

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No. 50/2003

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SECTION OFFICER (Judl.)

Shahida
15/11/2003

(RULE - 4)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

Original Application No. 50/03

Misc. Petition No. /

Contempt Petition No. /

Review Application No. /

Applicant (s) Aloysius Vandalduha

- Vs. -

Respondent (s) H.O. I. Tany

Advocate for the applicant (s) M. Chanda, G.N. Chakraborty
S. Chandley.

Advocate for the respondent (s) Case.

Notes of the Registry

Date

Order of the Tribunal

This application is in
form but not in time

~~condonance~~ is

filed / no

for Rs. 50/-

vide IPO/17

Dated 25.2.03...

20.3.2003

Heard Mr. M. Chanda, learned coun-
sel for the applicant.

The application is admitted,
call for the records.

List the case on 24.4.2003
for order.

Dy. Registrar.

Vice-Chairman

bb

24.4.2003

Await service report. Put
up on 12.5.2003 for orders.

Vice-Chairman

mb

12.5.2003

Mr. A. Deb Roy, learned Sr.
C.G.S.C. for the respondents prayed
for time for filing written state-
ment. Prayer is allowed. List again
on 16.6.2003 for orders.

Vice-Chairman

mb

① Service report are
still awaited.

24/5/03.

Excess money deposited vide
R/No. 7436 dated 23/3/03. Notice
prepared and sent to DIS
for mms. the respondent
No 1 to 12 by Regd. A.D.

DN 521 to 532 dated 27/3/03

(2)

N

16.6.2003 Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman.
The Hon'ble Mr. R.K. Upadhyaya, Member (A).

No written statement has been filed.

23.6.03.

Put up again on 21.7.2003 to enable the respondents to file written statement.

(Signature)

Member

(Signature)
Vice-Chairman

mb

21.7.2003 Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman.
The Hon'ble Mr. N.D. Dayal, Member (A).

25.7.03

~~Response has been~~
Response has been
filed by the Respondent
No. 6.

(Signature)

No W/S has been filed
by Respondents
except R. No- 6.

18/8/03

On the prayer of Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents further four weeks time is allowed to file written statement.

List on 19.8.2003 for written statement.

(Signature)
Member

(Signature)
Vice-Chairman

mb

19.8.2003 Present : The Hon'ble Sri K.V. Prahaladan, Administrative Member.

On the prayer of Mr. A. Deb Roy, learned Sr. C.G.S.C. for the respondents further four weeks time is allowed to the respondents to file written statement.

List again on 22.9.2003 for written statement.

(Signature)

(Signature)
Member

mb

15.9.03

W/S Submitted
by the Respondents.

Office Note	Date	Tribunal's Order
No rejoinder has been filed. <u>30.10.03.</u> No rejoinder has been filed. <u>20.1.04</u> 19.2.04. copy of the judgment has been sent to the office for receipt due to the applicant.	22.09.2003 mb 31.10.03 21.1.2004 bb	Present : The Hon'ble Mr. Justice D.N. Chowdhury, Vice-Chairman. The Hon'ble Sri K.V. Prahaladan, Member (A). Written statement has been filed by the Respondents. The applicant may file rejoinder, if any, within two weeks from today. List the matter for hearing on 31.10.2003. <i>[Signature]</i> Member <i>[Signature]</i> Vice-Chairman No Bench today. adjourn to 9.12.03. <i>[Signature]</i> Member (J) Present: The Hon'ble Shri Bharat Bhushan Judicial Member. The Hon'ble Shri K.V. Prahladan Administrative Member. Heard counsel for the parties. Judgment delivered in open Court, kept in separate sheets. The application is disposed of in terms of the order. <i>[Signature]</i> Member (A)

Office Note

Date _____

Tribunal's Order

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A./No. 111 50 of 2003.

DATE OF DECISION 21.1.2004.

Sri Aloysius Vanlalduha

.....APPLICANT(S).

Mr.M.Chanda, G.N.Chakraborty & S.Nath.

.....ADVOCATE FOR THE
APPLICANT(S).

-VERSUS-

Union of India & Others.

.....RESPONDENT(S)

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

.....ADVOCATE FOR THE
RESPONDENT(S).

THE HON'BLE MR. BHARAT BHUSHAN, JUDICIAL MEMBER.

THE HON'BLE MR. K.V.PRAHLADAN, ADMINISTRATIVE MEMBER.

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 Member (J).

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CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No.50 of 2003.

Date of Order : This, the 21st Day of January, 2004.

THE HON'BLE SHRI BHARAT BHUSHAN, JUDICIAL MEMBER.

THE HON'BLE SHRI K. V. PRAHLADAN, ADMINISTRATIVE MEMBER.

Sri Aloysius Vanlalduha
S/o Late Dengthuama
Working as Superintendent
Customs and Central Excise
Moran Range, Dibrugarh Division
Dibrugarh, Assam.

. . . . Applicant.

By Advocates Mr.M.Chanda, G.N.Chakraborty & S.Nath.

- Versus -

1. The Union of India
Represented by the Secretary
to the Government of India
Ministry of Finance
Department of Revenue
New Delhi.
2. The Chairman
Central Board of Excise and Customs
Ministry of Finance, Deptt. of Revenue
North Block, New Delhi.
3. The Commissioner of Central Excise
Morellow Compound
Shillong-793001.
4. The Additional Commissioner (P & V)
Customs and Central Excise
Shillong.
5. Sri Chiranjib Madhav Chakraborty
6. Sri Tapas Swarup Sarkar
7. Sri Himangshu Ranhan Saha
8. Sri Narayan Kumar Chakraborty
9. Sri Subinoy Bhowmick
10. Sri M. Marbaniang
11. Sri J.R.H. Diengdoh
12. Sri R. Labnggrauva

Respondent Nos.5 to 12 are presently working as Assistant
Commissioner in different places under the Respondent nos.3,

. . . . Respondents.

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

O R D E R (O R A L)

BHARAT BHUSHAN, MEMBER(J) :

Mr.S.Nath, learned counsel for the applicant and Mr.A.Deb Roy, learned Sr.C.G.S.C. for the respondents were present.

The applicant had initially joined in service as Direct Recruit Inspector under Shillong Commissionerate on 13.9.1975. Thereafter in the year 1991 he was promoted to the post of Superintendent Group-B in the pay scale of Rs. 2000-3500/- vide order dated 28.6.1991. It is stated that the Commissionerate vide its letter No.C.No.11(34)5/ET-I/92/24248-85 dated 3.5.2001 published a seniority list of Superintendent Group-B as on 1.5.2001. In the said seniority list the applicant was placed at serial No.35 whereas the respondent nos.5 to 9 and 10, who were junior to the applicant, were placed at Sl.Nos.28 to 32 and 23 respectively. The petitioner had submitted a representation on 4.4.2001 as also on 6.5.2001 addressed to the Commissioner, Central Excise, Shillong for getting his position rectified and fix the seniority as per his seniority and place him at the appropriate place in the seniority list. But no reply is forthcoming from the respondents so far.

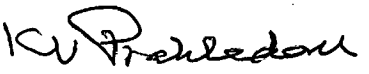
However, in Para 3 of the written statement filed by the respondents they have stated that the respondents office was not aware of any representation to that effect and thus they desired that the applicant should furnish the acknowledgement receipt(s) of those representation(s) to dispose of the same. This being the case, the present O.A. can be disposed of at the stage by directing the applicant to furnish a copy of the representation afresh to the respondents within a period

[Handwritten signature]
21/1/04

Contd./3

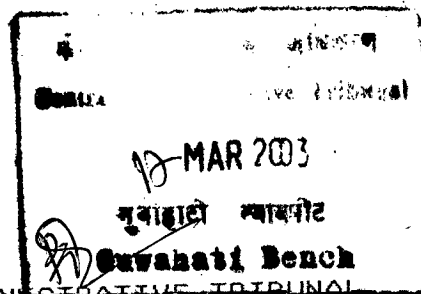
period of 15 days from the date of receipt of this order and thereafter the respondents to take a decision on the same by passing a speaking and reasoned order within a period of two months from the date of ^{the receipt} ~~filing~~ of the copy of the representation.

The O.A. stands disposed of accordingly.


(K.V.PRAHLADAN)
ADMINISTRATIVE MEMBER

bb


(BHARAT BHUSHAN)
JUDICIAL MEMBER



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : GUWAHATI

LIST OF DATES AND SYNOPSIS OF THE APPLICATION

O.A. No. 50 /2003

Sri Aloysius Vanlalduha

—VS—

Union of India & Ors.

- 13.9.75 Applicant initially joined in service as direct recruit Inspector under Shillong Commissionerate.
- 31.10.77 Applicant was confirmed in service in the grade of Inspector.
- 28.6.91 Applicant was promoted to the post of Superintendent Group B in the pay scale of Rs. 2000-3500 vide order dated 28.6.1991 assigning the order of the seniority of the applicant above the respondent Nos. 5 to 9.
- 22.7.94 That the seniority list published as on 1.1.1994 vide Collectorate letter dated 22.7.1994 the name of the applicant placed at serial No. 115 whereas respondent nos. 5 to 9 have been placed in between serial No. 116 and 121 in the cadre of Superintendent Group B.
- 9.5.95 That in the seniority list published as on 1.4.1995 vide letter dated 9.5.1995 the applicant placed at serial No. 92 and the respondent Nos. 5

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Filed by applicant
through advocate
Sri G. N. Chakraborty
on 12-3-03.

to 9 had been placed in between serial No. 93 to 98 and respondent No. 10 to 12 were placed at serial Nos. 125, 144 and 146 respectively.

22.3.2001 That the Commissioner of Central Excise, Shillong issued integrated seniority list of Superintendents, consequent upon the implementation of the judgment dated 5.9.1995 passed by this Hon'ble Tribunal in O.A. 241/1991. In the said seniority list applicant was placed at serial No. 86 whereas respondent nos. 5 to 10 were placed in between serial No. 89 to 83 and as a result of such alteration of seniority position the applicant made junior to the respondent nos. 5 to 10 after a lapse of 26 years of service that too without providing any reasonable opportunity both in the cadre of Inspector as well as in the cadre of Superintendent Group B. Be it stated that the applicant is all along treated as senior to the respondent Nos. 5 to 12.

It is relevant to mention here that respondent Nos. 11 and 12 promoted to the Superintendent Group B on 30.11.1992 and 2.12.1992 respectively whereas the applicant was promoted as Superintendent Group B on 28.6.91. In the seniority list published vide letter dated 22.3.2001 the position of respondent nos. 11 is shown at serial no. 84 but the respondent no. 12

has been placed below the applicant at serial no. 92.

1.5.2001 That the Commissioner, Central Excise, Shillong
3.5.2001 published seniority list of Superintendent Group B
as on 1.5.2001 vide their letter dated 3.5.2001.
In the said seniority list the applicant was
placed at serial no. 35 whereas respondent nos. 5
to 10 were placed in between 23 to 32 and
respondent no. 11 was placed at serial no. 33, and
respondent no. 12 was placed at serial no. 44 as a
result the seniority position of the applicant
down graded without providing any reasonable
opportunity.

4.4.01 The applicant being highly aggrieved for
and alteration of his seniority position in the cadre
16.5.01 of Superintendent Group B submitted detail
representation before the authority praying
restoration of his seniority position but to no
result.

22.1.99 That the decision in O.A. No. 241 of 1991 rendered
by the Hon'ble Tribunal way back on 5.9.1995 which
is not at all applicable in the instant case of
the applicant but the respondents have implemented
this judgment only on 22.3.2001 but prior to that
this Hon'ble Tribunal also rendered decision in
O.A. 101/1995, 147/1995 and in O.A. No. 171/1995

on 22.1.1999 in the similar facts and situation but the same was not taken into consideration.

18.6.01 The in the All India seniority list published in the cadre of Superintendent Group B on 18.6.2001 whereby the applicant was placed at sl. No. 82 and the respondents 5 to 11 were placed in between serial no. 70 and 80 and respondent 12 placed at serial No. 95 on the alleged ground that the said alteration has been made by the respondent Union of India following the decision rendered by this Hon'ble Tribunal in O.A. 237/99 on 8.2.2001. The applicant was never impleaded as party respondent either in O.A. 241/1991 or in O.A. 237/99 as such the decision of the aforesaid Original Application cannot be made applicable to the applicant.

10.12.02 Department of Revenue, Central Board of Excise and Customs, vide order dated 10.12.2002 promoted a large number of Superintendent Group B to the post of Assistant Commissioner on ad hoc basis including the respondent nos. 5 to 12 in supersession of the claim of the present applicant.

