

30/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

FROM No. 4.

(SEE RULE 42)

Enrolled for CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

Original Application No. 169/2002

Misc Petition No. _____

Contempt Petition No. _____

Review Application No. _____

Applicants. Mr. Uttam Kr. Pal

-Vs-

Respondant(s) W.O.I. GOM

Advocate for the Appellant(s) Mr. A. Ahmed

Advocate for the Respondant(s) Case

Notes of the Registry

Date

Order of the Tribunal

This is application in form
C. F. for Rs. 50/- deposited
vide IP No. 1578/549421

Dated 28.5.02

By Registrar

28.5.02

Heard Mr. A. Ahmed, learned
counsel for the applicant.

Issue notice to show cause as
to why the application shall not be
admitted. Returnable by four weeks.

List on 28.6.2002 for admission.

Vice-Chairman

Written statement has been
filed. The case may now be listed for
hearing on 26.7.02.

Vice-Chairman

28.6.02

lm

Service report we
still awaited.

27.6.02

mb

Steps taken. Excess money for
Rs. 5/- deposited vide RINo
777 dtd. 29/5/02. Notice
prepared and sent to
forming the Respondent
No 1 to 6 by Regd. AIO.

30/5 DINO 1578/1583
Dtd 30/5/02.

24.6.2002

Reply affidavit on behalf of Respondent Nos. 1, 2, 3, 4, 5 and 6.

26.7.02

Mr. M. Chanda learned counsel makes a request on behalf of Mr. A. Ahmed learned counsel for the applicant stating that as he is out of station and for little accommodation. Prayer is allowed. List on 16.8.02 for hearing.

lm

Member

14.8.02

Response submitted by the applicant.

16.8.02

Mr. A. Ahmed learned counsel for the applicant prays for adjournment on the ground that he may get instructions from the applicant. The learned counsel for the respondents has no objection.

Prayer is allowed. List on 13.9.02 for hearing.

lm

Member

10.9.02

List on 11.9.02 for hearing.

lm

Vice-Chairman

11.9.02

Heard counsel for the parties. Hearing concluded. Judgment delivered in open Court, kept in separate sheets. The application is disposed of in terms of the order. No order as to costs.

Vice-Chairman

pg

Judgment dtd. 11/9/02 communicated to the Applicant & the learned Counsel.

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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A./R.A.No.....169.....of 2002.

DATE OF DECISION.....11-9-2002.....

Sri Uttam Kumar Paul

APPLICANT(S)

Sri A.Ahmed.

ADVOCATE FOR THE APPLICANT

VERSUS

Union of India & Ors.

RESPONDENT(S)

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

ADVOCATE FOR THE
RESPONDENT(S)

THE HON'BLE MR JUSTICE D.N.CHOWDHURY, VICE CHAIRMAN.

THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman.

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 169 of 2002.

Date of Order : This the 11th Day of September, 2002.

The Hon'ble Mr Justice D.N.Chowdhury, Vice-Chairman.

Sri Uttam Kumar Paul,
Lower Division Clerk,
Assam Central Circle-1,
C.P.W.D. Guwahati-21.

. . . Applicant

By Advocate Sri A. Ahmed.

- Versus -

1. Union of India,
represented by the Secretary to the
Government of India,
Ministry of Urban Affairs,
New Delhi-11.
 2. The Director General (Works),
Central Public Works Department,
Nirman Bhawan, New Delhi-11.
 3. The Chief Engineer,
North Eastern Zone,
Central Public Works Department,
Cleaves Colony,
Shillong-3.
 4. Superintending Engineer,
(Co-Ordination) Circle, Central
Public Works Department,
Eastern Region, Nizam Place,
Kolkata-20.
 5. Superintending Engineer,
Assam Central Circle,-1,
C.P.W.D., Guwahati-21.
 6. The Executive Engineer (Admn.)
Assam Central Circle,-1,
C.P.W.D., Guwahati-21.
- . . . Respondents.

By Sri A. Deb Roy, Sr.C.G.S.C.

O R D E R

CHOWDHURY J.(V.C)

This application under Section 19 of the
Administrative Tribunals Act 1985 has arisen and is
directed against the transfer order dated 21.5.2002
transferring the applicant, a Lower Division Clerk
from Assam Central Circle-1, C.P.W.D, Guwahati to

Guwahati Central Division, C.P.W.D., Guwahati. Mr A.Ahmed, learned counsel appearing for the applicant has fairly stated that he has not basically assailed the order transferring him out what he has assailed is contravention of the official guidelines for rotational transfer and posting of staff from one branch to another. Mr Ahmed, the learned counsel brought our attention to the provisions contained in C.P.W.D.Manual Vol.I and contended that these norms were introduced by the authority for inter changing of the staff between Accounts and Correspondence branch to increase the efficiency of the officials. In the instant case the applicant was serving in the correspondence branch and again transferred to same branch without giving him opportunity to improve his quality by transferring him into Accounts section.

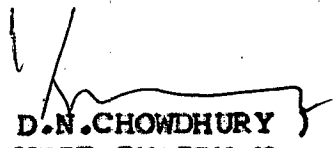
2. Mr A.Deb Roy, learned Sr.C.G.S.C appearing on behalf of the respondents stated that the transfer order was made in the public interest and the authority is aware of the guidelines and tried their best to adhere to the guidelines. Mr Deb Roy however submitted that the guidelines are not mandatory to post an official to a particular place.

3. I have given my anxious consideration on the matter. Apparently there is no infirmity in the order dated 21.5.2002 transferring and posting the applicant calling for intervention of the Tribunal. The guidelines ~~xxxx~~ issued from time to time by the authority for rotation, transfer and posting may not be binding like a rule but those are meant to be used as a guide. In the absence of any good reason one is not to depart from the guideline. On consideration of all the aspects of

X

the matter I am of the view that ends of justice will be met if a direction is given to the applicant to make an appropriate representation before the authority ventilating his grievance and seeking for a rotation transfer. The applicant is accordingly directed to make an appropriate representation before the authority within a month from today and if such representation is made the authority shall consider the same as per norms and guidelines of the department as expeditiously as possible.

Subject to the observation made the application stands disposed of. There shall, however, be no order as to costs.


(D.N.CHOWDHURY)
VICE CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 169 OF 2002.

Sri Uttam Kumar Paul

..Applicant.

-Versus-

Union of India & Others

.. Respondents.

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Filed by

Advocate.

(Adic ASIMED)

- 1 -

File by Sri Uttam Kumar Paul Applicant
(ADIC AHMED)
Assam

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GAUHATI BENCH AT GAUHATI.

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

through

ORIGINAL APPLICATION NO. 169 OF 2002.

B E T W E E N

Sri Uttam Kumar Paul,
Lower Division Clerk,
Assam Central Circle-1,
Central Public Works
Department Guwahati-21

- Applicant

-AND-

- 1] The Union of India represented by
the Secretary to the Government of
India Ministry of Urban Affairs
New Delhi-110011.
- 2] The Director General (Works)
Central Public works Department,
Nirman Bhawan, New Delhi- 110011.
- 3] The Chief Engineer,
North Eastern Zone,
Central Public Works Department,
Cleaves Colony,
Shillong-3.

