, 1985.

4. Facts of the Case

- 4.1 That the applicant is a citizen of India and as such he is entitled to all the rights and privileges as guaranteed under the Constitution of India and other legal rights accrued there under.
- 4.2. That the Applicant is working as Divisional Accountant in the organization and under the administrative control of Director of Accounts & Treasuries, Government of Arunachal Pradesh and seeking his permanent absorption. Though he has worked for nearly three years as Divisional Accountant in the office of the respondent no. 5, he is not being permanently absorbed in the aforesaid capacity. Now, effort is on to repatriate him to his parent department under the Chief Engineer, Public Works Department, Itanagar, Government of Arunachal Pradesh.
- 4.3 That what makes the likely repatriation of the Applicant disturbing is the fact that though he is being repatriated to his parent department, his place is likely to be taken by another deputationist only. Hence, it is the case where one deputationist is being replaced by another deputationist. Instead of permanently absorbing the Applicant to the post presently being held by him, wherein he has worked for nearly three years, the Respondents are now only bringing a person on deputation to work in his place. It is also noteworthy that the Applicant is competent to be permanently absorbed in the deputation post of Divisional Accountant. Moreover,

Tunlar Karth. Borue

though he has worked on deputation but his appointment was pursuant to a selection against the permanent post in a substantive capacity.

4.4 That the applicant states that the State of Arunachal Pradesh (for short, the State) do not have any accounts cadre of its own to man the accounts set up under its various departments and as such it puts requisition to the respondent no. 2 for selecting and appointing the staff of Accounts Cadre, namely DA/DAO etc. from amongst the existing staff serving under various departments of the State. It is pertinent to mention here that the respondent no. 2 selects candidates on behalf of the State and on their selection the said candidates are posted against the various posts of accounts cadre under the State. The salary and allowances of those candidates are also paid from the State Exchequer but such appointments of the candidates are made on deputation basis. It would be relevant from the aforesaid facts that though the candidates are from the State and on their selection against the post of Accounts cadre are posted again to the State, they are under the administrative control of respondent no. 2 since, their selection against the posts are on deputation basis. Therefore, the candidates like the applicant are basically employees of the State and are serving against the posts under the State cadre being under the administrative control of the respondent no. 2.

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

Tushar Kant. Bora

he was promoted to the post of Upper Division Clerk in the year 1996.

4.6 That during the year 1997, the applicant was initially selected for the first time as a Divisional Accountant under respondent no. 2 and as such, he continued in his said capacity till 1999, the Chief Engineer, Rural Works Department, Itanagar, Government of Arunachal Pradesh.

4.7 That in the meantime, the respondent no.2 vide Circular bearing No. DA CELL/2-49/97-98/Vol.II/245 dated 20.1.1998 invited applications from the candidates who were willing to serve as Divisional Accountants in Rural Works Department for a period of one year on deputation basis. The applicant had applied for the said post and thereafter was selected for the second term to the said post on deputation basis. Consequent to his selection to the post of Divisional Accountant, he was appointed as Divisional Accountant on 9.6.1999 in the office of the Executive Engineer, R.W.D., Khonsa, Arunachal Pradesh and since then he has been working in the office of the respondent no. 5. Thus, although he is working under the administrative control of AG (A&E), Meghalaya, but practically, he has been working in the office of the respondent no. 5 under the State of Arunachal Pradesh.

Copy of the appointment letter dated 9.6.1999 is annexed as Annexure-1.

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

Tushar Kanta Barua

the establishment of AG (A&E) for Arunachal Pradesh in due course. However, before consideration of such absorption, he has been repatriated to his parent department. It will be pertinent to mention here that the Applicant who was an UDC in his parent department, came on deputation to a promotional post carrying higher scale of pay (Rs. 5000-8000/- with effect from 9.6.1999) to the office of the AG (A&E), Shillong. Such expectation was also in view of the fact that the performance of the Applicant as a Divisional Accountant has been well recognized by the authorities.