11.12.02 The applicant being aggrieved by the action of the
8.1.03 respondents for non consideration of his promotion
13.1.02 to the post Assistant Commissioner submitted a
20.1.03 detail representation to the Commissioner of
7.2.03 Central Excise, Chairman, CBEC, Member Personnel,

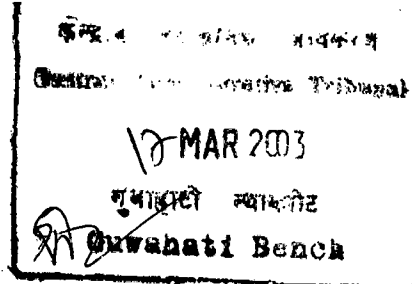
CBSE, Joint Commissioner, Central Excise,
Dibrugarh.

2.2.03 The Department of Revenue, Govt. of India again promoted other juniors to the applicant namely Sri Utpal Kr. Das, Sri Danshiram to the post of Assistant Commissioner in supersession of the claim of the present applicant.

4.4.01 The applicant along with his junior namely Sri C.M.Chakraborty, T.S.Sarkar, H.R.Saha, Subinoy Bhowmick were granted the benefit of ACP Scheme in the light of the O.M. dated 9.8.99 issued by the D.O.P.T.

Prayer

- 8.1 That the Hon'ble Tribunal be pleased to declare that the applicant is senior to respondents 5 to 11 and further be pleased to direct the respondent to restore the seniority of the applicant above the respondent nos. 5 to 11 by necessary modification/alteration of the seniority list published vide letters dated 22.3.2001 and 3.5.2001 and seniority position as on 1.4.2002 in the cadre of Superintendent Group B.
- 8.2 That the Hon'ble Tribunal be pleased to direct the respondents to promote the applicant to the post of Assistant Commissioner at least from the date of promotion of his immediate juniors with all consequential service benefits including monetary.
- 8.3 Costs of the application.
- 8.4 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.



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Filed by the applicant
through advocate Sri
G.N. Chakravarty on
17-3-03.

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. 50 /2003

Sri Aloysius Vanlalduha :

Applicant

- Versus

Union of India & Others:

Respondents.

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Date 17-3-2003

Filed by

G.N. Chakravarty
Advocate

Aloysius Vanlalduha

Date

Advocate

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI**

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

O. A. No. _____/2003

BETWEEN

Sri Aloysius Vanlalduha
Son of Late Dengthuama
Working as Superintendent
Customs and Central Excise,
Moran Range,
Dibrugarh Division
Dibrugarh, Assam

...Applicant

-AND-

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Finance,
Department of Revenue, New Delhi.
2. The Chairman,
Central Board of Excise and Customs,
Ministry of Finance, Department of Revenue,
North Block, New Delhi.

Aloysius Vanlalduha.

3. The Commissioner of Central Excise
Morellow Compound,
Shillong-793001
4. The Additional Commissioner (P & V)
Customs & Central Excise,
Shillong.
5. Sri Chiranjib Madhav Chakraborty
6. Sri Tapas Swarup Sarkar
7. Sri Himangshu Ranjan Saha
8. Sri Narayan Kumar Chakraborty
9. Sri Subinoy Bhowmick
10. Sri M. Marbaniang
11. Sri J.R.H. Diengdoh
12. Sri R. ^{Labnguraava} ~~Kaluguraava~~

(Respondent Nos. 5 to 12 are presently working as Assistant Commissioner in different places under the Respondent nos.3, therefore notices for the respondent nos. 5-12 may be served through Respondent no.3).

...Respondents.

DETAILS OF THE APPLICATION

1. Particulars of order(s) against which this application is made.

This application is made praying for a direction upon the respondents for re fixation/restoration of the

Propius Vaulaldula

seniority of the applicant in the cadre of Superintendent and also praying for a direction to promote the applicant to the post of Assistant Commissioner at least with effect from the date of promotion of his immediate juniors.

2. Jurisdiction of the Tribunal.

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

3. Limitation.

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

4. Facts of the Case.

- 4.1 That the applicant is a citizen of India and as such he is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.
- 4.2 That the applicant was initially appointed as a direct recruit Inspector under Shillong Commissionerate way back on 13.9.1975. He was confirmed in service in the grade of Inspector on 31.10.1977.
- 4.3 That it is stated that the applicant was promoted along with six others were promoted to the post of

Proyins Vaulalduba.

Superintendent Group B in the pay scale of Rs. 2000-3500 vide establish order No. 144/91 dated 28.6.1991 issued by the then Collector, Customs and Central Excise, Shillong. In the said order of promotion it is specifically stated that the seniority of the applicant and respondent nos. 5 to 9 shall be maintained in the order as per serial number maintained in that order. Be it stated that the applicant joined in the post of Inspector on 13.9.1975 whereas respondent nos. 5 to 12 joined the post on 26.7.1976, 27.7.1976, 13.7.1976, 2.8.1976, 26.7.1976, 30.9.1978, 4.10.1978 and 3.10.1978. Hence it is quite clear that the applicant was senior to the respondent nos. 5 to 12 in the cadre of Inspector, the said seniority position of the applicant and the respondent nos. 5 to 10 indicated in all the seniority list of Superintendent which would also be evident from the seniority published as on 1.1.1993 onwards.

A copy of the order of promotion dated 28.6.1991 and an extract of the seniority list of Superintendent as on 1.1.1993 are annexed as **Annexure-1 & 2** respectively.

- 4.4 That it is stated that the seniority of Superintendent of Group B again published as on 1.1.1994 vide the then Collectorate letter No. C. No. II(34)5/ET-I/92/7898-978 dated 22.7.1994 wherein the applicant placed at serial no. 115 and respondent nos. 5 to 9 have been placed in between serial nos. 116 and 121.

Pragya Vaidalika

Similarly seniority list also published as on 1.4.1995 vide letter No. C. No. II(34)5/ET-I/92/ dated 9.5.1995. In the said gradation list also the applicant has been placed at serial no. 92 and the respondent nos! 5 to 9 have been placed at serial nos. 93-98 and Respondent Nos. 10 to 12 were placed at serial nos. 126,144 and 146 respectively.

An extract of the seniority list published as on 1.1.1994 and 1.4.1995 are annexed as Annexure 3 and 4 respectively.

- 4.5 That most surprisingly the office of the Commissioner of Central Excise, Shillong vide letter bearing No. C. No. II(34)5/ET-I/92/30835-66 dated 22.3.2001 published an integrated seniority list of Superintendent alleged to have been published as per the Hon'ble Tribunals order dated 5.9.1995 in O.A. No. 241/91. In the said seniority list the applicant is placed at serial no.86 whereas respondent nos. 5 to 10 have been placed in between serial nos. 79 and 83, as a result of such alteration of seniority position the applicant has become junior to the respondent nos. 5 to 10. It appears from the seniority list published vide letter dated 22.3.2001 from the deemed date of assumption of charge might have taken as one of the criteria for fixation of the seniority in cadre of Superintendent after a lapse of 26 years that too without providing any opportunity. Be it stated that the applicant is all

Prasanna Paulal Duba

along treated senior both in the cadre of Inspector and Superintendent Group B to Respondent nos. ⁵~~4~~ to 12.

It is pertinent to mention here that respondent nos. 11 - Sri J.R.H. Dingdoh and respondent no.12 - Sri R. Lalugurauva, both are ST candidates joined the department on 4.10.1978 and 3.10.1978 in the grade of Inspector whereas the applicant joined the department as Inspector on 13.9.1975 and the respondent nos. 11 and 12 further promoted to the post of Superintendent Group B on 30.11.1992 and 2.12.1992 whereas the applicant was promoted to the post of Superintendent vide order dated 28.6.1991 and assumed charge on 28.6.1991. Therefore by any stretch of imagination the applicant is admittedly senior to the respondent nos. 11 and 12 both in the cadre of Inspector as well as in the cadre of Superintendent Group B. But surprisingly the respondent no.11 also placed above the applicant in the said seniority list published as on 22.3.2001 and his position is shown at serial No. 84. However respondent no.12 placed below the applicant i.e. at serial no. 97 in the said seniority list and the applicant is placed at serial no.86. Therefore it appears that the seniority list published as on 22.3.2001 in total violation of the provision laid down in the relevant seniority and promotion rule and instructions issued by the Government of India from time to time. As such the same is liable to be modified and the seniority position of the applicant is required

Arupin Vankalduba.

to be restored by placing him above the respondent nos. 5 to 12.

A copy of the seniority list published vide letter dated 22.3.2001 is Annexed as **Annexure-5**.

- 4.6 That it is stated that Commissionerate vide its letter No. C.No. 11(34)5/ET-I/92/24248-85 dated 3.5.2001 published a seniority list of Superintendent Group B as on 1.5.2001. In the said seniority list the applicant is placed at serial no. 35 whereas respondent nos. 5 to 10 were placed at serial nos. 23 and 28 to 32 and the respondent nos. 11 is placed at serial no. 33. but the respondent no. 12 placed below the applicant in the seniority list at serial no. 44. Similarly, applicant is placed below the Respondent Nos. 5 to 12 in the seniority list published as on 1.4.2002.

A copy of the letter dated 3.5.2001 along with seniority list published as on 1.5.2001 and a copy of an extract of seniority list published as on 1.4.2002 are annexed as **Annexure-6A and 6A** respectively.

- 4.7 That the applicant being highly aggrieved by the decision of re fixation of seniority communicated by the letter dated 22.3.2001 and as well as letter dated 3.5.2001 as stated above submitted a detail representation on 4.4.2001 and also on 16.5.2001 addressed to the Commissioner, Central Excise, Shillong wherein the applicant shown his seniority position in the cadre of Superintendent assigned by the department from time to time since 1991 i.e. immediately after his promotion in the cadre of Superintendent Group B. The applicant specifically shown the detail position of the

respondent nos. 5 to ⁹/~~10~~ and respondent nos. ¹⁰/~~11~~ and ¹¹/~~12~~ in both the representation stated above and requested the authority to make necessary correction or amendment to restore his seniority position above the respondent nos. 5 to ¹¹/~~12~~, but to no result. The Commissionerate did not even feel to furnish a reply to the representation made before him by the applicant.

Copy of the representation dated 4.4.2001 and representation dated 16.5.2001 are annexed as **Annexure-7 and 8 respectively.**

- 4.8 That it is stated that the seniority position of the applicant has been altered by the respondents without providing any reasonable opportunity to the applicant and that too in total violation of the procedure established law. There is no provision either in the relevant rule of the seniority or in the instructions issued by the Government of India from time to time to place a senior person below his juniors. It is also pertinent to mention here that in the letter dated 22.3.2001 the respondents have stated that seniority of the applicant is altered following the direction contained in the judgment and order dated 5.9.95 passed in O.A. 241/91. Be it stated that in the said Original Application the applicant was not a party respondent in the said O.A. 241/91 as such direction if any, contained in the judgment dated 5.9.95 is not applicable in the case of the applicant. Moreover the Hon'ble Tribunal in O.A. 241/91 simply directed the

Arjun Kumar Duba

Propius Vaulalduba.

from the date of receipt of the representation as was earlier ordered by this Tribunal and also to take note of the decisions rendered by this Bench including the decision of the Hyderabad Bench in O.A. No. 1323/93 and also the O.M. dated 7.2.1986 which was made applicable prospectively. Therefore the decision of the respondents in the instant case of the applicant to alter the seniority position on 22.3.2001 is contrary to the decision of this Tribunal passed in O.A. Nos. 101/95, 147/95 and 171/95 and 111 of 2001 referred to above. Moreover the settled position of seniority of the applicant which was settled way back in the year 1975 cannot be altered after long lapse of 26 years and on that score alone the impugned order refixing the seniority of the applicant dated 22.3.2001 as well 3.5.2001 and liable are to be set aside and quashed and the Hon'ble Tribunal be pleased to direct the respondents to restore the seniority of the applicant in the cadre of Superintendent of Group B.