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4] The superintending Engineer
(Co-Ordination) Circle Central
Public works Department
Eastern Region, Nizam Place
Kolkata -20.

5] The Superintending Engineer,
Assam Central Circle-1,
Central Public Works
Department, Guwahati-21.

6] The Executive Engineer (Admn),
Assam Central Circle-1,
Central Public Works
Department, Guwahati-21

- Respondents.

DETAILS OF THE APPLICATION:

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

This instant application is directed
against impugned transfer order No. 21(3)/ACC-
I/E-II/2002/1421 dated 21-05-2002 issued by the
Respondent No.6 to the applicant in violation of
Provision, Rules and Regulations of CPWD manual
volume-1.

2. JURISDICTION OF THE TRIBUNAL
- D

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

3. LIMITATION

The applicant further declares that the application is within the limitation period 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 citizen of India and as such, he is entitled to all the rights and privileges guaranteed under the Constitution of India.

4.2] That your applicant begs to state that he is working as a Lower Division Clerk in the office of the Superintending Engineer, Assam Central Circle CPWD, Guwahati-21. He was appointed as Lower Division Clerk in the year 1995 and he was posted in the office of the Executive Engineer, Silchar Central Division, Central Public Works Department (CPWD). He was transferred to the Assam Central Circle-1,

✓

[Handwritten signature]

(CPWD) Guwahati-21. He joined in the Assam Central Circle-1 (CPWD) as Lower Division Clerk in Correspondence Section Vide office order No. 15(757)/ACC/E-II/79 Dated 09-04-1996.

Annexure-A is the photocopy of the office order No. 15(757)/ACC/E-II/79 Dated 09-04-1996.

4.3 That your applicant begs to state that he is working as Lower Division Clerk in the Assam Central Circle-1 CPWD Guwahati-21 in Correspondence Branch, since 1996. Now he has been transferred to Guwahati Central Division CPWD in Correspondence Branch by the Respondent No.6 vide office order No. 21(3)/ACC-I/E-II/2002/1421 dated 21-05-2002. The said transfer order issued by the respondent No.6 is total violation of CPWD Manual volume-1 Provisions Rules and Regulations.

It is pertinent to mention here that before the issuing the said transfer order by the respondents, your applicant came to know about his said transfer from reliable source. he immediately file a representation 20-05-2002 before the Respondent No.5 for reconsideration of his transfer order.

Annexure-B is the photocopy of the office order No. 21(3)/ACC-I/E-II/2002/1421 dated 21-05-2002.

Annexure-C is the photocopy of the representation dated 20-05-2002 filed by the applicant before the Respondent No.5

4.4 That your applicant begs to state that there are certain provisions and rules under the CPWD Manual Volume-1 regarding transfer of Ministerial Staff (other than office Superintendent) and drawing staff. The General Principle of CPWD Manual Volume-1 regarding transfer are given below for kind perusal of this Hon'ble Tribunal.

Rule 19 CPWD Volume-1

19. Ministerial staff (other than Office Superintendent) and Drawing Staff: The following general principles of transfer are followed in respect of these categories of staff:

- a) They are transferred from one office to an other every five years within the same Circle. Such transfers are ordered by the Superintending Engineer concerned. Transfer from one station to another under this rule, where unavoidable, shall be made either by the Superintending Engineer (coordination) or by the Superintending Engineer of the Circle concerned in
- B

consultation with the Superintending Engineer (Coordination), so that the latter can properly coordinate transfers from popular to unpopular stations and vice-versa. An official on request from unpopular to popular station may be transferred after completion of three years if there is a vacancy at popular station and after four years, even if longest stayee who has completed his tenure of at least four years at the popular station is to be shifted.

- B1. Transfers from one Circle to another in the same station or in another station, if required, or where need arises to fill up a post outside a popular station, when such a post has fallen vacant due to some reasons, shall be made on the basis of longest continuous stay of individuals in all grades the longest stayee being transferred first. Similarly, in bringing persons on transfer from an unpopular to popular station, the same rule will apply. Transfers from one station to another shall normally be restricted to Upper Division Clerks, Head Clerks, Draughtsman Grade I and Draughtsman Grade II. Such transfers
- 15

shall be made by the Superintending Engineer (Coordination) or by the Superintending Engineer concerned in consultation with him.

21J Interchange of staff between Accounts and Correspondence Branches Upper Division Clerk and Lower Division clerks including Cashiers, serving in a Divisional Office shall be interchanged every three years. The period of three years stay in Accounts seat shall be reckoned from first April and first October of a year. Transfers shall be completed by first May and first November of the year. Such transfers shall be effected by the superintending Engineer of the Circle concerned. The Superintending Engineers are empowered to grant exemption from transfers under this rule up to a maximum period of one year where exceptional circumstances warrant.

The Interchange of staff between the Accounts and Correspondence Branches is not be treated as transfer of Office which is changed every five years. The Superintending engineer will however, ensure while transferring the Clerks from one Division to another that the official is posted in the Correspondence Branch of the new Division if he was previously working in Accounts Branch of a Division and Vice versa.

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-8-

The Lower Division Clerks, who are imparted training in accounts under the scheme of training in Accounts introduced by the Department, fail to pass the examination held at the conclusion of the training, shall not be posted to Accounts Branch till they pass the examination subsequently.

The applicant has already pass the Departmental Examination for promotion to the grade of Upper Division Clerk in the year 2001. As such under CPWD Manual Provision volume-1 section-5 Rule-42 your applicant is exempted from the scheme of training in accounts introduce by the department.

It is further stated that Office Memorandum No. 33/31/07-EC-17 dated New Delhi 38 June 1981 regarding transfer of Ministerial staff from Accounts Branch to Correspondence Branch and vice versa.

Annexure-D is the photocopy of Office Memorandum No. 33/31/07-EC-17 dated New Delhi 38 June 1981.

4.51 That the applicant submits that the Respondent No.6 violated the provisions of Central Public Works Department Manual, Volume-I regarding transfer of Lower Division Clerk from (Correspondence Branch) to Accounts Branch.

B

4.6] That the applicant submits that the Respondent No.6 has violated the Govt. rules and policy in regard of transfer of individual in contrary to the Central Public Works Department Manual, Volume-I. The Respondent No.6 has also failed measurably to implement their own Office Memorandum.

4.7] That the applicant submits that the Respondents have issued transfer order of the applicant against the Govt. Circular and transfer policy. Your applicant has got reason to belief that the Respondents are resorting the colourable exercise of power to accommodate the person of their interest.

4.8] That your applicant submits that the procedure adopted by the authority in the case of applicants is discriminatory, mala-fide, illegal and without jurisdiction. Your applicant further submits that due to indifferent attitude and partiality adopted by the Respondent No.6 in regard to posting and transfer of Ministerial staff, the career prospect of the applicant is going to be ruined.

4.10] That your applicant submits that due to non-implementation of rotational transfer of Ministerial staff throughout the Eastern Region for many years the Respondents are

B

directly extending privileges those staff and Head Clerk who are enjoying the benefit of popular station posting even for twenty years or more.