- 4.9 That as already stated above, he is being repatriated to his parent department without considering his case for permanent absorption by issuance of the order of repatriation dated 25.02.2002 with immediate effect. However, by virtue of the letter of the respondent no. 5 issued under Memo No. ~~10.01/99-2000/184-90~~ ¹¹⁻³⁻²⁰⁰² dated ~~30.04.2002~~ he has not been released from duty as yet. But he has reasonable apprehension that the respondent no. 5 may, at any time, release him acting under pressure from the respondent no. 2. The applicant has also gathered the information that another deputationist is replacing him and it is not a case of his replacement by any regular incumbent of the office of the A.G. (A&E), Meghalaya. On the other hand, the bifurcation towards creation of a new cadre of AG(A&E) for Arunachal Pradesh is on the offing and the necessary infrastructure facilities including the office building etc. are also being arranged. Thus if in the meantime, the Applicant is repatriated to his parent department without considering his representation for regular absorption, the same will seriously tell upon his service career. It may be further stated herein that recently the State has taken the decision

Turker Kant. Basu

to take over the administrative control of the accounts cadre from the respondent no.2 and to absorb/regularise the services of the existing incumbents and necessary arrangement in this regard including a decision by the State Cabinet has also been taken but the entire process will require some more time for completion. However, in such an event, the applicant will be absorbed/regularised in his existing capacity.

Copied of the repatriation order-dated 25.02.2002 and the letter-dated 30.04.2002 are annexed herewith as Annexure - 2 and 2A respectively.

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

Turban Kent. Borue

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

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

4.12 That it is stated that the Govt. of Arunachal Pradesh, vide their letter bearing No. DA/Try/15/99/9629 dated 15.11.99 requested, the Accountant General (A&E), Arunachal Pradesh, Meghalaya, etc. to extend period of deputation for a further period of two years, from the date of expiry of the tenure of the incumbents in the interest of Rural service and it is further stated in the said letter dated 15.11.99 that this arrangement was proposed, till view of the State Government in final shape could be put forward. Consequent to that the tenure of the incumbents including the present applicant was

Turban Kant. Bane

extended and therefore he is still continuing in the said capacity of Divisional Accountant.

4.13 That as a matter of fact, on 12.1.2000 and 11.3.2002 the respondent nos. 4 and 6 respectively issued letters requesting the respondent no. 2 to the effect that the existing divisional accounts may be allowed to continue as emergency divisional accountants for the time being as a working arrangement in as much as the State Cabinet of Arunachal Pradesh has taken a decision for taking over the administrative control of the cadres of Sr. DAO/DAO/DA of Works Divisions belonging to P.W.D./ PHED/IFCD/RWD and Power Department of Arunachal Pradesh. Therefore, in the light of the above decision and also in view of the subsequent decision of the Govt. of Arunachal Pradesh to take over the cadre of Divisional Accountant as communicated vide letter dated 12.1.2000, the present applicant is at least entitled to an interim order for continuing in the present place of posting till the administrative control is taken over by the State and his case for permanent absorption as Divisional Accountant under the Govt. of Arunachal Pradesh is considered. It is further submitted that the process of taking over the cadre of Divisional Accounts Officer/Divisional Accountant are in progress. The Hon'ble Tribunal may, therefore, be pleased to issue a direction upon the Respondents to consider the case of the Applicant for permanent absorption in the post of Divisional Accountant under the control of Director of Accounts & Treasuries, Government of Arunachal Pradesh.

4.14 That as stated above, the Director of Accounts & Treasuries, Govt. of Arunachal Pradesh have decided to take over the aforesaid cadre of Divisional Accountant under their direct

Tulhar Kant. Barua

control with immediate effect and further decided that persons those who are borne on regular basis in the cadre of Divisional Accounts Officer/Divisional Accountants in the State of Arunachal Pradesh and opted to come over to Arunachal Pradesh State Cadre, will be taken over on status quo subject to acceptance of the State Govt. and it has also been decided that hence forth no fresh Divisional accountant on deputation will be entertained. Cases of those who are presently on deputation and serving in the State shall be examined at that end for their future continuation even after completion of existing term of deputation. The Director of Accounts and Treasuries had further requested to take necessary action so that the process of the transfer of due cadre along with the willing personnel could be completed immediately.