Copy of the judgment and order dated 5.9.95 passed in O.A. 241/91 as well as judgment and order dated 16.5.2002 passed in O.A. 111/20001 are annexed as **Annexure-9 and 10.**

- 4.9 That it is stated that the Govt. of India, Deptt. of Revenue, Ministry of Finance, vide its letter dated 18th June, 2001 consequent upon the revision of seniority position of Superintendents of Central Excise Gr. B in the Commissionerate seniority list by the

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Commissioner of Central Excise, Shillong in terms of the Hon'ble Tribunal's order dated 8.2.2001 passed in Q.A. 237 of 1999, the all India seniority list of Superintendent of Central Excise Group B appointed/promoted from 1.1.1986 to 31.12.1992 is amended. In the said letter dated 18.6.2001 the applicant was placed at serial no. 82 whereas respondent nos. 5 to 11 were placed at serial nos. 70 and 75 to 80 and the respondent no. 12 was placed at serial no. 95. In this connection it may be stated that in the All India seniority list of Superintendent Group B those who were promoted/appointed up to 31.12.1992 the name of the applicant again wrongly figured below the respondent nos. 5 to 11 and the applicant is apprehending that the said wrong fixation of seniority in the All India Seniority List might have resulted due to earlier wrong fixation of seniority in the grade of Superintendent Group B vide Commissionerate letters dated 22.3.2001 and 3.5.2001, there is no justifiable ground to down grade the seniority position of the applicant in the seniority list published as on 1.5.2001 as well as in the All India seniority list of Superintendent Group B below the respondent nos. 5 to 11. It is categorically submitted that there is no direction passed in any of the judgment either in O.A. 241/91 or 237/99 by this Hon'ble Tribunal for alteration or refixation of the seniority position of the present applicant. Moreover the present applicant is not involved in any way in the

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aforesaid O.As. as such, the seniority position of the present applicant is liable to be restored by way of modification/correction above the respondent nos. 5 to 11.

A copy of the extract of letter dated 18.6.2001 is annexed as **Annexure -11.**

4.10 That most surprisingly the Department of Revenue, Central Board of Excise and Customs vide its Office Order No. 206/2002 dated 10.12.2002 promoted a large number of Superintendent Group B to the post of Assistant Commissioner in the pay scale of Rs. 8000-13500/- on ad hoc basis with effect from the dates they assume charge. In the aforesaid promotion order respondent nos. 5 to ~~11~~¹² were also promoted in supersession of the claim of the present applicant. The name of the applicant did not figure in the aforesaid order of promotion for the reasons best known to the respondents.

A copy of the extract of the order of promotion dated 10.12.2002 is annexed as **Annexure-12.**

4.11 That being highly aggrieved by the action of the respondents for not considering his case for promotion to the post of Assistant Commissioner, the applicant submitted representations on 11.12.2002, 8.1.2003, 13.1.2002, 20.1.2003 and 7.2.2003 address to the Commissioner of Central Excise, Chairman, Central Board of Excise and Customs, New Delhi, The Member Personnel,

Atyans Nand Lal Duba.

Central Board of Excise and Customs, and Joint Commissioner, Central Excise, Dibrugarh. In all the representations the applicant categorically stated that there were discrepancies in the seniority list published in the cadre of Superintendent Group B and also stated that his immediate juniors were promoted to the cadre of Assistant Commissioner ignoring the claim of the applicant, but to no result.

Copy of the representations dated 11.12.2002, 8.1.2003, 13.1.2002, 20.1.2003 and 7.2.2003 are annexed as Annexure-13,14,15,16 & 17.

4.12 That most surprisingly even his juniors ^{Shri Upal Kumar Das and} ~~respondent no.~~

^{Shri Dangsai Ram Borho}

¹² vide order No. 32/2003 dated 2.2.2003 again promoted to the post of Assistant Commissioner in supersession of the claim of the present applicant. The applicant thereafter came to learn from a reliable source that the case of the applicant could not be considered for promotion due to non availability of necessary Confidential Reports. The applicant thereafter repeatedly approached the authority for consideration of his promotion for the post of Assistant Commissioner but to no result.

The applicant urge to produce the copy of the aforesaid promotion order of respondent no. 12 at the time of hearing.

4.13 That it is stated that the applicant along with respondents namely, S/Sri C.M. Chakraborty, T.S.

Pragati Vaidalduka.

Sarkar, Himangshu Ranjan Saha, Subinoy Bhowmick were granted the benefit of Assure Career Progression Scheme in pursuance of the Department of Personnel & Trainings O.M. No. 35034/1/97-Estt(D) dated 9th August 1999 and accordingly placed in the scale of Rs. 8000-13,500/- vide Establishment Order No. 55 of 2001 dated 4.4.2001. Be it stated that the 2nd financial up gradation which was granted to the applicant vide order dated 4.4.2001 in fact the said benefit is given to the applicant after being found suitable on scrutiny of service record and on recommendation of the Departmental Promotion Committee. Since the benefit of ACP has already been granted to the applicant by the same respondent - Union of India on scrutiny of service records, and also on the basis of recommendation of departmental Promotion Committee, therefore, there is no justification or any cogent reason to deny the benefit of promotion to the applicant for the post of Assistant Commissioner on regular basis/ad hoc basis as already granted to his immediate juniors.

A copy of the Estt. Order dated 4.4.2001 is annexed as **Annexure-18**.

4.14 That it is stated that the applicant in his representations dated 11.12.2002, 8.1.2003 and 13.1.2003 categorically stated that he had never received any adverse communication so far his ACRs is concerned for last five to seven years and also he has a bona fide belief that he was consistently graded as

Deepanshu Vaidya

"Very Good" in his ACRs for last several years. As such, his case for promotion ought to have been considered along with his immediate juniors. It is further submitted that S/Shri C.M. Chakraborty, T.S.Sarkar, Himangshu Ranjan Saha, Subinoy Bhowmick have been promoted to the post of Assistant Commissioner on ad hoc basis against the regular vacancies although they have been given the second financial upgradation benefit under Assured Career Progression Scheme on 4.4.2001. In this connection it may be mentioned here that the promotion of the aforesaid persons could not be regularized on account of certain Court cases on seniority dispute, as such Hon'ble Tribunal be pleased to direct the respondents to consider the case of promotion of the applicant for the post of Assistant Commissioner immediately on regular basis with all consequential service benefits at least from the date of promotion of his immediate juniors.

- 4.15 That your applicant being highly aggrieved by the decision of the respondents for non consideration of his promotion to the post of Assistant Commissioner and also being aggrieved with the discrepancies in the seniority list as stated above approached the respondent Union of India repeatedly but did not find any favourable response, in such compelling circumstance approaching the Hon'ble Tribunal for protection of his valuable rights and interests and

Prayish Vaidalduha

also praying for an appropriate direction to the respondents for restoration of his seniority and for consideration of this promotion to the post of Assistant Commissioner.

4.16 That this application is made bonafide and for the ends of justice.

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

5.1 For that, alteration/refixation of the seniority of the applicant below the respondent nos. 5 to 11 without providing any reasonable opportunity and without any valid reasons after a long lapse of 26 years is not sustainable in the eye of law.

5.2 For that, settled position of the seniority cannot be unsettled or disturbed after a long lapse of 26 years that too in total violation of the O.M. dated 7.2.1986 issued by the Govt. of India.

5.3 For that, seniority of the applicant in the cadre of Superintendent Group B had settled by the respondent Union of India vide Estt. Order No. 144/91 dated 28.6.1991 above the respondent nos. 5 to 11 as was indicated in the order of promotion stated above, as such the respondents are barred by law of estoppel, laches to alter the seniority position of the applicant.

5.4 For that, the reasons indicated in the letter dated 23.2.2001 and 3.5.2001 (Annexure-5 and 6) respectively

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for placement of the applicant below the respondent nos. 5 to 11 in the seniority list published vide letter dated 22.3.2001 and letter dated 3.5.2001, after a lapse of 26 years is not a good ground.

5.5 For that, the judgment and order dated 5/9/1995 passed by the Hon'ble Tribunal in O.A. 241 of 1991 (Sri Biman Dhar Vs. U.O.I. & Ors) has no link or bearing in the instant case of seniority of the applicant. Moreover, the applicant is not a party to the aforesaid O.A. No. 241/91, as such the judgment and order of the said O.A. is not applicable in the instant case of the applicant.

5.6 For that, the denial of promotion of the applicant in the cadre of Assistant Commissioner is violative of provision of Article 14 and 16 of the Constitution of India, more so, as because respondent nos. 5 to 12 who are junior to the applicant have already been promoted to the post of Assistant Commissioner in supersession of the claim of the present applicant.

5.7 For that there is no adverse communication of ACR against the applicant at any point of time.

5.8 For that the applicant is always graded as "Very Good" in his ACR, as such there is no cogent reason to deny the benefit of promotion for the post of Assistant Commissioner to the applicant.

5.9 For that, the benefit of second financial up gradation under the Assured Career Progression Scheme was granted

Atyans Vaulal Duba

to the applicant vide order dated 4.4.2001 after being found suitable by the Departmental Promotion Committee on scrutiny of service records, therefore denial of promotion to the applicant to the post of Assistant Commissioner is violative of Article 14 of the Constitution while the juniors of the applicant granted the promotion to the post of Assistant Commissioner.

5.10 For that the applicant cannot be made to suffer in the event of non-availability of his ACRS for consideration of his promotion to the post of Assistant Commissioner.

5.11 For that, due to non promotion and wrong fixation of seniority of the applicant will cause irreparable loss and injury particularly in the matter of promotion to the post of Assistant Commissioner, and future service career.

6. Details of remedies exhausted.

That the applicant states that he has exhausted all the remedies available to him and there is no other alternative and efficacious remedy than to file this application.

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

The applicant further declares that he had not previously filed any application, Writ Petition or Suit before any Court or any other authority or any other

Pravin Vaidalduha.

Bench of the Tribunal regarding the subject matter of this application nor any such application. Writ Petition or Suit is pending before any of them.

8. Relief(s) sought for:

Under the facts and circumstances stated above, the applicant humbly prays that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause as to why the relief(s) sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

8.1 That the Hon'ble Tribunal be pleased to declare that the applicant is senior to respondents 5 to ~~11~~¹² and further be pleased to direct the respondent to restore the seniority of the applicant above the respondent nos. 5 to ~~11~~¹² by necessary modification/alteration of the seniority list published vide letters dated 22.3.2001 and 3.5.2001 and seniority position as on 1.4.2002 in the cadre of Superintendent Group B.

8.2 That the Hon'ble Tribunal be pleased to direct the respondents to promote the applicant to the post of Assistant Commissioner at least from the date of promotion of his immediate juniors with all consequential service benefits including monetary.

8.3 Costs of the application.

8.4 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for.

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

9.1 That the Hon'ble Tribunal be pleased to make an observation that the pendency of this application shall not be a bar for the respondents to restore the seniority of the applicant and to promote the applicant to the post of Assistant superintendent.

10.

This application is filed through Advocates.

11. Particulars of the I.P.O.

i)	I. P. O. No.	:	7G 605831.
ii)	Date of Issue	:	25.2.03
iii)	Issued from	:	Gowahati
iv)	Payable at	:	Gowahati

12. List of enclosures.

As given in the index.

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VERIFICATION

I, Sri Aloysius Vanlalduha, Son of Late Dengthuama, aged about ...years, working as Superintendent, Customs and Central Excise, Moran Range, Dibrugarh Division, Dibrugarh, Assam, 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 12th day of March, 2003.

Aloysius Vanlalduha

CUSTOMS AND CENTRAL EXCISE:
SHILLONGEstablishment Order No. 114/91
Dated Shillong the 28th June 1991.

Subject:-

Estt. Promotions, transfers and postings
in the grade of Superintendent Gr. 'B' -
Order regarding -

PART-I

PROMOTIONS

The following Inspectors of Customs and Central Excise are hereby promoted to the grade of Superintendent Group 'B' in the scale of pay of Rs. 2000-60-2300-EB-75-3200-100-3500/- with effect from the date they take charge of higher posts at the places of postings and untill further orders.

- | Sl. No. | Name |
|---------|---|
| 1. | Shri Aloysius Vasilalduha. ALOYSIUS VASILALDUNA |
| 2. | Shri Chiranjib Madhab Chakravorty. |
| 3. | Shri Papaswarup Sarkar. |
| 4. | Shri Himangshu Ranjan Saha. |
| 5. | Shri Narayan Kumar Chakravorty. |
| 6. | Shri Parimal Chandra Kar. |
| 7. | Shri Subinoy Phomulick. |

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

They are hereby asked to exercise option within one month from the date of promotion as to whether their initial pay should be fixed in the higher post or the basis of FR 22(c) straight-way without any further review on accrual of increment in the pay scale of the lower post or their pay on promotion should be fixed initially in the manner as provided under FR 22(a)(i) which may be refixed under FR 22(c) on the date of accrual of next increment in the scale of pay of the lower post. Option once exercised shall be final.

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

PART-II

TRANSFERS AND POSTINGS

The following transfers and postings in the grade of Superintendent Group 'B' are hereby ordered with immediate effect.