4.11] In view of the facts and circumstances it is a fit case for passing interim order protecting the interest of the applicant.

4.12] 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 transfer order of the applicant in prima facie is illegal, mala fide, arbitrary and without jurisdiction.

5.2] For that, similarly situated persons has been given the benefit of Center Public Works Department Manual Provision but the applicant's genuine case has not been considered by the Respondents. As such, the actions of the Respondents are illegal and mala fide and the same is liable to be set aside and quashed.

5.3] For that the Respondents have measurably failed to apply their mind. As such the action of the respondents are liable to be set aside and quashed.

B

5.4] For that, the action of the Respondents are highly illegal, arbitrary and also violative of guidelines of Central Public Works Department Manual, Volume-I regarding transfer of the Ministerial staff.

5.5] 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 said benefits.

5.6] For that, the action of the Respondents are arbitrary, mala fide and discriminatory with an ill motive and as such, the impugned transfer order may be reconsidered as per Provision of Central Public Works Department Manual, volume-I.

5.7] For that, the Respondents before transferring the applicant ought to have considered the transfer policy of the Central Public Works Department Manual, Volume-I in this matter and as such, the impugned transfer order is bad in the eye of law and is liable to be set aside and quashed.

5.8] For the, in any view of the matter the action of the respondents are not sustainable and hence the same is liable to be set aside and quashed.

2

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 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 applicant most respectfully prays that your Lordship may be pleased to admit this petition and may be pleased direct the respondents to give the following reliefs:

8.1] That the impugned Transfer order vide No. 21(3)/ACC-I/E-II/2002/1421 dated 21-05-2002

(Handwritten mark)

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issued by the Respondent No.6 transferring the applicant as Lower Division Clerk (Correspondence Branch), Assam Central Circle-I Guwahati to Guwahati Central Circle (Correspondence Branch) may be set aside and quashed.

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

8.3] Cost of the application.

9] INTERIM ORDER PRAYED FOR:

Pending disposal of the application the applicant most respectfully prays that your Lordship may be pleased to pass an interim order by way of suspending the Office Order vide No. 21(3)/ACC-I/E-II/2002/1421 dated 21-05-2002 at Annexure-B issued by the Respondent No.6.

10] Application Is Filed Through Advocate.

11] Particulars of I.P.O.:

I.P.O. No. 79599421

Date of Issue 18.5.2002

Issued from C.P.O. Guwahati

Payable at Guwahati

12] LIST OF ENCLOSURES:

As stated above.

...VERIFICATION.

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VERIFICATION

I, Sri Uttam ~~Kumar~~ Paul, Lower Division Clerk, Assam Central Circle-1, Central Public Works Department Guwahati-21 do hereby solemnly verify that the statements made in paragraphs 4.1, ~~4.2~~ — are true to my knowledge, those made in paragraphs 4.2, 4.3, 4.5 — are being matters of records are true to information derived there from 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 27th day of May 2002 at Guwahati.

Uttam Kumar Paul
Declarant

केन्द्रीय लोक निर्माण विभाग

सं. 15(757)/ACC/B-II/179

दिनांक, गुवाहाटी 9 - 4 - 1996

कार्यालय आदेश

Superintending Engineer, Coordination Circle(EZ), C.P.W.D.,
Nizam Palace, Calcutta-20 के कार्यालय-ज्ञापन/आदेश सं. 21(7)/LDC/
95/SE(C)/Cal/224 - - - - - दिनांक - 1.3.96 - - - - - के अनुसरण में एवम्

Executive Engineer, Silchar Central Division, CPWD, Silchar-2 के कार्यालय आदेश
सं. 21(2)/SCD/96/10 - - - - - दिनांक 2.4.96 - - - - - के द्वारा

कार्यमुक्त किए जाने पर श्री Uttam Kumar Paul, LDC - - - - - ने
दिनांक 8.4.96(F.N) को पूर्वाह्न/आयाम अपना कार्यभार ग्रहण करर
लिया है।

इसकी तैनाती Correspondence Section भाग 1 में की जाती है।
of ACC CPWD, Gauhati-21.

कार्यपालक इंजीनियर, मु॥
असम केन्द्रीय परिमंडल,
केलोनवि, गुवाहाटी-21

प्रतिलिपि :-

- 1/ The Superintending Engineer, Coordination Circle(EZ), CPWD, Nizam Palace, Calcutta-20
- 2/ The Superintending Engineer, Silchar Central Circle, C.P.W.D., Silchar-2
की गोपनीय रिपोर्ट इस कार्यालय की भेजी जाय।
- 3/ The Executive Engineer, Silchar Central Division, CPWD, Silchar-2
को उनके पत्र सं. 21(2)/SCD/96/10 - - - - - दिनांक 2.4.96
के संदर्भ में। इनसे अनुरोध है कि श्री श्री Uttam Kumar Paul, LDC - - - - -
का वैयक्तिक दस्तावेज और अंतिम वेतन पत्र इस कार्यालय की शोध में लाय।
- 4/ वेतन और लेखा अधिकारी (उपूअ), के.लो.नि.वि., शिलांग-3 को सूचनाएं।
- 5/ श्री Uttam Kumar Paul, LDC, ACC, CPWD, Gauhati-21. He may do the Typing
6/ रोड डिप्टी इंजिनिअर, Correspondence Section of this office का
7/ वैयक्तिक मिमिन

File No. 21(3)/ACC/B-II.

8. C.R. Section, ACC, CPWD, Gauhati-21, for information.

कार्यपालक इंजीनियर, मु॥

Handwritten signatures and initials at the bottom of the page.

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ANNEXURE - B 24

Government of India
Central Public Works Department.

No. 21(3)/ACC-I/E-II/2002/1421

dtd. 21-5-2002

OFFICE ORDER

The transfer & Posting of the following LDC is hereby ordered in the Public interest.

Sl. No	Name	From	To	Remarks
1.	Shri U. K. Paul, LDC	ACC-I CPWD Guwahati- 21	GCD, CPWD, Guwahati - 21	In existing vacancy.

This issues with the approval of SE/ACC-I.

Executive Engineer(Admn)
Assam Central Circle-I
CPWD, Guwahati- 21

Copy to :-

1. The Chief Engineer(NEZ), CPWD, Dhankheti, Shillong- 3
2. The Superintending Engineer (Co-ord), Co-ordination Circle (EZ), CPWD, Nizam Palace, Kolkata-20
3. The Pay & Accounts Officer(NEZ) CPWD, Malki Point Shillong-1
4. The Executive Engineer, Guwahati Central Division, CPWD, Guwahati-21
5. Office Superintendent , ACC-I, CPWD, Guwahati- 21
6. Shri U. K. Paul, LDC
7. Cashier, ACC-I, CPWD, Guwahati- 21

B. Sarkar
21/05/02
Executive Engineer(Admn)

Attested
Dated

To
The Superintending Engineer
Assam Central Circle-I
CPWD, Guwahati-21

- 17 -

25

Subject:- Transfer/posting of myself from Assam Central Circle-I, CPWD, Guwahati to Guwahati Central Division, CPWD, Guwahati.