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

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

Turker Kant. Barua

4.16 That the applicant states that he has further come to know that the State Cabinet of the Government of Arunachal Pradesh has formally approved the above decision in the month of December, 2001 to take over the control of the entire Accounts set up from the Accountant General (A&E), Meghalaya etc. In view of the above decision of the State Cabinet, the Accountant General (A&E), Meghalaya etc. is required to hand over the entire Accounts set up to the Director of Accounts and Treasuries, Government of Arunachal Pradesh. But this process may require some more time for completion. It is stated that the said news was also published in the Arunachal Times dated 2.12.2001. Therefore, if the applicant is repatriated to his parent department before completion of the above exercise, it would cause irreparable loss and injury in his service career. The Hon'ble Tribunal may, therefore, be pleased to protect the interests of the applicant by an appropriate order.

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

4.17 That the applicant submits that he has come to know from a reliable source that the instant order of repatriation has been issued on extraneous consideration. From the attending facts and circumstances of the case narrated above, it is quite clear that now; consequent to the above decision of the Govt. of Arunachal Pradesh, the respondent no. 2 has no control over the matter and in this circumstance the impugned order is arbitrary, mala fide and without jurisdiction. The impugned order dated 21.03.2002 is, therefore, liable to be set aside.

Turba Kant. Barua

- 4.18 That in this application, the Applicant has made out a prima facie case of arbitrariness on the part of the Respondents. Applicant has a strong case for being permanently absorbed as Divisional Accountant either in his present capacity as Divisional Accountant in the office of the Executive Engineer, Rural Works Department, Khonsa Division, Arunachal Pradesh or as Divisional Accountant in any of the offices under the Government of Arunachal Pradesh. An interim direction by this Hon'ble Tribunal that pending disposal of this application the Applicant may not be disturbed from his present post of Divisional Accountant in the office of the Executive Engineer, Rural Works Department, Khonsa Division, Arunachal Pradesh, would not adversely affect the interest of the Respondents and they would not be prejudiced in any way, whereas on the other hand, if such an interim direction is not given in favour of the Applicant, the writ application itself would be rendered in fructuous. Hence the balance of convenience is in favour of the Applicant towards passing such an interim order.
- 4.19 That the Applicant has no other appropriate alternative remedy than the one sought for herein and the relief(s) if granted by this Hon'ble Tribunal would be just, adequate, proper and effective.
- 4.20 That the Applicant demanded justice but the same was denied to him. Hence, this Application is filed bona fide and for securing the ends of justice.
- 4.21 That this application is made bona fide and for the cause of justice.
5. GROUND FOR RELIEF WITH LEGAL PROVISIONS:

Tushar Kant Barua

- 5.1 For that the action of the respondent authority in denying consideration of the case of the applicant as per the request made by the Govt. of Arunachal Pradesh to extend the period of deputation for a further period till the process of taking over the administrative control of the cadre of the Divisional Accountant by the State of Arunachal Pradesh is completed in pursuance of O.M. dated 15.11.99, 12.1.2000 and 11.3.2002 respectively is illegal, arbitrary and highly discriminatory.
- 5.2 For that the applicant, if repatriated to his parent department at this juncture, will have to join as Upper Division clerk only and in such a contingency he would draw a lesser pay scale than that of a Divisional Accountant which will amount to reduction in rank and is not permissible under the law in as much as the same will amount to infringement of the provisions contained in Article 14, 16 and 21 of the Constitution of India and as such the impugned order of repatriation is bad in law and liable to be set aside and quashed.
- 5.3 For that the applicant is sought to be replaced by another deputationist in the rank of Divisional accountant without considering his case for permanent absorption and as such the action of the authorities is bad in law and liable to be set aside.
- 5.4 For that the impugned order dated 25.03.2002 issued by the Respondent No.2 directing repatriation of the applicant to his parent department with effect from ^{immediately} 31.07.2002 will create serious Civil consequences and as such the action of the authorities is bad in law and liable to be set aside.
- 5.5 For that the applicant will have to join as Upper Division Clerk on repatriation to his parent department whose pay scale is much lower than that of the Divisional Accountant and as such it will create serious anomalies in the pay scale to be given to the applicant on repatriation and that was why the State Govt. of

Tushar Kant Bala

Arunachal Pradesh took up the matter with the Respondent No.2 requesting him to allow the serving deputationists for further period till necessary arrangements are made by the State Govt. to take over the administrative control of the cadre of the Divisional Accountant serving in the State of Arunachal Pradesh. The respondent No.2 while issuing the impugned order, never took into consideration these factors and the impugned order was passed arbitrarily, without application of mind and on irrelevant consideration and as such the order is liable to be set aside and quashed.