- | Sl. No. | Name | From | To |
|---------|--------------------------------------|--------------------------------|-------------------------------------|
| 1. | Shri A.V. Duha (On Promotion) | Luphal under Silchar Div. | Maharkatia-II Range Dibrugarh Divn. |
| 2. | Shri C.M. Chakravorty (On Promotion) | Agartala Divn. | Tinsukia-VI Range Tinsukia Divn. |
| 3. | Shri T.S. Sarkar (On Promotion) | Dawki L.C.S. Shillong Divn. | Dawki L.C.S. Shillong Divn. |
| 4. | Shri H.R. Saha (On Promotion) | H.C.B., Luphal | Hailakandi-II Range Karimganj Divn. |
| 5. | Shri H.K. Chakravorty (On Promotion) | Tezpur-II Range Tinsukia Divn. | Tezpur-I Range Tezpur Divn. |
| 6. | Shri P.C. Kar (On Promotion) | Agartala Divn. | Tezpur-I Range Tezpur Divn. |

Contd....P/- 2.....

Attested
Advocate
16/3/03

- : 2 : -

Sl.No.	Name	From	To
2.	Shri S. Bhownick (on Promotion):	Dhubri Divn.	Rangapara-I Range Tezpur Divn.
6.	Shri S.B.Roy, Supdt.	Supdt(Law) Hqrs. Shillong	Supdt.(Law) Agartala Divn.
	Shri Bhabu Rn. Das, Supdt.	Rangapara-I Tezpur Divn.	Supdt(Tech). Guwahati Divn.
10.	Shri W.W.War, Supdt.	Dawki LCS Hqrs. Dvn., Shillong.	Supdt(Law), Hqrs. Office, Shillong.
11.	Shri D.P.Das, Supdt.	Tangla-I Range Tezpur Divn.	Calcutta Law Coll of Shillong Collectorate, Calcutta.

Sl.No. 8, 9 & 11 are not entitled to get any T.T.A and .
Joining time as the transfers are done on their requests.

Sd/-
(V.LALVULA.)
COLLECTOR

C.No.II(3)5/ET.III/91/

Dated:-

Copy forwarded for information and necessary action to :-

1. The Additional Collector() ; Customs and Central Excise, Shillong.
2. The Assistant Collector() ; Customs and Central Excise, Shillong.
3. The Assistant Collector, Customs and Central Excise, _____
The copy meant for the concerned Officer(s) is/are enclosed.
4. The Deputy Director(Admin), Narcotics Control Bureau, Ranjit Hotel, 5th Floor, New Delhi-110 002.
5. The Assistant Director, Narcotics Control Bureau(Regional unit), Imphal. The copy meant for the concerned officer is enclosed.
6. The Assistant Collector, Customs and Central Excise, _____
7. Shri A.V. Deka, Supdt. for compliance.
8. P.A.O./C.A.O. of Collectorate Hqrs. Office, Shillong.
9. Accounts. I & II/ET. I & II/Confid. Branch.
10. The General Secretary, Executive Officers Assn., Customs and Central Excise, Shillong.
11. Guard file.

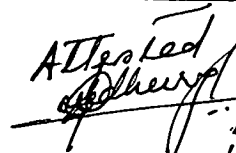
(D.D. INCH)
ADDITIONAL COLLECTOR (PER & VIG.)
CUSTOMS AND CENTRAL EXCISE, SHILLONG.

ASOK

SENIORITY LIST OF SUPERINTENDENT AS ON 01.01.93.

SIB.	Name & Educational Qualification	Date of Birth	Date of Apptt. in Govt. service	Date of confirmation in Govt. service	Date of joining as Inspector	Date of Apptt. as Supdt. i.e. date of issue of promotion order	Whether DR/PR as Inspector	Remarks
	S/Shri							

01	02	03	04	05	06	07	08	09
01	Byomkesh Chakraverty, B.Sc.	10.12.35	20.12.56	22.04.85	23.12.56	04.10.82	PR	
02	Bimal Kanti Biswas, B.A.	01.06.35	24.12.56	22.04.85	24.12.56	06.10.82	PR	
03	Balaram Das, (SC) Matric	01.07.40	10.10.60	24.10.86	04.08.72	22.11.83	PR	
04	Subhanath Tamuli, Matric	01.02.37	25.05.56	28.05.86	02.08.72	25.04.84	PR	
05	Bimaliyoti Kanunina, B.A.	26.04.36	23.04.56	06.06.86	08.12.71	25.04.84	PR	
06	C.R. Deb, I.A.	31.03.36	14.05.56	06.06.86	20.12.56	25.04.84	PR	
07	L.C. Dey, Matric	01.10.35	14.05.56	06.06.86	02.08.72	25.04.84	PR	
08	B.B. Purkayastha, Matric	01.02.35	21.05.56	12.07.86	02.08.72	11.06.84	PR	
09	M. Brahma, (ST) Matric	01.03.38	14.10.58	11.11.86	02.08.72	22.10.84	PR	
10	S. Suklabaidya, (SC) Matric	01.02.35	14.07.56	29.11.86	05.08.72	27.10.84	PR	
11	D.R. Das, B.Com.	08.03.38	26.05.59	05.08.87	24.04.73	31.07.85	PR	
12	D.N. Chakraborty, Matric	01.04.37	14.08.56	28.08.87	01.07.72	31.07.85	PR	
13	S.C. Dey, B.A.	01.03.36	16.05.56	28.08.87	26.07.73	31.07.85	DR	
14	D.K. Mazumdar, I.A.	01.07.37	26.09.56	28.08.87	01.08.72	31.07.85	PR	
15	N.G. Guha, B.A.	01.03.36	05.10.56	28.08.87	02.08.72	31.07.85	PR	
16	J.K. Purkayastha, Matric	01.11.36	06.10.56	28.08.87	03.08.72	31.07.85	PR	
17	P.K. Das, B.A.	31.03.37	11.04.59	12.09.87	01.08.73	31.07.85	PR	
18	S.R. Roy, Matric	01.05.37	15.12.56	12.09.87	02.08.72	31.07.85	PR	
19	R.N. Sonowal, (ST) Matric	01.03.39	30.12.61	01.06.81	02.08.72	26.08.85	PR	
20	W.W. War, (ST) Matric	01.05.41	14.08.62	11.07.81	03.08.72	04.09.85	PR	
21	S. Sungie, (ST) Matric	01.03.41	30.10.62	01.02.82	03.08.72	25.11.85	PR	
22	T. Hazarika, (SC) Matric	01.01.39	12.01.60	31.12.81	28.01.74	19.12.85	PR	
23	K.K. Dhar, Matric	01.11.38	17.04.57	06.06.84	02.08.72	10.04.86	PR	
24	S.C. Dhar, Matric	01.01.38	01.03.58	06.06.84	02.08.72	10.04.86	PR	

Attested

 Advocate
 16/3/03

01	02	03	04	05	06	07	08	09
93	Indrajit Guha, B.Sc.	07.05.56	27.07.76	01.10.78	26.07.76	30.08.89	DR	
94	A. More, B.Com.	31.07.53	23.07.76	01.10.78	23.07.76	30.08.89	DR	
95	S.C. Adhikari, B.Com.	08.05.40	25.10.60	01.12.78	24.07.75	21.10.89	DR	
96	A. Dasgupta, B.Sc.	12.01.55	26.07.76	01.12.78	26.07.76	21.10.89	DR	
97	B.S. Adhikari, B.Com.	22.11.53	07.06.74	20.05.79	26.07.76	21.10.89	DR	
98	P.K. Das, No. 1, B.Sc.	01.03.55	02.08.76	20.05.79	02.08.76	21.10.89	DR	
99	R.K. Goswami, B.Com.	07.06.54	23.07.76	28.05.79	23.07.76	15.06.90	DR	
100	B.R. Deb, B.Sc.	28.08.52	24.07.76	28.05.79	24.07.76	15.06.90	DR	
101	G.C. Paul, B.A.	01.01.47	12.08.71	18.05.79	30.07.76	15.06.90	PR	
102	N. Bhattacharjee, Matric	15.05.51	04.01.71	20.05.79	17.11.76	15.06.90	PR	
103	Annu Ram Das, (SC), Matric	01.10.43	25.01.65	13.12.80	12.12.78	15.06.90	PR	
104	Subodh Dhar, (SC), B.Com.	27.06.54	17.09.77	13.12.80	17.09.77	15.06.90	DR	
105	C. Ngamlai, (ST), B.A.	28.02.50	02.08.76	13.12.80	02.08.76	15.06.90	PR	
106	Dhangshi Ram Boro (ST), Matric	01.02.44	25.01.65	13.12.80	25.11.78	15.06.90	DR	
107	Rama Kanta Das, (SC), B.A.	01.01.54	09.10.75	13.12.80	03.10.78	15.06.90	DR	
108	A.K. Sharma, B.Sc.	21.01.54	29.07.76	28.05.79	29.07.76	14.08.90	DR	
109	Hemen Gogoi, B.Sc.	01.01.55	24.07.76	28.05.79	24.07.76	14.08.90	DR	
110	A.B. Dutta, B.Sc.	01.07.55	21.07.76	28.05.79	21.07.76	14.08.90	PR	
111	R.K. Bhattacharjee, P.U.	01.04.44	19.01.65	28.05.79	29.10.76	14.08.90	PR	
112	S.K. Bose, B.A.	01.04.44	30.07.76	28.05.79	30.07.76	25.10.90	DR	
113	D.K. Nath, B.A.	04.08.54	02.08.76	28.05.79	02.08.76	07.12.90	DR	
114	S. Banik, Matric	11.07.52	01.11.61	28.05.79	19.11.76	07.12.90	PR	
115	S. Paul, B.Sc.	01.02.41	01.11.61	28.05.79	29.07.76	21.02.91	DR	
116	K.C. Mohan, B.A.	02.04.44	29.07.76	28.05.79	29.07.76	22.04.91	DR	
117	A.V. Duha, (ST), B.A.	20.09.53	31.07.76	23.05.79	31.07.76	22.04.91	DR	
118	C.M. Chakraborty, B.Sc.	01.03.51	13.09.75	31.10.77	13.09.75	28.06.91	DR	
119	T.S. Sarkar, B.Sc.	26.12.51	26.07.76	28.05.79	26.07.76	28.06.91	DR	
120	H.R. Saha, B.A.	02.05.55	27.07.76	28.05.79	27.07.76	28.06.91	DR	
121	N.K. Chakraborty, B.Com.	16.03.51	13.07.76	28.05.79	13.07.76	28.06.91	PR	
122	P.C. Kar, Matric	01.03.44	01.03.62	28.05.79	02.08.76	28.06.91	PR	
123	S. Bhowmick, B.A.	14.06.45	25.01.65	28.05.79	15.11.76	28.06.91	DR	
124	Md. Khurshed Ahmed, B.A.	23.01.54	26.07.76	28.05.79	26.07.76	28.06.91	DR	
125	P.K. Das, No.2, B.Sc.	01.03.52	30.07.76	28.06.79	30.07.76	08.08.91	DR	
126	G.K. Sharma Boral, H.S.L.C.	01.03.48	06.02.74	23.05.79	13.07.76	01.10.91	PR	
		09.01.48	15.02.72	23.05.79	29.10.76	01.10.91	PR	

01	02	03	04	05	06	07	08	09
127	P. Bhattacharjee, B.Sc.	01.02.52	29.07.76	28.05.79	29.07.76	01.10.91	DR	
128	M. Marbaning, (ST), B.Com.	24.02.54	30.09.78	13.12.80	30.09.78	01.10.91	DR	
129	Apalak Das, SC, B.A.	20.02.53	17.11.75	13.12.80	22.09.78	01.10.91	PR	
130	Ramprasad Das, (SC), Matric	01.10.41	21.01.65	13.12.80	22.11.78	04.12.91	PR	
131	P. Sharma, B.Sc.	01.09.56	29.07.76	28.05.79	29.07.76	20.12.91	DR	
132	U.C. Das, M.A.	19.12.53	29.07.76	28.05.79	29.07.76	04.02.92	DR	
133	Biman Dhar, B.Sc.	27.10.53	31.07.76	28.05.79	31.07.76	04.02.92	DR	
134	B. Paul, B.Com.	23.01.53	28.07.75	28.05.79	02.08.76	25.06.92	DR	
135	P.B. Nag, B.A.	25.10.52	26.07.76	28.05.79	26.07.76	25.06.92	DR	
136	S.C. Bhawar, B.A.	10.01.39	12.04.61	28.05.79	30.10.76	25.06.92	PR	
137	D.K. Majumdar, B.Sc.	21.01.51	27.01.77	28.05.79	27.01.77	25.06.92	DR	
138	A.K. Dutta, B.Sc.	01.02.53	27.01.77	28.05.79	27.01.77	25.06.92	DR	
139	D.C. Biswas, Matric	01.03.39	13.02.62	28.03.79	30.10.76	25.06.92	PR	
140	N.L. Roy, B.A.	01.09.45	20.01.65	01.06.79	28.01.77	22.09.92	PR	
141	P.K. Singha Choudhury, B.Sc.	01.02.51	20.01.77	01.06.79	28.01.77	22.09.92	DR	
142	I. Halim, B.Sc.	07.03.57	27.01.77	01.06.79	27.01.77	22.09.92	DR	
143	N.C. Das, Matric	31.12.42	29.05.62	01.06.79	29.10.76	22.09.92	PR	
144	T. Kar, B.A.	01.11.53	29.01.77	01.01.80	29.01.77	23.11.92	DR	
145	Chandi Das Baidya(SC) B.Sc.	20.11.46	30.09.78	13.12.80	30.09.78	30.11.92	DR	
146	Pranab Kumar Barua, (SC) B.Sc.	05.09.53	03.10.78	13.12.80	03.10.78	02.12.92	DR	

CUSTOMS AND CENTRAL EXCISE: SHILLONG

C.NO.II(34)5/ET-I/92/

Dated :

To
The Assistant Collector of Central Excise,
Central Excise Division.