Sir,

In inviting your kind attention on the subject cited above it is to inform that it has come to my knowledge that I am going to be transferred from your good-office to Guwahati Central Division, CPWD, Guwahati. So far my knowledge goes each and every transfer & posting of Government Officials in CPWD is guided by certain defined Rules & Regulations framed by the sole rules framing authority i.e. Director General (Works), CPWD, New Delhi. But it is not understood the transfer & posting initiated by your goodself involving myself from Assam Central Circle-I, CPWD, Guwahati to Guwahati Central Division, CPWD, Guwahati is guided by which rules & regulations as set in the CPWD Manual Vol.I by Director General (Works), N.Delhi. In this connection the brief resume of fact is enumerated below that will prove the irrelevancy of the rules of 5 years Rotational Transfer involving change of office in the present Restructuring phase and violation of others rules, that may have been applied in my transfer/posting case.

(A) In this context it is to state that pre-restructuring CPWD Manual provision of 5(Five) years Rotational Transfer states " Ministerial Staff transferred from one office to another every five years within the same Circle". In generally, 5 years stay in a Division Office is calculated as 3(Three) years in Accounts Branch + 2(Two) years in Correspondance Branch = 5 years as per CPWD Manual Vol.I. In the pre-revised staffing pattern LDCs were allotted all the Sub-divisions (Accounts Branch) under a Division. But as per revised staffing pattern under Restructuring/ Re-organization of Ministerial Staff almost of all the post of Sub-Divisions under a Division (Guwahati Central Division) has been sanctioned for UDCs. As such in one sense LDCs will not get the Accounts Branch at Division level during their 5 year stay in Division office which will directly violate Accounts Branch & Correspondance Branch & vice-versa rules as per CPWD Manual Vol.I as well as the Dy. Director of Administration, O/O Director General (W), CPWD, N.Delhi's O/M No. 33/31/81-EC.IV dated: 30th June, 1981 (Copy enclosed) wherein it is clearly states that " Superintending Engineers will however ensure while transferring the Clerks from one Division to another that if the individual was previously working in Accounts Branch of a Division, he is posted in the Correspondance Branch of the new Division and vice-versa. But I, being a LDC, is going to be transferred from the Correspondance Branch of your good office to Correspondance Branch at Guwahati Central Division, CPWD, Guwahati in contravention of the spirit of 5 Rotational Transfer & A/Branch to C/Branch Rules as framed by Director General (W), CPWD, N.Delhi.

Moreover, being a LDC, I can not be posted at any Sub-Divisions (treated as Accounts Branch) as the almost all Sub-Divisions of Guwahati Central Division has been sanctioned for UDCs. As the posting of LDC in a post sanctioned for UDC will violate Dy. Director of Administration-II, O/o Director General (W), N.Delhi's O/M No. 34/3/95-EC-X, dated: 20/7/1995 (copy enclosed) which strictly ban the assigning of job of higher category/responsibility to lower category worker in any circumstances.

In the light of above it has become vividly clear that 5 years Rotational Transfer of LDCs has become irrelevant in the post-restructuring phase of LDCs as LDCs have been indirectly debarred from Accounts Branch.

(B) It has also come to my knowledge that Sri Sukumar Sinha, LDC who was posted at Shillong Central Sub-division-III, CPWD, Khanapara, Guwahati under Meghalaya Central Division, CPWD, Shillong under the administrative control of Assam Central Circle-I, CPWD, Guwahati since 20/5/95 is going to be posted against myself due to shifting of the said sub-division to Shillong & I will be posted to Guwahati Central Division, CPWD, Guwahati. The point to be noted here is as per CPWD Manual Vol.I " Transfer from one Circle to another in the same station or in another station, if required, or where need arises to fill up a post outside a popular station, when such a post has fallen vacant due to some reasons, shall be made on the basis of longest continuous stay of individuals in all grades, the longest stayee being transferred first" (Copy enclosed).

[Handwritten signature]
Amit

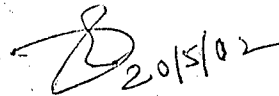
In this context it is pertinent to state that the vacancies of LDCs arises at Guwahati Central Division, CPWD, Guwahati due to promotion of two LDCs vide SE(Co-ord), CPWD, Kolkata's No: No.9(56)/SE(C)/ER/CAL/2002/396 dt. 29/04/2002 & their subsequent relieve for new assignment in respective CPWD Units. To fill vacant posts of LDCs thus fallen vacant should have been made from longest stayee in the station i.e. by transferring Sri Sukumar Sinha, LDC to Guwahati Central Division, CPWD, Guwahati as I have been in this station since 4/1996 only(Copy of joining order enclosed). Rather Sri Sinha, LDC is going to be order to join at Assam Central Circle:I, CPWD, Guwahati & I am going to be posted at GCD, CPWD, Guwahati despite being station junior in comparison to Sri Sinha, LDC. The move, if initiated, will be a grave violation of spirit of CPWD Manual rules in force in this regard.

In view of the above, it is better adjudge that transfer/posting of myself from Assam Central Circle:I, CPWD, Guwahati to Guwahati Central Division, CPWD, Guwahati can in no way uphold the CPWD Manual Vol.I Rules rather bulldoze the spirit of the same. As such I request your goodself to retain me at ACC.I, CPWD, Guwahati rather transferring me to Guwahati Central Division, CPWD, Guwahati whimsically. An evenhanded & lawful action in this regard expected please.

With regards,

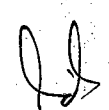
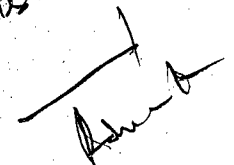
Encl: As above.

Yours faithfully,

 20/5/02

(Uttam Kr. Paul)/LDC
Assam Central Circle:I
CPWD, Guwahati-21

Received
20/5/02

Attest
 

COPY

- 19 -

Annexure - VIII

ANNEXURE - VIII

HIRSHAN MAHADIPORALAYA
KATHALAYA FOR HIRSHAN MAHADIPORALAYA

No. 33/31/01-22.17.

New Delhi, the 20th June, 1981.

MEMORANDUM

Subject : Transfer of Ministerial staff from Accounts Branch to Correspondence Branch and vice versa.

As per para 17 of Section 9, Chapter V of the C.P.W.D. Manual Vol. I (1975-Edition), UICs and IDCs including service in a Divisional office shall be interchanged every 3 years. The period of 3 years stay in Accounts post shall be reckoned from 1st April and 1st October of a year. Transfers should be completed by 1st May and 1st November of the year. Such transfer shall be effected by the Superintending Engineers of the Circle concerned. The Superintending Engineers are empowered to grant exemption from transfer under this rule upto a maximum period of one year, only in case where exceptional circumstances exist.

2. The interchange of staff between the Accounts and Correspondence Branch is not to be treated as transfer of office which is changed every five years. Superintending Engineers will however ensure while transferring the Clerks from one Division to another that if the individual was previously working in Accounts Branch of a Division he is posted in the Correspondence Branch of the new Division and vice versa.