- 5.6 For that in view of the decision now taken by the Govt. of Arunachal Pradesh to take over the cadre of the Divisional Accounts Officer/Divisional Accountants, the applicant is entitled to continue in the post of Divisional accountant till the process is completed and as such the impugned order is bad in law and is liable to be set aside.
- 5.7 For that in any view of the matter the impugned order is bad in law and is liable to set aside.
- 5.8 For that the similar matter has already been decided by this Hon'ble Tribunal in a series of case vide order dated 22.6.2001, as such the applicant is entitled to similar benefit.

6. Details of remedies exhausted:

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

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

The applicant further declares that he had filed a writ petition before the Hon'ble High Court regarding the matter in respect of

Tarun Kanta Barua

which this application has been made, but the same was withdrawn with liberty to approach before the appropriate forum. The applicant further declares that no application like the present one is pending before any other Tribunal or any other authority or any other Bench of the Tribunal nor any such application, writ application, or suit is pending before any of them.

8. Relief(s) sought for:

- 8.1 That the Hon'ble Tribunal be pleased to set aside the impugned order of repatriation issued under letter No. DA CELL/26/92-
 93/2000-01/Vol.IX/1373¹²¹⁶ dated 21.03.2002^{25.2.2002} (Annexure- 2).
- 8.2 That the Hon'ble Tribunal be pleased to direct the respondents to consider absorption of the applicant to the post of Divisional Accountant in the office of the Executive Engineer, Rural Works Department, Tezu, or under any of the offices of the Govt. of Arunachal Pradesh in terms of the decision taken by the Government of Arunachal Pradesh as communicated through the letters dated 15.11.1999, 12.1.2000 and 11.3.2002.
- 8.3 To pass any other order or orders as deem fit and proper by the Hon'ble Tribunal.
- 8.4 Cost of the case.

9. Interim Prayer:

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

- 9.1 That the Hon'ble Tribunal be pleased to stay the operation of the impugned order of repatriation issued under letter No. DA CELL/2-
 46/92-93/2000-01/Vol.IX/1373¹²¹⁶ dated 21.03.2002^{25.2.2002} (Annexure- 2) till disposal of this Original Application.

Tushar Kanta Barua

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

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

10.
This application is filed through Advocate.

11. Details of Postal Order :-

- I. Postal Order No.: 76 574648 dated 16-5-2002
II. Issued from and payable at: G.P.O., Guwahati

12. List of enclosures :

As per Index.

Tulshar Kanta Barua

VERIFICATION

I, Sri Tushar Kanti Barua, son of Sri Baroda Ranjan Barua, aged about 47 years, working as Divisional Accountant in the office of the Executive Engineer, Rural Works Department, Khonsa Division, Government of Arunachal Pradesh, District Tirap, Arunachal Pradesh, do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the _____th day of May 2002.

Signature

Tushar Kanti Barua

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

No. DA Cell/ 46

Dated. 9/6/99

Consequent to his selection for the post of Divisional Accountant (on deputation) basis in the pay scale of 5000-150-30000/- in the combined cadre of Divisional Accountants under the Administrative control of the Office of the Accountant General (A&E), Meghalaya etc., Shillong, Shri Tushar Kant Barua, UDC present working in the office of the Ex. Eng. Bama P. W. D. Bama is posted on deputation as Divisional Accountant in the Office of the Executive Engineer, RWD, KHOMSA (M)

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

3. The period of deputation of Shri Tushar Kant Barua will be for a duration of 1(one) year only from the date of joining in the office of the Executive Engineer RWD, Khomso.

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

Attested
Jm
Advocate

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

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

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

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

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

Hemo No.D. Cell/2-49/94-95/ 817-826 Dt. 9/6/97
Copy forwarded for information and necessary action to :-

1. The Accountant General (AGE), Manipur, Imphal
2. The Accountant General (AGE) Tripura, Agartala.
3. The Chief Engineer, (E2)/(WZ) P.W.D. Sharnaga (AP)
He is requested to release Shri Tushar Kant Barua
Immediately with the direction
to report for duty to his place of posting on deputation
under intimation to this office.