22 JUL 1994

The Assistant Collector of Customs (Preventive),
Customs (Preventive) division.

Subject :- Seniority list of Superintendent
Group 'B' as on 01-01-94 of Shillong
Collectorate - circulation of.

Please find herewith the Seniority list in the
grade of Superintendent Group 'B' of this Collectorate as on
01-01-94. The list may please be circulated amongst all officers
concerned. They may be informed that omission and or factual
error(s), if any, should be pointed out and brought to the notice
of this Office immediately. The objection(s) filed by the officer,
if any, alongwith your comments thereon should be forwarded to
this Office within ten days from the date of receipt.

Please acknowledge receipt.

(EVA M.R. HYNIEWTA)
DEPUTY COLLECTOR (P&V)

CUSTOMS AND CENTRAL EXCISE: SHILLONG

C.NO.II(34)5/ET-I/92/

Copy with a copy of the seniority list of Superintendent Group 'B'
as on 01-01-94 forwarded to :-

1. Shri K. Majhi, Under Secretary, Ad-II(3), Central Board of
Excise & Customs, North Block, New Delhi.
2. All Superintendents of Hqrs. Office, Shillong.
3. The Secretary, Group 'B' Officers' Association, Customs and
Central Excise, Shillong.

(EVA M.R. HYNIEWTA)
DEPUTY COLLECTOR (P&V.)

CUSTOMS AND CENTRAL EXCISE: SHILLONG

Attested
Advocate
18/03/03

- 28 -
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SENIORITY LIST OF SUPERINTENDENT AS ON 01.01.94.

S.L.	Name & Educational Qualification	Date of Birth	Date of Apptt. in Govt. service	Date of confirmation in Govt. service	Date of joining as Inspector	Date of Apptt. as Supdt. i.e. date of issue of promotion order	Whether DR/PR as Inspector	Remarks
S/Slr								
01	02	03	04	05	06	07	08	09
01	Balarom Das, (SC) Matric	01.07.40	10.10.60	24.10.86	04.08.72	22.11.83	PR	
02	Suchanath Tamuli, Matric	01.02.37	25.05.56	28.05.86	02.08.72	25.04.84	PR	
03	Bimaliyoti Kanunjina, B.A.	26.04.36	23.04.56	06.06.86	08.12.71	25.04.84	PR	
04	C.R. Deb, I.A.	31.03.36	14.05.56	06.06.86	20.12.56	25.04.84	PR	
05	L.C. Dey, Matric	01.10.35	14.05.56	06.06.86	02.08.72	25.04.84	PR	Retired
06	B.B. Purkayastha, Matric	01.02.35	21.05.56	12.07.86	02.08.72	11.06.84	PR	Retired
07	M. Brahma, (ST) Matric	01.03.38	14.10.58	11.11.86	02.08.72	22.10.84	PR	
08	S. Suklabaidya, (SC) Matric	01.02.35	14.07.56	29.11.86	05.08.72	27.10.84	PR	Retired
09	D.R. Das, B.Com.	08.03.38	26.05.59	05.08.87	24.04.73	31.07.85	PR	
10	D.N. Chakraborty, Matric	01.04.37	14.08.56	28.08.87	01.07.72	31.07.85	PR	
11	S.C. Dey, B.A.	01.03.36	16.05.56	28.08.87	26.07.73	31.07.85	DR	
12	D.K. Mazumdar, I.A.	01.07.37	26.09.56	28.08.87	01.08.72	31.07.85	PR	
13	N.G. Guha, B.A.	01.03.36	05.10.56	28.08.87	02.08.72	31.07.85	PR	
14	J.K. Purkayastha, Matric	01.11.36	06.10.56	28.08.87	03.08.72	31.07.85	PR	
15	P.K. Das, B.A.	31.03.37	11.04.59	12.09.87	01.08.73	31.07.85	PR	
16	S.R. Roy, Matric	01.05.37	15.12.56	12.09.87	02.08.72	31.07.85	PR	
17	R.N. Sonowal, (ST) Matric	01.03.39	30.12.61	01.06.81	02.08.72	26.08.85	PR	
18	W.W. War, (ST) Matric	01.05.41	14.08.62	11.07.81	03.08.72	04.09.85	PR	
19	S. Sungie, (ST) Matric	01.03.41	30.10.62	01.02.82	03.08.72	25.11.85	PR	
20	T. Hazarika, (SC) Matric	01.01.39	12.01.60	31.12.81	23.01.74	19.12.85	PR	
21	K.K. Dhar, Matric	01.11.38	17.04.57	06.06.84	02.08.72	10.04.86	PR	
22	S.C. Dhar, Matric	01.01.38	01.03.58	06.06.84	02.08.72	10.04.86	PR	

01	02	03	04	05	06	07	08	09
91	Indrajit Guha, B.Sc.	07.05.56	27.07.76	01.10.78	26.07.76	30.08.89	DR	
92	A. Hore, B.Com.	31.07.53	23.07.76	01.10.78	23.07.76	30.08.89	DR	
93	S.C. Adhikari, B.Com.	08.05.40	25.10.60	01.12.78	24.07.75	21.10.89	DR	
94	A. Dasgupta, B.Sc.	12.01.55	26.07.76	01.12.78	26.07.76	21.10.89	DR	
95	B.B. Adhikari, B.Com.	22.11.53	07.06.74	20.05.79	26.07.76	21.10.89	DR	
96	P.K. Das, No. 1, B.Sc.	01.03.55	02.08.76	20.05.79	02.08.76	21.10.89	DR	
97	R.K. Goswami, B.Com.	07.06.54	23.07.76	28.05.79	23.07.76	15.06.90	DR	
98	B.R. Deb, B.Sc.	28.03.52	24.07.76	28.05.79	24.07.76	15.06.90	DR	
99	G.C. Paul, B.A.	01.01.47	12.08.71	18.05.79	30.07.76	15.06.90	PR	
100	N. Bhattacharjee, Matric	15.05.51	04.01.71	20.05.79	17.11.76	15.06.90	PR	
101	Agnu Ram Das, (SC), Matric	01.10.43	25.01.65	13.12.80	12.12.78	15.06.90	PR	
102	Subodh Dhar, (SC), B.Com.	27.06.54	17.09.77	13.12.80	17.09.77	15.06.90	DR	
103	C. Ngamlai, (ST), B.A.	28.02.50	02.08.76	13.12.80	02.08.76	15.06.90	DR	
104	Dhangshi Ram Boro (ST), Matric	01.02.44	25.01.65	13.12.80	25.11.78	15.06.90	PR	
105	Rama Kanta Das, (SC), B.A.	01.01.54	09.10.75	13.12.80	03.10.78	15.06.90	DR	
106	A.K. Sharma, B.Sc.	21.01.54	29.07.76	28.05.79	29.07.76	14.08.90	DR	
107	Hemen Goaoi, B.Sc.	01.01.55	24.07.76	28.05.79	24.07.76	14.08.90	DR	
108	A.B. Dutta, B.Sc.	01.07.55	21.07.76	28.05.79	21.07.76	14.08.90	DR	
109	R.K. Bhattacharjee, P.U.	01.04.44	19.01.65	28.05.79	29.10.76	14.08.90	PR	
110	S.K. Bose, B.A.	04.03.54	30.07.76	28.05.79	30.07.76	25.10.90	DR	
111	D.K. Nath, B.A.	11.07.52	02.08.76	28.05.79	02.08.76	07.12.90	DR	
112	S. Banik, Matric	01.02.41	01.11.61	28.05.79	19.11.76	07.12.90	PR	
113	S. Paul, B.Sc.	02.04.44	29.07.76	28.05.79	29.07.76	21.02.91	DR	
114	K.C. Mohan, B.A.	20.09.53	31.07.76	23.05.79	31.07.76	22.04.91	DR	
115	A.V. Duha, (ST), B.A.	01.03.51	13.09.75	31.10.77	13.09.75	28.06.91	DR	
116	C.M. Chakraborty, B.Sc.	26.12.51	26.07.76	28.05.79	26.07.76	28.06.91	DR	
117	T.S. Sarkar, B.Sc.	02.05.55	27.07.76	28.05.79	27.07.76	28.06.91	DR	
118	H.R. Saha, B.A.	16.03.51	13.07.76	28.05.79	13.07.76	28.06.91	DR	
119	N.K. Chakraborty, B.Com.	01.03.44	01.03.62	28.05.79	02.08.76	28.06.91	PR	
120	P.C. Kar, Matric	14.06.45	25.01.65	28.05.79	15.11.76	28.06.91	PR	
121	S. Bhowmick, B.A.	23.01.54	26.07.76	28.05.79	26.07.76	28.06.91	DR	
122	Md. Khurshed Ahmed, B.A.	01.03.52	30.07.76	28.06.79	30.07.76	08.08.91	DR	
123	P.K. Das, No.2, B.Sc.	01.03.48	06.02.74	23.05.79	13.07.76	01.10.91	PR	
124	G.K. Sharma Boral, H.S.L.C.	09.01.48	15.02.72	23.05.79	29.10.76	01.10.91	PR	

01	02	03	04	05	06	07	08	09
125	P. Bhattacharjee, B.Sc.	01.02.52	29.07.76	28.05.79	29.07.76	01.10.91	DR	Expired
126	M. Marboniang, (ST), B.Com.	24.02.54	30.09.78	13.12.80	30.09.78	01.10.91	DR	
127	Apalak Das, (SC), B.A.	20.02.53	17.11.75	13.12.80	22.09.78	01.10.91	PR	
128	Ramprasad Das, (ISC), Matric	01.10.41	21.01.65	13.12.80	22.11.78	04.12.91	PR	
129	P. Sharma, B.Sc.	01.09.56	29.07.76	28.05.79	29.07.76	20.12.91	DR	
130	U.C. Das, M.A.	19.12.53	29.07.76	28.05.79	29.07.76	04.02.92	DR	
131	Biman Dhar, B.Sc.	27.10.53	31.07.76	28.05.79	31.07.76	04.02.92	DR	
132	B. Paul, B.Com.	23.01.53	28.07.75	28.05.79	02.08.76	25.06.92	DR	
133	P.B. Nag, B.A.	25.10.52	26.07.76	28.05.79	26.07.76	25.06.92	DR	
134	S.C. Bhawal, B.A.	10.01.39	12.04.61	28.05.79	30.10.76	25.06.92	PR	
135	D.K. Majumdar, B.Sc.	21.01.51	27.01.77	28.05.79	27.01.77	25.06.92	DR	
136	A.K. Dutta, B.Sc.	01.02.53	27.01.77	28.05.79	27.01.77	25.06.92	DR	
137	D.C. Biswas, Matric	01.03.39	13.02.62	28.03.79	30.10.76	25.06.92	PR	
138	N.L. Roy, B.A.	01.09.45	20.01.65	01.06.79	28.01.77	22.09.92	PR	
139	P.K. Singha Choudhury, B.Sc.	01.02.51	20.01.77	01.06.79	28.01.77	22.09.92	DR	
140	I. Halim, B.Sc.	07.03.57	27.01.77	01.06.79	27.01.77	22.09.92	DR	
141	N.C. Das, Matric	31.12.42	29.05.62	01.06.79	29.10.76	22.09.92	PR	
142	T. Kar, B.A.	01.11.53	29.01.77	01.01.80	29.01.77	23.11.92	DR	
143	Chandi Das Baidya(SC) B.Sc.	20.11.46	30.09.78	13.12.80	30.09.78	30.11.92	DR	
144	J.R.H. Diengdoh, (ST), B.Sc.LLB	28.02.50	04.10.78	13.12.80	04.10.78	30.11.92	DR	
145	Pranab Kumar Barua, (SC) B.Sc.	05.09.53	03.10.78	13.12.80	03.10.78	02.12.92	DR	
146	R.Lalngurauva, (ST) B.A.	01.03.47	03.10.78	13.12.80	03.10.78	02.12.92	DR	
147	Abhiram Das, (SC), Matric	01.02.40	25.07.64	10.09.81	20.02.79	04.01.93	PR	
148	N.K. Nath, B.Sc.	17.01.51	19.09.77	01.01.80	19.09.77	04.01.93	DR	
149	M.K. Bose, B.Sc.	17.10.51	19.07.77	24.11.80	19.07.77	15.03.93	DR	
150	A.K. Choudhury, B.A.	01.06.53	19.09.77	13.12.80	19.09.77	15.03.93	DR	
151	Kisholoy Das, B.A.	19.03.55	04.10.78	13.12.80	04.10.78	15.03.93	DR	
152	Utpal Kr. Das, (ST), B.A.	01.12.52	30.10.78	13.12.80	30.10.78	15.03.93	DR	
153	Jagadish Ch. Das, No.1 B.A.	23.06.52	21.07.74	13.12.80	20.11.78	15.06.93	PR	
154	Md. Joynul Abedin, B.Sc.	28.09.53	04.10.78	13.12.81	02.01.79	15.06.93	DR	
155	A. Bhattacharjee, B.Sc.	01.03.56	25.09.78	13.12.80	25.09.78	15.06.93	DR	
156	A. Chatterjee, B.Sc.	01.04.56	04.10.78	13.12.80	04.10.78	15.06.93	DR	
157	P. Sikdar, B.Sc.	24.04.51	12.10.78	13.10.80	12.10.78	15.06.93	DR	
158	K.C. Sarkar, Matric	05.07.46	25.01.65	13.12.80	27.11.78	15.06.93	PR	