3. It has been brought to the notice of this Directorate that the above instructions are being flouted and in some cases such as an employee who had already worked for 3 years in Accounts Branch of a Division immediately before transfer is again posted to the same branch in the other Division to which he is transferred. Director General (Works) has directed that all concerned must be instructed to fully implement the aforesaid administrative instructions and any lapse on their part should be viewed seriously.

4. All the Superintending Engineer etc. may please therefore ensure that the instructions regarding interchange of staff from Correspondence to Accounts Branch and vice versa are invariably complied with.

5. The receipt of the memo may please be acknowledged.

Sd/-

(Mrs. Heena Garg)

Dy. Director of Administration.

- To
1. All the Superintending Engineers/Superintending Surveyor of Works (including SE (Coord)/except SE (Vig) in CPWD.
 2. Directorate of Horticulture, CPWD, New Delhi.
 3. The Chief Engineer (Constn. zone) and all project Engineer in CPWD/all Chief Engineers.
 4. All Executive Engineers in CPWD.
 5. Copy (with 2 more copy) to Shri H.B. Pathak, General Secretary, CPWD Non-Gazetted office staff Association through Tara Chand Baisinghani, Superintendent, Office of the Chief Engineer (Elect), Vidyut Bhawan, Banka Market, New Delhi.

Sd/-

(Mrs. Heena Garg)

Dy. Director of Administration.

Att 5
Sd/-
Advocate

24

24/6/02
(A. DEB AGT)
Sr. C. G. S. C.
G. A. T., Guwahati

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI
BENCH, GUWAHATI

In

O. A. No: 169/2002

Sh. U.K. Paul

.....

Applicant

Vs.

Union of India & others

.....

Respondents.

REPLY AFFIDAVIT ON BEHALF OF RESPONDENTS.1,2,3,4,5 & 6.

MOST RESPECTFULLY SHOWETH: -

I, B. Subramanian, Respondent No. 6 working as Executive Engineer(Admn), Assam Central Circle No.I, Central Public Works Department, Guwahati under Superintending Engineer, Assam Central Circle-I, CPWD, Guwahati and Chief Engineer(NEZ), CPWD, Shillong of the Director General of Works, CPWD under Ministry of Urban Development & Poverty Alleviation, New Delhi, do hereby solemnly state and affirm as under: -

1. That the deponent is Executive Engineer(Admn), in the Directorate General of Works under Ministry of Urban Development & Poverty Alleviation, New Delhi and is Respondent No. 6 and has been authorized to file the Counter Reply on behalf of Respondents. Deponent is also fully acquainted with the facts of the case.

B. Subramanian
Executive Engineer (Admn.),
Assam Central Circle No. 1
C. P. W. D. Nirman Bhawan,
Bamanimaidan Guwahati-21.

2. That the Deponent has read and understood the contents of the Application filed by the Applicant.

3. That the averments of the applicant in the aforesaid application, which are not specifically admitted, are denied.

4. That the Respondents crave leave to submit the following objections and being facts of the case before submitting their parawise reply to the application.


PRELIMINARY OBJECTIONS.

1. That the applicant is a lower division clerk under Ministerial cadre of Central Public Works Department, Govt. of India with transfer liability to serve in public interest. The impugned transfer order dated 21-5-2001 is a general transfer order in the grade of Lower Division Clerk issued by the Respondents in exercise of their powers to transfer a personal working under them in public interest and the same is not liable to judicial intervention.

2. The transfer being an administrative order inflicting no punishment or bringing any civil consequences is not amenable to the jurisdiction of this Hon'ble Tribunal as contemplated under section 19 of the Administrative Tribunal Act. 1985.

3. Transfer being an incidence of service is not to be interfered with by the Courts unless it is shown to be clearly arbitrary (Sh. A.K. Ray Vs. U.O.I. & State of Orrissa & other J.T. 1995 (7) SC 467).

4. Interference by Judicial Review in matters of transfer and posting is justified only in cases of malafides or infraction of any professed norms or principles and where careers prospects remain unaffected and no detriment is caused to the concerned Govt. employee, challenge to the transfer must be eschewed (Sh. N.K. Singh Vs. U.O.I. & others) (1994) 6 SSC 98).


Executive Engineer (Admn.),
Assam Central Circle No. 1
C P. W. D. Nirman Bhawan,
Bamunimaidan Guwahati-21.

PARAWISE REPLY

1. The impugned transfer order dated. 21.5.02 is a matter of record. It has been ordered by the Competent Authority i.e. the Respondent no. 5 after careful consideration, in public interest, in exercise of his powers to make rotational transfers being the applicant senior most Lower Division Clerk working under his Circle Office for more than 6 years i.e. since 9.4.96, based on the Rules and Regulations of CPWD Manual Volume -I wherein it is clearly stated that the Ministerial Staff from one office to another every 5 years within the same Circle. such orders are ordered by the Superintending Engineer concerned. Accordingly being the applicant senior most and completed 6 years in one office has been transferred in public interest to its subordinate office in the same building without making any disturbance to him as requested in his representation dated 20-5-2002 (enclosed as annexure-C in O.A). Hence the averments are denied.

2. Jurisdiction of this Hon'ble Tribunal is not disputed.


3. This is a matter of arguments.

4. FACTS OF THE CASE.

4.1 & 4.2. The contents of these paras are matters of records and therefore need no reply.

4.3. The Applicant being the senior most Lower Division Clerk putting more than 6 years in one office has been transferred to other office as per the CPWD Manual provisions. Hence the contention of the Applicant that his transfer order is in total violation of CPWD Manual Volume-I, Provisions, Rules and Regulation is baseless. Hence the averments are hereby denied.

4.4. The content of this para is a matter of record and therefore need no reply.


Executive Engineer (Admn.),
Assam Central Circle No. 1
C P. W. D. Nirman Bhawan,
Bamunimaidan Guwahati-21.

31

4.5 to 4.10. The contentions of the Applicant in these paras are absolutely wrong. The Applicant is strictly put into proof the same. The Respondents issued the impugned order exactly based on the Rules, Regulations on transfer policy guidelines laid down in CPWD Manual Volume-I and various office memorandums. The copy of the office proceeding is also enclosed as annexure. Hence the averments of these paras are hereby totally denied.

4.11& 4.12. In view of the above facts, the O.A. is not fit to be admitted and liable to be rejected.

5. GROUNDS

In view of the submission made above and the legal position mentioned therein, none of the grounds in 5.1. to 5.8 are maintainable under the law and as such the present O.A. is liable to be dismissed being devoid of any merit.

6. The contents of this para need no reply in view of submissions made in the preceding paras.

7. Denied for want of knowledge.

8 & 9. In view of the factual position stated and parawise replies furnished herein above with legal submissions made therein, none of the relief's including interim relief prayed for the applicant is legally admissible to Applicant. The present O.A. being devoid of any merit is liable to be dismissed with costs in favour of the Respondents. It is prayed accordingly.

10.-12. These paras need no reply being formal in nature.

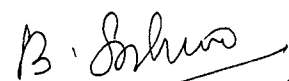

Depo nent

Executive Engineer (Admn.),
Assam Central Circle No. 1
C. P. W. D. Nirman Bhawan,
Damanimaidan, Guwahati-21.