REGD: 2. The Executive Engineer, Bameng P.W.D. Bameng (AP)
He is requested to release immediately Shri Tushar Kant Barua
with the direction to report for duty to his place of posting on deputation under intimation to this office.

REGD: 3. The Executive Engineer, R.W.D. Khonsa (AP)
He is requested to intimate the date of joining of Shri Tushar Kant Barua.

REGD: 4. Shri Tushar Kant Barua Udc
o/o Executive Engineer Bameng P.W.D. Bameng (AP)

5. E.O. File.
6. S.C. File.
7. P.C. File.
8. File of the deputationist.

10. The Chief Engineer, R.W.D. Sharnaga, AP.
11. The Supply Engineer, Capital Circle, Kun
Coordination (P.W.D.)
Sharnaga (AP)

Imalmyll
Senior Accounts Officer,
i/c DA Cell

Entt
12/6

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

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

Dated:- 25 FEB 2002

To,

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

Sub:- Repatriation of Divisional Accountant (on deputation).

Sir,

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

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

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

This order takes immediate effect.

Authority :- A.G.'s order dated 3.1.02 at P/18N in file No.DA Cell/2-46/92-93/2000-01/Vol.II.

Sr.Dy.Accountant General (Admin)

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

Copy forwarded for information and necessary action to :-

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

Sr. Accounts Officer, I/c DA Cell

Attested
Jm
Advocate

- 22 - 201 28-36

ANNEXURE-6

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application Nos. From 200(T) to 208(T) of 2001.

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

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, VICE CHAIRMAN.

HON'BLE MR. K.K. SHARMA, ADMINISTRATIVE MEMBER.

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

R. Prathapan . . . Applicant.

By Advocate Mr.B.K.Sharma & Mr.P.K.Tiwari.

- Vs -

State of Arunachal Pradesh & Ors . . . Respondents.

By Mr.B.C.Pathak, Addl.C.G.S.C.

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

Shri Habung Lalin . . . Applicant.

By Advocate Mr. Tagia Michi

- Vs -

Union of India & Ors. . . Respondents.

Mr.B.C.Pathak, Addl.C.G.S.C.

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

Sri Keshab Chandra Das . . . Applicant.

By Advocate Mr.Amitava Roy & Mr.B.Dutta

- Vs -

State of Arunachal Pradesh & Ors . . . Respondents.

Mr.A.Deb Roy, Sr.C.G.S.C.

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

Sri Gamboh Hagoy . . . Applicant.

By Advocate Mr.M.Chanda & Mr.S.Dutta

- Vs -

The State of Arunachal Pradesh & Ors. Respondents.

Mr.B.C.Pathak, Addl.C.G.S.C.

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

Shri Rathindra Kumar Deb . . . Applicant.

By Advocate Mr.Amitava Roy & Mr.S.Dutta

- Vs -

The State of Arunachal Pradesh & Ors. Respondents.

Mr. A. Deb Roy, Sr.C.G.S.C.

Contd., 2



Placed
Leave
Advocate

O.A.205/2001(T) (in W.P.(c) 376/2000) :

Shri Utpal Mahanta

. . . Applicant.

By Advocate Mr.A.Roy & Mr.S.Dutta

- Vs -

The State of Arunachal Pradesh & Ors. . . Respondents.

Mr. A.Deb Roy, Sr.C.G.S.C.

O.A.206/2001(T) (in W.P.(c) 496/2000) :

Hago Mubi Tada

. . . Applicant.

By Advocate Mr.A.Roy, Mr.M.Chanda & Mr.S.Dutta

- Vs -

Union of India & Ors.

. . . Respondents.

Mr.A.Deb Roy, Sr.C.G.S.C.

O.A.207/2001(T) (in W.P.(c) 876/2000) :

Malay Bhushan Dey

. . . Applicant.

By Advocate Mr.B.C.Das & Mr.S.Dutta

- Vs -

Union of India & Ors.

. . . Respondents.

Mr.A.Deb Roy, Sr.C.G.S.C.

O.A.No.208/2001(T) (in W.P.(c) 375/2000) :

Shri Hago Tamin

. . . Applicant.

By Advocate Mr.A.Roy, Mr.M.Chanda & Mr.S.Dutta.

- Vs -

The State of Arunachal Pradesh & Ors. . . Respondents.

Mr.A.Deb Roy, Sr.C.G.S.C.