01	02	03	04	05	06	07	08	09
159	B.K. Banerjee, B.Sc.	26.02.56	30.09.78	13.12.80	30.09.78	15.06.93	DR	
160	S. Sharma, M.Sc.	31.03.52	25.11.78	13.12.80	25.11.78	15.06.93	DR	
161	P.K. Deb, B.Com.	26.01.54	12.06.74	13.12.80	24.11.78	15.06.93	FR	
162	Sashidhar Pegu, (ST), B.A.	01.09.48	04.10.78	13.12.80	04.10.78	15.06.93	DR	
163	Dhirendra Nath Bora, (ST), B.Sc.	01.05.48	04.10.78	13.12.80	04.10.78	15.06.93	DR	
164	Biren Ch. Patir, (ST), B.A.	01.12.53	21.01.76	13.12.80	03.10.78	15.06.93	FR	
165	Alexander Lywait, (ST), B.Sc.	01.02.56	29.09.78	13.12.80	29.09.78	15.06.93	DR	
166	R.C. Dey, Matric	01.09.48	28.02.73	30.03.81	28.03.79	15.06.93	FR	
167	K.K. Taneja, M.Sc.	09.01.55	08.03.79	01.04.81	08.03.79	15.06.93	DR	
168	K.C. Gogoi, B.A.	01.03.45	23.01.65	02.04.81	30.11.78	15.06.93	FR	
169	Rupnath Pegu, (ST), B.A.	01.05.51	03.10.78	02.04.81	03.10.78	15.06.93	DR	
170	Kalpam Kachari, (ST), Matric	02.08.47	01.02.65	10.09.81	10.09.79	15.06.93	FR	
171	Nani Gopal Sen, (SC), B.A.	28.08.48	28.10.70	01.10.81	26.10.80	15.06.93	FR	
172	Swapan Kr. Roy, (SC), B.A.	16.03.51	10.11.80	01.10.81	10.11.80	15.06.93	DR	
173	Debendra Ch. Das, (SC), B.A.	01.07.45	25.01.65	01.08.82	29.11.78	15.06.93	FR	
174	Chalau Hauzel, (ST), B.A.	01.03.54	06.03.80	01.12.82	06.03.80	15.06.93	DR	
175	Arun Kr. Datta, B.A.	27.03.54	27.01.77	01.01.80	27.01.77	08.10.93	DR	
176	Samindra Nath, B.A.	01.11.44	25.01.65	10.09.81	07.09.79	08.10.93	FR	
177	D. Chattopadhyay, M.A.	01.03.55	25.04.79	10.09.81	25.04.79	08.10.93	DR	
178	Gopal Ch. Paul, Matric	01.04.46	23.01.65	10.09.81	19.09.79	08.10.93	FR	
179	R.C. Das, Matric	01.07.44	23.01.65	01.10.81	29.11.78	08.10.93	FR	
180	S.R. Choudhury, B.A.	21.04.39	03.02.79	01.10.81	03.02.79	08.10.93	DR	

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CUSTOMS AND CENTRAL EXCISE, SHILLONG

C.No.II(34)5/ET-I/92/

Dated :-

29 MAY, 1995

To
The Assistant Collector of Central Excise,

Central Excise division(ALL)

The Assistant Collector of Customs(Preventive),

Customs(Preventive). division(ALL)

Subject :- Seniority List of Superintendent
Group 'B' as on 01-04-1995 of Shillong
Collectorate - Circulation of -

Please find enclosed herewith the Seniority List
in the grade of Superintendent Group 'B' of this Collectorate as
on 01-04-95. The list may please be circulated amongst all
Officers concerned. They may be informed that omission and or
factual error(s), if any, should be pointed out and brought to the
Office notice of this immediately. The objection(s) filed by the Officer,
if any, alongwith your comments thereon should be forwarded to this
Office within 10(ten) days from the date of receipt.

Please acknowledge receipt.

Enclo :- As above

(EVA M.R. HYNNIETA)
DEPUTY COLLECTOR (P & V)
CUSTOMS AND CENTRAL EXCISE : SHILLONG

C.No.II(34)5/ET-I/92/

29 MAY, 1995

Copy alongwith a copy of the Seniority List of Superintendent
Group 'B' as on 01-04-95 forwarded to :-

1. Shri Dharamvir Gupta, Deputy Secretary, Section Ad.
Central Board of Excise & Customs, North Block, New Delhi-1
2. All Superintendents of Hqrs. Office, Shillong.
3. The Secretary, Group 'B' Superintendents' Association,
Customs and Central Excise, Shillong.
4. The Additional Collector of Customs(Preventive),
of the Additional Collector of Customs(Preventive),
Checkon Road, Opposite Palace Gate, Imphal-1.
5. The P.A. to Collector of Customs(Preventive), S

(EVA M.R. HYNNIETA)
DEPUTY COLLECTOR (P & V)
CUSTOMS AND CENTRAL EXCISE

Attested
Advocate

16/03/03

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SENIORITY LIST OF SUPERINTENDENT AS ON 01.04.95.

S.No.	Name & Educational Qualification	Date of Birth	Date of Apptt. in Govt. service	Date of confirmation in Govt. service	Date of joining as Inspector	Date of Apptt. as Supdt. Ld. date of issue of promotion order	Whether DR/PR as Inspector	Remarks
	S/Sri							

01	02	03	04	05	06	07	08	09
01	Ba. Ram Das, (SC) Matric	01.07.40	10.10.60	24.10.86	04.08.72	22.11.83	PR	
02	D.R. Das, B.Com.	08.03.38	26.05.59	05.08.87	24.04.73	31.07.85	PR	
03	S.R. Roy, Matric	01.05.37	15.12.56	12.09.87	02.08.72	31.07.85	PR	
04	R.N. Sonowal, (ST) Matric	01.03.39	30.12.61	01.06.81	02.08.72	26.08.85	PR	
05	W.W. War, (ST) Matric	01.05.41	14.08.62	11.07.81	03.08.72	04.09.85	PR	
06	S. Sundar, (ST) Matric	01.03.41	30.10.62	01.02.82	03.08.72	25.11.85	PR	
07	K.K. Dhar, Matric	01.11.38	17.04.57	06.06.84	02.08.72	10.04.86	PR	
08	S.C. Dhar, Matric	01.01.38	01.03.58	06.06.84	02.08.72	10.04.86	PR	

09	D. Dutta Choudhury, Matric	02.08.39	07.03.58	06.06.84	02.08.72	10.04.86	PR	
10	I. Borkariki, B.A.	01.03.38	13.03.59	06.06.84	02.08.72	10.04.86	PR	
11	K.R. Deb, Matric	01.10.39	14.10.58	06.06.84	02.08.72	10.04.86	PR	
12	A.B. Sen Sharma, Matric	01.03.39	15.10.58	06.06.84	03.08.72	10.04.86	PR	
13	N.B. Dam Roy, B.A.	09.01.38	02.05.59	10.06.85	02.08.72	29.04.86	DR	
14	R. Kar, Matric	28.02.37	05.05.59	29.01.76	14.08.72	21.05.86	PR	
15	B.C. Bhattacharjee, Matric	01.10.38	08.05.59	29.01.76	04.08.72	05.06.86	PR	
16	D.R. Nain, Matric	01.11.38	11.05.59	29.01.76	14.08.72	03.07.86	PR	
17	J.N. Bhatnagar, (ST) Matric	01.07.39	07.08.64	01.02.82	02.08.72	10.09.86	PR	
18	D. Kachary, (ST) Matric	01.04.40	10.08.62	01.09.83	02.08.72	30.09.86	PR	
19	V. Singson, (ST) B.A.	01.06.41	01.02.62	01.09.83	02.08.72	17.11.86	PR	
20	N.R. Sen, Matric	01.01.40	04.01.60	29.01.76	02.08.72	17.11.86	PR	
21	F.D. Pylich, (ST) B.A.	03.02.47	05.08.71	01.12.83	19.09.75	05.01.87	PR	
22	Smt. R.B. Patsch, (ST) B.A.	01.07.41	07.08.62	14.12.77	11.09.75	05.01.87	PR	
23	T. Borghain, Matric	01.06.37	11.01.60	29.01.76	03.08.72	24.04.87	PR	

01	02	03	04	05	06	07	08	09
58	S.K. Das, (SC) B.A.	02.02.53	22.01.77	28.05.79	28.01.77	02.02.89	DR	
59	H. Suklabaidya, (SC) B.A.	09.03.46	24.03.72	01.08.79	26.07.76	02.02.89	PR	
60	Smt. M. Swer, (ST) I.A.	31.03.39	04.08.62	23.11.80	22.11.78	02.03.89	PR	
61	G.C. Sarkar (SC) I.A.	22.11.39	19.01.65	24.11.80	23.11.78	02.03.89	PR	
62	R.K. Laskar, (SC) Matric	01.10.38	30.04.57	24.12.75	24.12.73	03.05.89	PR	
63	Biswajit Sarkar, B.Sc.	01.11.55	02.08.76	01.04.78	02.08.76	03.05.89	DR	
64	S.K. Chakraborty, B.A.	03.12.52	24.07.76	01.06.78	24.07.76	03.05.89	DR	
65	S.P. Chakraborty, B.A.	05.08.50	20.03.72	01.07.78	28.07.76	03.05.89	PR	
66	P.S. Purkayastha No. 1, B.Sc.	14.07.53	02.08.76	01.08.78	02.08.76	03.05.89	DR	
67	Ranjit Kr. Dutta No. 1, B.Sc.	10.08.51	24.07.76	01.09.78	26.07.76	07.06.89	DR	
68	Indrajit Guha, B.Sc.	07.05.56	27.07.76	01.10.78	26.07.76	30.08.89	DR	
69	A. Hore, B.Com.	31.07.53	23.07.76	01.10.78	23.07.76	30.08.89	DR	
70	S.C. Adhikari, B.Com.	08.05.40	25.10.60	01.12.78	24.07.75	21.10.89	DR	
71	A. Dasgupta, B.Sc.	12.01.55	24.07.76	01.12.78	26.07.76	21.10.89	DR	
72	B.B. Adhikari, B.Com.	22.11.53	07.06.74	20.05.79	26.07.76	21.10.89	DR	
73	P.K. Das, No. 1, B.Sc.	01.03.55	02.08.76	20.05.79	02.08.76	21.10.89	DR	
74	R.K. Goswami, B.Com.	07.06.54	23.07.76	28.05.79	23.07.76	15.06.90	DR	
75	B.R. Deb, B.Sc.	28.08.52	24.07.76	28.05.79	24.07.76	15.06.90	DR	
76	G.C. Paul, B.A.	01.01.47	12.08.71	18.05.79	30.07.76	15.06.90	PR	
77	N. Bhattacharjee, Matric	15.05.51	04.01.71	20.05.79	17.11.76	15.06.90	PR	
78	Agnu Ram Das, (SC), Matric	01.10.43	25.01.65	13.12.80	12.12.78	15.06.90	PR	
79	Subodh Dhar, (SC), B.Com.	27.06.54	17.09.77	13.12.80	17.09.77	15.06.90	DR	
80	C. Ngamlai, (ST), B.A.	28.02.50	02.08.76	13.12.80	02.08.76	15.06.90	DR	
81	Dhangshi Ram Boro (ST), Matric	01.02.44	25.01.65	13.12.80	25.11.78	15.06.90	PR	
82	Rama Kanta Das, (SC), B.A.	01.01.54	09.10.75	13.12.80	03.10.78	15.06.90	DR	
83	A.K. Sharma, B.Sc.	21.01.54	29.07.76	28.05.79	29.07.76	14.08.90	DR	
84	Hemen Gogoi, B.Sc.	01.01.55	24.07.76	28.05.79	24.07.76	14.08.90	DR	
85	A.B. Dutta, B.Sc.	01.07.55	21.07.76	28.05.79	21.07.76	14.08.90	DR	
86	R.K. Bhattacharjee, P.U.	01.04.44	19.01.65	28.05.79	29.10.76	14.08.90	PR	
87	S.K. Bose, B.A.	04.08.54	30.07.76	28.05.79	30.07.76	25.10.90	DR	
88	D.K. Nath, B.A.	11.07.52	02.08.76	28.05.79	02.08.76	07.12.90	DR	
89	S. Banik, Matric	01.02.41	01.11.61	28.05.79	19.11.76	07.12.90	PR	
90	S. Paul, B.Sc.	02.04.44	29.07.76	28.05.79	29.07.76	21.02.91	DR	
91	K.C. Mohan, B.A.	20.09.53	31.07.76	23.05.79	31.07.76	22.04.91	DR	