VERIFICATION

I, B. Subramanian, working as Executive Engineer(Admn), Assam Central Circle-I, Guwahati under Superintending Engineer, Assam Central Circle-I, Guwahati & Chief Engineer (NEZ), CPWD, Shillong do hereby verify that contents of the above counter reply are true and correct to my knowledge which is derived from the office records and upon information received from concerned Officers. Nothing material has been concealed there from.

Verified at Guwahati on the date 19th day of June, 2002.


Executive Engineer (Admn.),
Assam Central Circle No. 1
C P. W. D. Nirman Bhawan,
Bamunimaidan Guwahati-21.

Subject:- Transfer/Joining of LDC.

SE(coord)/Kol recently issued an Office Order for promotion of LDCs vide no. 396 dt. 29.4.02 & 2 nos. LDCs attached in the of EE/GCD has been promoted on UOC & they have already been relieved resulting divisional works like Diary/Despatch, Pay Bill preparation, Typing works are extremely suffering.

Subsequently, one LDC from Shillong Sub-Divn, under MCO has joined in this office. sanctioned strength of LDC in this office is 3, whereas, after joining of one LDC from MCO, it exaggerated to 4. Hence one LDC attached to this Circle may be spared from GCD.

Keeping in view, of the above, it is observed that Sh. U.K. Paul, LDC is the most senior LDC joined in this circle so far as per records available.

If approved, Sh. U.K. Paul, LDC may be transferred from this office to report for duty at GCD.

OS/EE(A)/SE

Fair put up for sign. please

Certified true copy
B. B. B.

Executive Engineer (Admin.)
Assam Central Circle No. 1
C. P. W. D. Nirman Bhawan,
Bamanimaidan Guwahati-21.

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Filed by
Sri Uttam Kumar Paul.
Applicant
Through D.J. (A.M.E.)
Advocate

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH AT GUWAHATI.

ORIGINAL APPLICATION NO. 169 OF 2002.

B E T W E E N

Sri Uttam Kumar Paul - Applicant

-AND-

The Union of India & Ors.

-Respondents.

IN THE MATTER OF:

Rejoinder submitted by the
applicant against written
statement filed by the Respon-
dents.

The humble applicant above named
filed the rejoinder as follows:

1] That with regard to Preliminary
Objection in the written statements filed by the
respondent the applicant begs to state that the
impugned Transfer order No. 21(3)/ACC-I/E-
II/2002/1421 Dated 21-05-2002 issued by the
Respondent No.6 is in total violation of norms
or procedures and guiding principles laid down

in CPWD Manual Vol.I governing 5 (five) years Rotational Transfer of Ministerial Staff wherein it is clearly stated, "The interchange of staff between the Accounts & Correspondence Branches is not to be treated as transfer of office which is changed every five years. The Superintending Engineer will however, ensure while transferring the Clerks from the one Division to another that the official is posted in the Correspondence Branch of the New Division if he was previously working in Accounts Branch of a Division & vice versa."

This aspect of 5(five) years Rotational Transfer of Ministerial Staff has been highlighted by Dy. Director of Administration Office of the Director General (Works), CPWD New Delhi vide Memorandum No. 33/31/81-EC-IV dated 20th June, 1981 where by the above quoted CPWD Manual Volume-I Rules has been reiterated at Para-2 & at Para-3 it has been clearly indicated "It has been brought to the notice of this Directorate that the above instruction are being floated & in as much as an employee who had already worked for 3(three) years in Account Branch of a Division immediately before transfer is again posted to the same branch in the other Division to which he is transferred. Director General (works) has directed that all concerned must be instructed to fully implement the aforesaid administrative instructions and any.

lapse on their part should be viewed seriously,"

As claimed by the Respondent in their Parawise reply No.1, the Applicant has been transferred from Assam Central Circle-I to Guwahati Central Division on the basis of 5 (five) years Rational Transfer. Though the Applicant has been transferred from one office to another on the basis of 5 years Rotational Transfer but the concerned Superintending Engineer i.e., has not ensured Accounts Branch posting of the applicant despite the applicant has been working at Correspondence Branch at Assam Central Circle for over 6 years since 4/1996 till before his transfer. In this context the Applicant's posting at Correspondence Branch is clearly indicated in his joining order issued by Executive Engineer, Guwahati Central Division, CPWD, Guwahati vide No. 9(1)/GCD/2002/1326 dated: 30/5/02 whereby he has been directed to take over the charge of Bill Section which itself is a Correspondence Branch as per CPWD Manual Volume-I rules as primary duty in Bill Section is preparation of Pay Bills of Staff & Checking & passing of T.A. Bills.

Thus the Respondent No. 5 & 6 has transferred the Applicant from one Office to another on the basis of 5 years Rotational Transfer deliberately ignoring his Accounts Branch posting in violation of existing norms as

B

laid down in CPWD Manual volume-I & administrative instruction as contained in Dy. Director of Administration, O/o Director General of Works, CPWD, New Delhi's Memorandum No.30/31/07-EC-17 dated 30th June, 1981 governing 5 years Rotational Transfer of Ministerial Staff. Whereas it is evident from the O/o No. 21(3)/ACC.I/E.II/1248 dated 24/6/1996 & even No. 3264 dated 07th November/1997 Respondent No. 5 has strictly ensured A/Branch posting to other clerks of same grade under his control while transferring them from one office to another on completion of 5 years tenure in a particular office.

Annexure-E is the Photocopy of O.M. No. 33/31/81-EC IV dated 20-06-1981.

Annexures-F & G are the photocopies of Office order No. 21(3)/96/ACC/E-II/1248 dated 24-06-1996 and Office Order No. 21(3)/ACC-I/E-II/3264 dated 7th November 1997.

2] That with regard to paragraph No. 1 of the Written Statement the applicant begs to state that the impugned transfer order No. 21(3)/ACC-I/E-II/2002/1421 dated 21/5/2002 issued by the Respondent No. 6 is in total violation of norms or guiding principles laid down in CPWD Manual No. I governing 5 years

Rotational Transfer of Ministerial Staff wherein it is clearly stated, 'The interchange of staff between the Accountants & Correspondence Branches is not to be treated as transfer of Office which is changed every five years. The Superintending Engineer will however, ensure while transferring the clerks from one Division to another that the Official is posted in the Correspondence Branch of the new Division if he was previously working in Accounts Branch of a Division & vice versa'.

It is pertinent to mention here that the Deputy Director of Administration, O/o Director General of Works, CPWD, New Delhi's Memorandum No.33/31/81-EC-IV dated: 20th June, 1981 whereby the above quoted CPWD Manual Volume-I Rules has been reiterated at para-2 and at para-3 it has been clearly stated, 'It has been brought to the notice of this Directorate that the above instruction are being floated & in as much as an employee who had already worked for 3 years in Accounts Branch of a Division immediately before transfer is again posted to the same branch in the other Division to which he is transferred Director General (Works) has directed that all concerned must be instructed to fully implement the aforesaid administrative instructions and any lapse on their part should be viewed seriously'.