O R D E R

R.R.K. TRIVEDI J.(V.C.) :

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

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


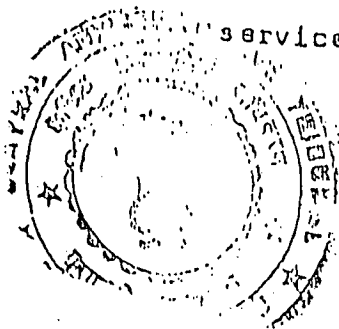
order, against which learned counsel for the parties have no objection.

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

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

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

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

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

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

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

Sir,

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

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

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

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

Yours faithfully,

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

- 25 -
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- 4 -

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

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

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Sir,

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

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

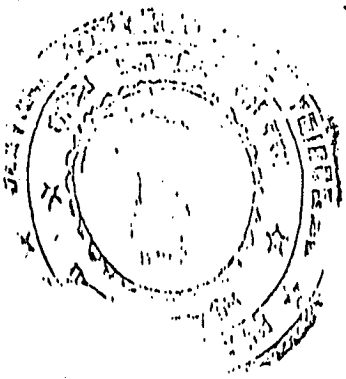
It is, therefore, requested to take necessary action at your level so that the process of the transfer of the Cadre along with the willing personnel can be completed immediately.

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

Yours faithfully,

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

Contd. 5



-28-

-A.O-53-

- 5 -

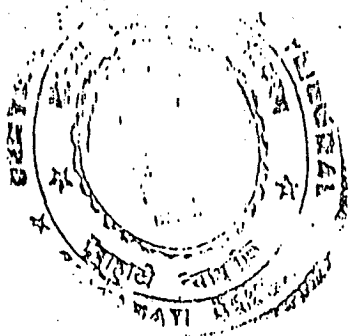
11/12/01

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

The applications are accordingly, disposed of. It is made clear that if change in the present situation arises, it ^{shall be} ~~be~~ open to the applicants to approach this Tribunal.

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



Sd/VICE CHAIRMAN
Sd/MEMBER (A/M)

Certified to be true Copy

प्रमाणित प्रतिलिपि

[Signature]
11/7/2001

Section Officer (J)

प्रमाणित प्रतिलिपि (प्रमाणित प्रतिलिपि)
Central Administrative Tribunal

केन्द्रीय प्रशासनिक न्यायालय

Guwahati Bench, Guwahati

गुवाहाटी बेंच, गुवाहाटी

[Signature]
11/7/2001

ANNEXURE- 4

GOVT OF ARUNACHAL PRADESH
DIRECTORATE OF ACCOUNTS & TREASURIES : NAHARLOGUN

(THROUGH FAX/SPEED POST)

No.DA/TRY/15/99/9629 Dated Naharlogun the 15th Nov'99

To,

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

Sub :-Recruitment/posting of regular Divisional Accountants.

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

Sir,

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

The Govt of Arunachal Pradesh is of the view that recruitment and posting of the DAOs/DAs for 38 working Divisions of PWD may not be done at this stage, since final decision of the Govt is still

*certified to
the Town Corp
Jagan
Advocate*

awaited. The serving Divisional Accountants in the works Deptts on deputation basis may be allowed extension for a further period of two years from the date of expiry of their present respective tenure in the interest of Rural service. This will provide succor to the poor financial position of the state prevailing at the present time. This arrangement is proposed till view of the State Govt in final shape could be put forward to your esteem office.

Yours faithfully,

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

Fax No 0360 244281

Copy to :-

1. The P.S. to the Hon'ble Chief Minister, Arunachal Pradesh, Itanagar for information of the Hon'ble Chief Minister.
2. The P.S. to the Commissioner (Finance), Govt of A.P., Itanagar for information.
3. The P.S. to the Commissioner (Finance), Govt of A.P., Itanagar for information.
4. The Accountant General (Audit) Arunachal, Mehalaya etc, Shillong for favour of information.
5. The Chief Engineer PWE (EZ/WZ)/RWD/PHED/IFCD/Power for information please. They are requested to give continuation to the serving Das who are on deputation, for a further period of 2 years on expiry of their present term of deputation & meanwhile they may please direct the Executive Engineer concerned not to accept joining report of new appointee (DA) without consulting the State Govt/Directorate of Accounts and Treasuries, Naharlogun.
6. The Chief Accounts Officer PWD (EZ/WZ)/RWD/PHED/IFCD/Power for information.
7. Office copy