01	02	03	04	05	06	07	08	09
92	A.V. Duha, (ST), B.A.	01.03.51	13.09.75	31.10.77	13.09.75	28.06.91	DR	
93	C.M. Chakraborty, B.Sc.	26.12.51	26.07.76	28.05.79	26.07.76	28.06.91	DR	
94	T.S. Sarkar, B.Sc.	02.05.55	27.07.76	28.05.79	27.07.76	28.06.91	DR	
95	H.R. Saha, B.A.	16.03.51	13.07.76	28.05.79	13.07.76	28.06.91	DR	
96	N.K. Chakraborty, B.Com.	01.03.44	01.03.62	28.05.79	02.02.76	28.06.91	PR	
97	P.C. Kar, Matric	14.04.45	25.01.65	28.05.79	15.11.76	28.06.91	PR	
98	S. Bhowmick, B.A.	23.01.54	26.07.76	28.05.79	26.07.76	28.06.91	DR	
99	Md. Khurshed Ahmed, B.A.	01.03.52	30.07.76	28.06.79	30.07.76	08.03.91	DR	
100	P.K. Das, No.2, B.Sc.	01.03.48	06.02.74	23.05.79	13.07.76	01.10.91	PR	
101	G.K. Sharma Boral, H.S.L.C.	09.01.48	15.02.72	23.05.79	29.10.76	01.10.91	PR	
102	P. Bhattacharjee, B.Sc.	01.02.52	29.07.76	28.05.79	29.07.76	01.10.91	DR	Expired
103	M. Marbaniana, (ST), B.Com.	24.02.54	30.09.78	13.12.80	30.09.78	01.10.91	DR	
104	Apalak Das, (SC), B.A.	20.02.53	17.11.75	13.12.80	22.09.78	01.10.91	PR	
105	Ramprasad Das, (SC), Matric	01.10.41	21.01.65	13.12.80	22.11.78	04.12.91	PR	
106	P. Sharma, B.Sc.	01.09.56	29.07.76	28.05.79	29.07.76	20.12.91	DR	
107	U.C. Das, M.A.	19.12.53	29.07.76	28.05.79	29.07.76	04.02.92	DR	
108	Biman Dhar, B.Sc.	27.10.53	31.07.76	28.05.79	31.07.76	04.02.92	DR	
109	B. Paul, B.Com.	23.01.53	23.07.75	28.05.79	02.08.76	25.06.92	DR	
110	P.B. Nag, B.A.	25.10.52	26.07.76	28.05.79	26.07.76	25.06.92	DR	
111	S.C. Bhowal, B.A.	10.01.39	12.04.61	28.05.79	30.10.76	25.06.92	PR	
112	D.K. Majumdar, B.Sc.	21.01.51	27.01.77	28.05.79	27.01.77	25.06.92	DR	
113	A.K. Dutta, B.Sc.	01.02.53	27.01.77	28.05.79	27.01.77	25.06.92	DR	
114	D.C. Biswas, Matric	01.03.39	13.02.62	28.03.79	30.10.76	25.06.92	PR	
115	N.L. Roy, B.A.	01.09.45	20.01.65	01.06.79	28.01.77	22.09.92	PR	
116	P.K. Singha Choudhury, B.Sc.	01.02.51	20.01.77	01.06.79	28.01.77	22.09.92	DR	
117	I. Halim, B.Sc.	07.03.57	27.01.77	01.06.79	27.01.77	22.09.92	DR	
118	N.C. Das, Matric	31.12.42	29.05.62	01.06.79	29.10.76	22.09.92	PR	
119	T. Kar, B.A.	01.11.53	29.01.77	01.01.80	29.01.77	23.11.92	DR	
120	Chandi Das Baidya (SC) B.Sc.	20.11.46	30.09.78	13.12.80	30.09.78	30.11.92	DR	
121	J.R.H. Dienadon, (ST), B.Sc.LLB	28.02.50	04.10.78	13.12.80	04.10.78	30.11.92	DR	
122	Pranab Kumar Sarua, (SC) B.Sc.	05.09.53	03.10.78	13.12.80	03.10.78	02.12.92	DR	
123	R. Lalngurauva, (ST) B.A.	01.03.47	03.10.78	13.12.80	03.10.78	02.12.92	DR	
124	Abhiram Das, (SC), Matric	01.02.40	25.07.64	10.09.81	20.02.79	04.01.93	PR	
125	N.K. Nath, B.Sc.	17.01.51	19.09.77	01.01.80	19.09.77	04.01.93	DR	

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE : SHILLONG

C.NO.II(34)5/ET.I/92/ 30835-66.

Dated:-

22/3/2001

To

The Assistant Commissioner,
Central Excise Division,The Deputy/Assistant Commissioner,
Customs Division,The Branch-in-Charge,
_____ Branch of Hqs. Office.
Shillong.**Subject:-** Determination of Seniority of Group 'B' Superintendents of Central Excise & Customs Commissionerate, Shillong

Consequent upon the implementation of the Judgement dated 05.09.95 of the Hon'ble CAT, Guwahati in O.A.No.241/91 and the Board's approval to this effect communicated vide F.No.A.23018/3/97-Ad.II.B dated 17.11.97, the Seniority of the Superintendents for the years 1987 to 1998 have been re-fixed as per the recommendation of the Review DPC held in this regard.

2. The integrated Seniority List of such Superintendents has accordingly been drawn.
3. The dates of indicated vide Column 7 against the names of each of these officers is their 'date of assumption of charge' in the grade of Superintendent.

Further, consequent to this revision, the officers who lose in their dates of assumption of charge with regard to their actual date of joining in the grade of Superintendent (i.e. previous date of joining), the service put in by such officers will be treated as service put in on adhoc basis.

4. The pay in respect of the officers should be fixed under F.R. 27 at the stage it would have reached had they been promoted to the grade of Superintendent as per the dates of assumption of charge assigned herein. They will not be entitled to any arrears of pay for the period preceding the actual date of promotion.

5. It is requested that this integrated Seniority List of Superintendent Group 'B' may be circulated amongst all the concerned officers immediately. The officers may be advised to immediately file objections, if any, against the assignment of Seniority as well as factual mistakes noticed, to this office and in any case not later than April 15, 2001.

Enclo : As above.

(B. THAKUR) 21.03.01
 ADDITIONAL COMMISSIONER (P&V)
 CUSTOMS & CENTRAL EXCISE
 SHILLONG.

p.t.o.

Attested

 Advocate
 18/03/03

C.No. II(34)5/ET.I/92/

30835-66

Dated:

22/3/11

Copy forwarded for information & necessary action to:-

1. Smt. Charusheela Sohoni, Joint Secretary (Admn.), Central Board of Excise & Customs, North Block, New Delhi - 02. (Attention :- The Under Secretary, Ad.II B, Central Board of Excise & Customs, New Delhi). Ministry's letter F.No. A-23018/3/97-Ad.II B dated 17.11.97 may please be referred to.
2. The Additional Commissioner (Tech.), Central Excise Hqrs, Office, Shillong.
3. The P.A. to Commissioner (Appeals), Customs & Central Excise, Guwahati/Commissioner of Customs NER, Shillong.
4. The Deputy/Assistant Commissioner, Central Excise/Customs Dibrugarh Division. Copy meant for the concerned officer(s) is/are enclosed for delivery.
5. Shri/Smt. A. N. Dubey Superintendent for compliance.
6. All concerned Superintendents on deputation.
7. The ACAO (Acc'ts.)/Confdl. Branch of Central Excise Hqrs. Office, Shillong.
8. The General Secretary, Group 'B' Superintendents' Association, Customs & Central Excise, Shillong.
9. Guard File.


 21-83.01

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

INTEGRATED SENIORITY LIST OF SUPERINTENDENT AS PER CAT'S JUDGEMENT DATED 05.09.95 IN O.A. NO. 241/91.

Sl. No.	Name & Educational Qualification	Date of Birth	Date of Appt. in Govt. service	Date of confirmation in Govt. service	Date of joining as Inspector	Date /Deemed date of assumption of charge.	Whether DR/PR as Inspector	Remarks
	S/Shri							

01	02	03	04	05	06	07	08	09
Exp. 01.	Sachindra Kr. Paul, Matric	01.11.41	01.11.61	29.01.76	02.08.72	24.04.87		
Rtd. 02.	Chirobimal Das, Matric	01.10.37	02.01.57	29.01.76	02.08.72	24.04.87	PR	Expired
03.	Taresh Ch. Debnath, Matric	28.07.35	29.01.56	29.01.76	04.08.72	24.04.87	PR	Retired
04.	N. Bhattacharjee, B.A.	01.07.42	07.10.63	29.01.76	01.08.72	24.04.87	PR	Retired
05.	M.K. Chakraborty, I.A.	01.03.40	23.11.60	29.01.76	02.08.72	24.04.87	PR	Promoted as AC
06.	Probir Kr. Bol, Matric	01.05.36	18.07.55	29.01.76	02.08.72	24.04.87	PR	Promoted as AC
Rtd. 07.	Dhirendra Kr. Bhattacharjee, Matric	01.02.36	07.09.61	29.01.76	02.08.72	24.04.87	PR	Retired
08.	P. Sharma, Matric	01.08.39	28.06.63	29.01.76	02.08.72	24.04.87	PR	Retired
09.	G.C. Chatterjee, Matric	01.11.39	30.09.63	07.04.76	02.08.72	24.04.87	PR	Retired
10.	M.L. Dey, Matric	01.10.42	20.07.64	01.07.76	03.08.72	24.04.87	PR	Retired
Rtd. 11.	P.K. Deb, B.A.	02.01.40	01.03.64	01.07.76	02.08.72	24.04.87	PR	Promoted as AC
12.	Bibhas Ranjan Das, Matric	01.10.35	18.04.57	01.02.77	03.08.72	24.04.87	PR	Promoted as AC
13.	Lalit Kr. Hazarika, Matric	01.03.35	13.01.60	02.02.72	04.08.72	24.04.87	PR	Retired
14.	A.C. Bora (ST) Matric	01.12.41	13.03.62	01.11.83	02.08.72	24.04.87	PR	Retired
15.	B.K. Roy, B.Sc.	24.10.51	12.05.72	12.06.77	29.09.75	24.04.87	PR	Promoted as AC
16.	N.Kar, B.Com.	01.01.51	22.07.70	01.02.77	29.09.75	24.04.87	DR	Promoted as AC
Rtd. 17.	Ms. Anupama Devi, B.A.	15.09.36	01.10.55	07.06.77	08.09.75	24.04.87	DR	Promoted as AC
18.	N.K. Bhattacharjee, B.Sc.	30.11.51	20.08.72	31.10.77	26.09.75	24.04.87	PR	Retired
19.	D.M. Banerjee, B.A.	16.08.41	01.10.63	01.11.77	01.10.75	24.04.87	DR	Promoted as AC
Rtd. 20.	Swaraj Kr. Roy, Matric	31.07.33	01.12.62	22.09.77	29.09.75	24.04.87	PR	Promoted as AC
21.	R.K. Chakraborty, B.A.	20.10.51	29.01.70	01.12.77	23.09.75	24.04.87	PR	Retired
22.	J.K. Paul, B.Sc.	30.01.50	15.10.75	01.12.77	15.10.75	24.04.87	DR	Promoted as AC
23.	D.P. Das, B.Sc.	15.02.52	25.09.71	31.12.77	22.09.75	24.04.87	DR	Promoted as AC
24.	M.K. Chanda, B.A.	01.05.50	28.10.70	01.02.78	18.09.75	24.04.87	DR	Promoted as AC
25.	G. Dutta, B.A.	04.09.50	28.10.70	01.02.78	18.09.75	24.04.87	DR	Promoted as AC
26.	K.B. Bhujel, B.A.	31.01.50	25.09.75	01.02.78	25.09.75	24.04.87	DR	Promoted as AC
Exp. 27.	R.C. Suklabaidya (SC), Matric	01.10.40	20.04.61	28.05.79	05.11.76	24.04.87	DR	Promoted as AC
28.	Ranjit Kr. Baidya (SC), B.A.	01.04.49	26.02.74	28.05.79	26.07.76	24.04.87	PR	Expired
							PR	Promoted as AC