B

The impugned Transfer Order issued in respect of Applicant is clearly arbitrary, mala fide, violation of guidelines and administrative instruction issued from the Department itself governing the 5 years Rotational Transfer of Ministerial Staff.

3] That with regard to the statements made in paragraphs No. 2 and 3 of the Written statement the applicant has no comment to offer.

4] That with regard to the statements made in paragraphs No. 4.1 and 4.2 of the written statements the applicant has no comment.

5] That with regard to the statements made in paragraphs 4.3 of the written statement the applicant begs to state that these are adequately replied in paragraph No. 1 of the instant Rejoinder.

6] That with regard to the statements made in paragraphs No. 4.4 of the written statement the applicant has no comment.

7] That with regard to the statements made in paragraphs No. 4.5 to 4.10 of the written statement the applicant begs to state that the admittance of the Respondent No. 6 about his inability to ensure Accounts Branch to Correspondence Branch & vice-versa posting while

B

transferring LDC's from one office to another under 5 years Rotational Transfer as envisaged in CPWD Manual Volume-I Rules and subsequent initiation of 5 years Rotational Transfer transferring the Applicant to another under 5 years Rotational Transfer as envisaged in CPWD Manual Volume -I Rules and subsequent initiation of 5 years Rotational Transfer transferring the Applicant to another office without extending the privilege of Accounts Branch posting despite discharging office duty for more than 6 years at Correspondence branch at Assam Central Circle-I since 4/1996 while allowing the same privilege to other LDC's under his administrative control automatically gives an impression that the Respondents are resorting the colourable exercise of power to accommodate the person of their interest at Accounts Branch & the procedure adopted by the authority in the case of applicant is discriminatory, malafide and illegal. It is further submitted that due to indifferent attitude and partially adopted by the Respondent No. 5 and 6 in regard to transfer of the Applicant from one Office to another under 5 years Rotational Transfer without ensuring Accounts Branch posting in terms of CPWD Manual Volume-I provision, the Administration has debarred the Applicant from acquiring knowledge in Accounts Section related works which would have immense help in remaining service life of the Applicant.

8] That with regard to the statements made in paragraphs No. 4.11 to 8.3 of the written statements the applicant begs to state that the same are not correct and hence there are denied by the applicant.

In view of the above, the written statements submitted by the Respondents are not correct and also misleading to the Hon'ble Tribunal. The applicant begs to state that the impugned order 20-05-2002 issued by the Respondent No. 5 is illegal and mala fide and liable to be quashed.

VERIFICATION

I, Sri Uttam Kumar Paul, Lower Division Clerk, Assam Central Circle-I, presently working at Guwahati Central Division, CPWD, Guwahati-21, Assam do hereby solemnly verify that the statements made in the above paragraphs No.1 to 8 are true to my knowledge, belief and information.

And I sign this verification today on this the day of 2002 at Guwahati.

Uttam Kumar Paul
Declarant.

No. 33/31/31-EC.IV

New Delhi, the 12th JUN 1981

MEMORANDUM

SUBJECT: TRANSFER OF MINISTERIAL STAFF FROM ACCOUNTS BRANCH TO
CORRESPONDENCE BRANCH AND VICE - VERSA.

As per para 17 of Section 9, chapter V of the CPWD Manual Vol. I (1975 Edition), UDCs and LDCs including Cashiers, serving in a Divisional Office shall be interchanged every 3 years. The period of 3 years stay in Accounts Branch shall be reckoned from first April and 1st October of a year. Transfers should be completed by 1st May and 1st November of the year. Such transfers shall be effected by the Superintending Engineers of the Circle concerned. The Superintending Engineers are empowered to grant exemption from transfer under this rule upto a maximum period of one year, only in cases where exceptional circumstances exist.

2. The interchange of staff between the Accounts and Correspondence Branch is not to be treated as transfer of office which is changed every five years. The Superintending Engineers will however ensure while transferring the Clerks from one Division to another that if the individual was previously working in Accounts Branch of a Division he is posted in the Correspondence Branch of the new Division and vice-versa.

3. It has been brought to the notice of this Directorate that the above instructions are being floated and in as much as an employee who had already worked for 3 years in the Accounts Branch of a Division immediately before transfer is again posted to the same Branch in the other Division to which he is transferred. Director General (Works) has directed that all concerned must be instructed to fully implement the aforesaid administrative instructions and any lapse on their part should be viewed seriously.

4. All the Superintending Engineers etc. may please therefore ensure that the instructions regarding interchange of staff from Correspondence to Accounts Branch & vice versa are invariably complied with.

xy - 1223

Dr - 6-7-81

.....2/-
24/7/81

24/7/81

Attested
Signature
Advocate

5.

The receipt of the memo may please be acknowledged.

47

MS

(MRS.) (NEENA GARG)
DY. DIRECTOR OF ADMINISTRATION.

To

1. All the Superintending Engineers/ Superintending Surveyor of Works (including Superintending Engineers (Coord) / (except E(Vig.) in C.P.W.D.
2. Directorate of Horticulture, CPWD, New Delhi.
3. The Chief Engineer (Constn. Zone) and all Project Manager in CPWD/ All Chief Engineers.
4. All the Executive Engineers in C.P.W.D..

Copy (with a spare copy) to Shri M.N. Pathak, General Secretary, CPWD, Non-Gazetted Office Staff Association, through Shri Tara Chand Raisinghani, Superintendent, Office of the Chief Engineer (Elect), Vidyut Bhavan, Chanker Market, New Delhi.

MS

(MRS.) (NEENA GARG)
DY. DIRECTOR OF ADMINISTRATION.

At 12
Jil
Advant

GOVERNMENT OF INDIA
CENTRAL PUBLIC WORKS DEPARTMENT
@@@@@

No. 21 (3)/96/ACC/E-II/1248

Dtd. 24/6/96.

OFFICE ORDER

As per provisions of Section-8, Para-19 & 21 of CPWD Manual Volume-I, the following rotational transfer and posting of staff from Accounts Branch to Correspondance Branch and vice-versa are hereby ordered in the interest of public services:-

Sl NO.	Name & Designation	From	To	Remarks
1.	2.	3.	4.	5.
1.	Smt. Iti Hazarika, IDC	Assam Central Circle-I (C/B)	Gauhati Central Division (A/B)	Vice Smt. Sapna Chakraborty L.D.C
2.	Smt. Sapna Chakraborty, IDC	Gauhati Central Division (A/B)	Gauhati Central Division (C/B)	Vice Sri K. Ali, L.D.C
3.	Sri K. Ali, IDC	Gauhati Central Division (C/B)	Gauhati Central Sub-Div-III (A/B)	Vice Sri A.K. Paul, IDC
4.	Sri A.K. Paul, IDC	Gauhati Central Sub-Div-III, (A/B)	Assam Central Circle-I (C/B)	Vice Smt Iti Hazarika, L.D.C
5.	Sri M.C. Medhi, IDC	Gauhati Central Division (C/B)	Gauhati Central Division (A/B)	Vice Smt. Bibha Sen, IDC
6.	Smt. Bibha Sen, IDC	Gauhati Central Division (A/B)	Gauhati Central Division (C/B)	Vice Sri M.C. Medhi, IDC
7.	Sri S.C. Mazumder, IDC	Assam Aviation Works Divn (A/B)	Assam Aviation Works Divn (C/B)	Vice Smt. J. Sonowal, L.D.C
8.	Smt. J. Sonowal, IDC	Assam Aviation Works Divn (C/B)	Assam Aviation Works Divn (A/B)	Vice Sri S.C. Mazumder, L.D.C
9.	Sri M. Das, IDC	Assam Aviation Works Divn (A/B)	Assam Aviation Works Divn (C/B)	Vice Sri H.M. Mali, IDC
10.	Sri H.M. Mali, IDC	Assam Aviation Works Divn (C/B)	Assam Aviation Works Divn (A/B)	Vice Sri M. Das, L.D.C

Advocate

----- (2) -----

1. 2. 3. 4. 5.