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

ANNEXURE- 5

GOVERNMENT OF ARUNACHAL PRADESH
Director of Accounts & Treasuries
Naharlagun-791110

No.DA/TRY/15/99
To,

Dated, the 12th January, 2000

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

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

Sir,

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

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

*Certified to
be true copy
J. S. Advocate*

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

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

Yours faithfully,

Sd/-

(Y. Megu)

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

GOVT OF ARUNACHAL PRADESH
DIRECTORATE OF ACCOUNTS & TREASURIES
NAHARLAGUN

NO. DA/TRY/15/99

Dated Naharlagun the 11th March '02

To,

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

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

Sir,

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

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

Yours faithfully,

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

Memo No. DA/TRY/15/99/

Copy to :-

Dated Naharlagun the 11th March '02.

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

*Attested
Jm
Advo cat*

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



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

Submitted on
12/12/2001

THE ARUNACHAL TIMES

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

Vol. 13 No. 166

Re. 1.00

ADMISSION OPEN
St. Thomas Residential School
(English medium)
F-Sector, Naharlagun
Classes-Nursery to IV
Contact: 246070 (O)
245279 (PP)

Govt approves Women Commission, clears its stand on Rottung dam

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

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

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

Sanjoy, who is also the government spokesman, said the

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

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

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

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

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

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

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

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

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

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

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

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

CM announces Rs 50 lakh to Nacho landslide victims

DAPORJO, Dec 1: Arunachal Pradesh Chief Minister Mukut Mithi recently visited Nacho in Upper Subansiri district. He was accompanied by Urban Development, Tax & Excise Minister I C Yeh, IFED Minister Hari N. R. and other officials.

ULFA to talk on condition

GUWAHATI, Dec 1, (UNI): The outlawed ULFA has clarified that they were ready to hold political dialogue to end the Indo-Assam confrontation on the basis of conditions earlier put forward by them.

In a faxed message last night, its publicity secretary Mithanga Damay claimed a report broad-

GUWAHATI, Dec 1, (UNI): Arabinda Rajkhowa and armed wing chief Parash Barua were in favour of holding unconditional political dialogue.

The report was motivated and baseless, he said and appealed to the media not to publish such baseless report which could harm peace negotiations. The message should also not be

Jamir stresses on socio-economic dev.

KOHIMA, Dec 1, (UNI): Nagaland Chief Minister S C Jamir today said socio-economic development should get priority over the process of peace.

He said any settlement to the Naga issue which will be based on wide ranging concessions and will be eventually

alerted the people to look into the proper implementation of the funds and projects meant for them.

Jamir said any settlement to the Naga issue will emerge only when there is peace, reconciliation and unity among all sections

had made great achievements in the last 38 years.

He expressed happiness that the festival which reflected the heritage of Nagaland caught the imagination of the entire world.

LCN observes World AIDS Day

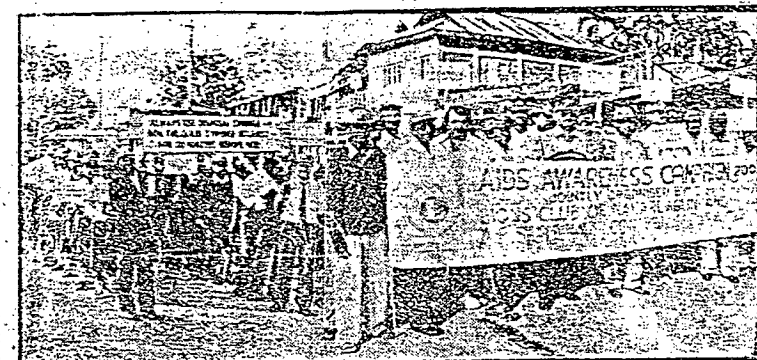


Photo: Prova Studio

NAHARLAGUN, Dec 1: The Lions Club of Naharlagun (LCN) in association with State AIDS Control Society, here observed December 1 as 'World AIDS Day' with the rest of the world.

A massive rally was organized at the Community Hall premises here to mark the occasion, according to a LCN release.

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

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

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

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

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

Advised
Dear
Arunachal

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