11. Sri P.K.Sarkar, IDC	Gauhati Central Sub-Divn-I, Khanapara (A/B)	Assam Central Circle-I(C/B)	Vice Sri Samiran Sarkar, LDC
12. Sri Samiran Sarkar, IDC	Assam Central Circle-I(C/B)	Gauhati Central Sub-Divn I Khanapara (A/B)	Vice Sri P.K.Sarkar, L.D.C
13. Sri Kanak Namasudra, IDC	Assam Aviation Works Divn(A/B)	Assam Aviation Works Divn(C/B)	Vice Sri P.K.Das L.D.C
14. Sri P.K.Das, IDC	Assam Aviation Works Divn(C/B)	Assam Aviation Works Divn(A/B)	vice Sri Kanak Namasudra, L.D.C

S1. No. 1,3,5,8,10,12, & 14 will move first.

Superintending Engineer
Assam Central Circle,
C.P.W.D., Guwahati - 21.

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Copy for information and necessary action to:-

- 1) The parties S1.Nos.1 to 14 as above.
- 2) The Executive Engineer, Gauhati Central Division, CPWD, Guwahati-21
- 3) The Executive Engineer, Assam Aviation Works Division, CPWD, Guwahati-15
- 4) The Surveyor of Works, Assam Central Circle-I, CPWD, Guwahati-21
- 5) The Executive Engineer (HQ), Assam Central Circle-I, CPWD, Guwahati-21
- 6) The Assistant Engineer, Gauhati Central Sub-Divn-III, CPWD, Gauhati-21
- 7) The Assistant Engineer, Gauhati Central Sub-Divn-I, CPWD, Khanapara, Gauhati-23.
- 8) Office Superintendent, Assam Central Circle, CPWD, Guwahati-21
- 9) Cashier, Assam Central Circle-I, CPWD, Guwahati-21.
- 10) ~~Branch Secretary~~ Branch Secretary, CPWD Staff Association, Bamunimaidan, Guwahati.
- 11) Branch Secretary, CPWD Non-Gazetted Office Staff Association, Bamunimaidan, Guwahati.

SUPERINTENDING ENGINEER
ASSAM CENTRAL CIRCLE.

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- 14 -

GOVERNMENT OF INDIA
CENTRAL PUBLIC WORKS DEPARTMENT

ANNEXURE - PG 7

No.21(3)/ACC-I/E-II/3264

Dated Gauhati the 07th Nov/97

OFFICE ORDER

As per provisions of Section-8, Para-19 & 21 of CPWD Manual Volume I, the following rotational transfer and posting of staff from Account Branch(CCD) to Correspondence Branch(ACC-I) and vice-versa are hereby ordered in the interest of Public Services :-

Sl. No.	Name & Designation.	From.	To	Remarks.
1.	2.	3.	4.	5.
	<u>S/Shri</u>			
1.	Mrs. C.K.Dutta, UDC	Assam Central Circle-I, CPWD, Gauhati-21. (C/B)	Gauhati Central Division, CPWD, Gauhati-21. (A/B)	Vice Shri J.C.Das, U.D.C.
2.	Shri J.C.Das, UDC	Gauhati Cent. Division, CPWD, Gauhati-21. (A/B)	Assam Cent. Circle-I, CPWD, Gauhati-21. (C/B)	Vice Mrs. C.K.Dutta, U.D.C.
3.	Shri D.K.Sengupta, U.D.C.	Assam Central Circle-I, CPWD, Gauhati-21. (C/B)	Gauhati Cent. Sub-Divn.III, CPWD, Gauhati-21. (A/B)	Vice Shri P.K.Rabha, U.D.C.
4.	Shri P.K.Rabha, U.D.C.	Gauhati Cent. Sub-Divn.III, CPWD, Gauhati-21. (A/B)	Assam Cent. Circle-I, CPWD, Gauhati-21. (C/B)	Vice Shri D.K.Sengupta, UDC.
5.	Shri P.C.Neog, LDC.	Assam Cent. Circle-I, CPWD, Gauhati-21. (C/B)	Gauhati Cent. Divn., CPWD, Gauhati-21. (A/B)	Vice Smt. Purnima Sharma, LDC.
6.	Smt. Purnima Sharma, L.D.C.	Gauhati Cent. Divn., CPWD, Gauhati-21. (A/B)	Assam Central Circle-I, CPWD, Gauhati-21. (C/B)	Vice Shri P.C.Neog, L.D.C.

Note :- Sl.No.1, 3 & 5 move first.

(Signature) 7-11-97
Superintending Engineer,
Assam Central Circle No.I,
C.P.W.D., Gauhati-21.

Copy forwarded for information to :-

1. The Superintending Engineer, Coordination Circle(EZ), C.P.W.D., Nizam Palace, Calcutta-20.
2. The Chief Engineer(NER), C.P.W.D., Dibrugarh, Shillong-3.
3. The Executive Engineer, Gauhati Central Division, C.P.W.D., Gauhati-21.

(Contd.... P/2)

(Signature)
Admmt

4. The Surveyor of Works, Assam Central Circle No.I, CPWD, Gauhati-21.
5. The Asstt. Exe. Engineer, Gauhati Cent. Sub-Divn.No.III, CPWD, Gauhati-21.
6. The Zonal Secretary, CPWD Staff Association (NEZ), Gauhati Branch, Gauhati-21.
7. The Secretary, CPWD Non-Cazetted Staff Association (NEZ), Gauhati Branch, Gauhati-21.
8. Mrs. C.K.Dutta, UDC, ACC-I, CPWD, Gauhati-21.
9. Shri J.C.Das, UDC, GCD, CPWD, Gauhati-21 (through EE/GCD, CPWD, Gauhati-21).
10. Shri D.K.Sengupta, UDC, ACC-I, CPWD, Gauhati-21.
11. Shri P.K.Rabha, UDC, GCD, CPWD, Gauhati-21 (through EE/GCD, CPWD, Gauhati-21).
12. Shri P.C.Neog, LDC, ACC-I, CPWD, Gauhati-21.
13. Smt. Purnima Sharma, LDC, GCD, CPWD, Gauhati-21 (through EE/GCD, CPWD, Gauhati-21).

Bykurne 7-11-77
Superintending Engineer,
Assam Central Circle No.I,
C.P.W.D., Gauhati-781021.

spc

Attended
Adverte