01	02	03	04	05	06	07	08	09
29.	M.C. Hazarika, (SC) Matric	01.04.46	20.01.65	28.05.79	28.10.76	24.04.87	PR	Promoted as AC
30.	H. Suklabaidya, (SC) B.A.	09.03.46	24.03.72	01.08.79	26.07.76	24.04.87	PR	Promoted as AC
31.	Dimbeswar Borah, B.Sc.	01.01.50	01.10.75	01.02.78	01.10.75	22.04.88	DR	Promoted as AC
32.	B.R. Deb Roy, B.Sc.	08.03.53	01.10.75	01.03.78	01.10.75	22.04.88	DR	Promoted as AC
33.	Nazrul Islam, B.Sc.	01.09.51	23.09.75	01.03.78	23.09.75	22.04.88	DR	Promoted as AC
34.	A.K. Pandit, P.U.	01.03.49	30.07.66	01.02.78	27.09.75	22.04.88	PR	Promoted as AC
35.	T. Nath, B.Sc.	25.12.53	23.09.75	01.03.78	23.09.75	22.04.88	DR	Promoted as AC
36.	Md. A. Hussain, B.Sc.	11.09.51	20.09.75	01.03.78	20.09.75	22.04.88	DR	Promoted as AC
Exp. - 37.	D.K. Deb Choudhury, B.Com.	01.04.39	30.03.72	01.02.78	13.09.75	22.04.88	PR	Expired
38.	Anjan Kanti Roy, P.U.	01.09.45	25.01.65	28.02.78	20.10.75	22.04.88	PR	Promoted as AC
39.	Smt. P.R. Ghosh, B.A.	06.04.40	24.11.60	01.03.78	29.09.75	22.04.88	PR	Retired
Ret. { 40.	Subodh Ch. Deb Nath, Matric	01.05.34	11.04.61	01.03.78	19.09.75	22.04.88	PR	Retired
41.	Kshilish Ch. Das, B.A.	04.11.41	01.07.61	01.05.78	25.09.75	22.04.88	PR	Retired
42.	Samir Ch. Adhikary, B.Com.	18.05.40	25.10.60	01.12.78	24.07.75	22.04.88	PR	Retired
43.	L.S. Vanchhawng, (ST) B.A.	28.12.51	22.07.76	01.04.78	22.07.76	22.04.88	DR	Promoted as AC
44.	Biswajit Sarkar, B.Sc.	01.11.55	02.08.76	01.04.78	02.08.76	22.04.88	DR	
45.	Subir Kr. Chakraborty, B.A.	03.12.52	24.07.76	01.06.78	24.07.76	22.04.88	DR	
46.	S.P. Chakraborty, B.A.	05.08.50	20.03.72	01.07.78	28.07.76	22.04.88	DR	
47.	P.S. Purkayastha No. 1, B.Sc.	14.07.53	02.08.76	01.08.78	02.08.76	22.04.88	DR	
48.	Asanta Borah, (ST), B.Sc.	01.05.46	30.03.72	28.05.79	29.07.76	22.04.88	PR	Promoted as AC
49.	Sujan Kr. Das, (SC), B.A.	02.02.53	20.01.77	28.05.79	28.01.77	22.04.88	DR	Promoted as AC
50.	Subodh Dhar (SC), B.Com.	27.06.54	17.09.77	13.12.80	17.09.77	22.04.88	DR	
Exp. - 51.	Conference Ngamlai (ST), B.A.	28.02.50	02.08.76	13.12.80	02.08.76	22.04.88	DR	Expired
Ret. { 52.	Gopal Ch. Sarkar, (SC) I.A.	22.11.39	16.01.65	24.11.80	23.11.78	22.04.88	PR	Retired
53.	Rama Kanta Das, (SC), B.A.	01.01.54	09.10.75	13.12.80	03.10.78	22.04.88	DR	
Ret. - 54.	R.K. Laskar, (SC), Matric	01.10.38	30.04.57	24.12.75	24.12.73	29.08.89	PR	Retired
55.	Ranjit Kr. Dutta No. 1, B.Sc.	10.08.51	26.07.76	01.09.78	26.07.76	29.08.89	DR	
56.	Indrajit Guha, B.Sc.	07.05.56	27.07.76	01.10.78	27.07.76	29.08.89	DR	
57.	A. Hore, B.Com.	31.07.53	23.07.76	01.10.78	23.07.76	29.08.89	DR	
58.	A. Dasgupta, B.Sc.	12.01.55	26.07.76	01.12.78	26.07.76	29.08.89	DR	
59.	B.B. Adhikari, B.Com.	22.11.53	07.06.74	20.05.79	26.07.76	29.08.89	DR	
60.	Gopendra Ch. Paul, B.A.	01.01.47	12.08.71	28.05.79	30.07.76	29.08.89	DR	
61.	P.K. Das, No. 1, B.Sc.	01.03.55	02.08.76	20.05.79	02.08.76	29.08.89	DR	
62.	R.K. Goswami, B.Com.	07.06.54	23.07.76	28.05.79	23.07.76	29.08.89	DR	
Exp. - 63.	Bidyut Rn. Deb, B.Sc.	28.08.52	24.07.76	28.05.79	24.07.76	29.08.89	DR	Expired
64.	N. Bhattacharjee, Matric	15.05.51	04.01.71	20.05.79	17.11.76	29.08.89	PR	
65.	A.K. Sharma, B.Sc.	21.01.54	29.07.76	28.05.79	29.07.76	29.08.89	DR	

01	02	03	04	05	06	07	08	09
66	Hemen Gogoi, B.Sc.	01.01.55	24.07.76	28.05.79	24.07.76	29.08.89	DR	
67	A.B. Dutta, B.Sc.	01.07.55	21.07.76	28.05.79	21.07.76	29.08.89	DR	
68	R.K. Bhattacharjee, P.U.	01.04.44	19.01.65	28.05.79	29.10.76	29.08.89	PR	
69	S.K. Bose, B.A.	04.08.54	30.07.76	28.05.79	30.07.76	29.08.89	DR	
70	D.K. Nath, B.A.	11.07.52	02.08.76	28.05.79	02.08.76	29.08.89	DR	
71	S. Paul, B.Sc.	05.04.54	29.07.76	28.05.79	29.07.76	29.08.89	DR	
72	S. Banik, Matric	01.02.41	01.11.61	28.05.79	19.11.76	29.08.89	PR	Retired
73	Ms. M. Swer, (ST) I.A.	31.03.39	04.08.62	23.11.80	22.11.78	29.08.89	PR	Retired
74	M. Marbaniana, (ST), B.Com.	24.02.54	30.09.78	13.12.80	30.09.78	29.08.89	DR	
75	Agnu Ram Das, (SC) Matric	01.10.43	25.01.65	13.12.80	12.12.78	29.08.89	PR	
76	Apalak Das, (SC), B.A.	20.02.53	17.11.75	13.12.80	22.09.78	29.08.89	DR	
77	Chandi Das Baidya (SC) B.Sc.	20.11.46	30.09.78	13.12.80	30.09.78	29.08.89	DR	
78	K.C. Mohan, B.A.	20.09.53	31.07.76	23.05.79	31.07.76	09.08.90	DR	
79	C.M. Chakraborty, B.Sc.	26.12.51	26.07.76	28.05.79	26.07.76	09.08.90	DR	
80	T.S. Sarkar, B.Sc.	02.05.55	27.07.76	28.05.79	27.07.76	09.08.90	DR	
81	H.R. Saha, B.A.	16.03.51	13.07.76	28.05.79	13.07.76	09.08.90	DR	
82	N.K. Chakraborty, B.Com.	01.03.44	01.03.62	28.05.79	02.08.76	09.08.90	DR	
83	S. Bhowmick, B.A.	23.01.54	26.07.76	28.05.79	26.07.76	09.08.90	DR	
84	J.R.H. Diengdoh, (ST), B.Sc.IILB	28.02.50	04.10.78	13.12.80	04.10.78	09.08.90	DR	
85	Pranab Kumar Barua, (SC) B.Sc.	05.09.53	03.10.78	13.12.80	03.10.78	09.08.90	DR	
86	A.V. Duha, (ST), B.A.	01.03.51	13.09.75	31.10.77	13.09.75	20.06.91	DR	
87	Parimal Ch. Kar, Matric	04.06.45	25.01.65	28.05.79	02.08.76	20.06.91	PR	Expired
88	Md. Khurshed Ahmed, B.A.	01.03.52	30.07.76	28.06.79	30.07.76	20.06.91	DR	
89	P.K. Das, No.2, B.Sc.	01.03.48	06.02.74	23.05.79	30.07.76	20.06.91	DR	
90	Pranab Bhattacharjee, B.Sc.	14.02.52	29.07.76	28.05.79	29.07.76	20.06.91	DR	Expired
91	P. Sharma, B.Sc.	01.09.56	29.07.76	28.05.79	29.07.76	20.06.91	DR	
92	U.C. Das, M.A.	19.12.53	29.07.76	28.05.79	29.07.76	20.06.91	DR	
93	Biman Dhar, B.Sc.	27.10.53	31.07.76	28.05.79	31.07.76	20.06.91	DR	
94	B. Paul, B.Com.	23.01.53	28.07.75	28.05.79	02.08.76	20.06.91	DR	
95	P.B. Nag, B.A.	25.10.52	26.07.76	28.05.79	26.07.76	20.06.91	DR	
96	G.K. Sharma Borol, HSLC	09.01.48	15.02.72	28.05.79	29.10.76	20.06.91	PR	
97	R.Lalngurauva, (ST) B.A.	01.03.57	03.10.78	13.12.80	03.10.78	20.06.91	DR	
98	Ramprasad Das, (SC) Matric	01.10.41	21.01.65	13.12.80	22.11.78	20.06.91	PR	
99	Abhiram Das, (SC), Matric	01.02.40	25.07.64	10.09.81	20.02.79	20.06.91	PR	
100	Sunil Ch. Bhowal, B.A.	10.01.39	12.04.61	28.05.79	30.10.76	20.06.92	PR	Retired
101	D.C. Biswas, Matric	01.03.39	13.02.62	28.05.79	30.10.76	20.06.92	PR	Retired
102	N.C. Das, Matric	31.12.42	29.05.62	01.06.79	29.10.76	20.06.92	PR	

01	02	03	04	05	06	07	08	09
103.	Bijoy Krishna Deb, - I, I.A.	01.02.39	14.02.62	01.09.79	13.11.76	17.09.92	PR	Retired
104.	M. Suora Singh, Matric	01.07.35	26.06.67	01.10.80	26.10.76	17.09.92	PR	Retired
105.	D.K. Majumdar, B.Sc.	21.01.51	27.01.77	28.05.79	27.01.77	17.09.92	DR	
106.	A.K. Dutta, B.Sc.	01.02.53	27.01.77	28.05.79	27.01.77	17.09.92	DR	
107.	N.L. Roy, B.A.	01.09.45	20.01.65	01.06.79	28.01.77	17.09.92	DR	
108.	P.K. Singha Choudhury, B.Sc.	01.02.51	20.01.77	01.06.79	28.01.77	17.09.92	DR	
109.	I. A. Halim, B.Sc.	07.03.57	27.01.77	01.06.79	27.01.77	17.09.92	DR	
110.	T. Kar, B.A.	01.11.53	29.01.77	01.01.80	29.01.77	17.09.92	DR	
111.	N.K. Nath, B.Sc.	17.01.51	19.09.77	01.01.80	19.09.77	17.09.92	DR	
112.	M.K. Bose, B.Sc.	17.10.51	19.07.77	24.11.80	19.07.77	17.09.92	DR	
113.	A.K. Choudhury, B.A.	01.06.53	19.09.77	13.12.80	19.09.77	17.09.92	DR	
114.	Kisholoy Das, B.A.	19.03.53	04.10.78	13.12.80	04.10.78	17.09.92	DR	
115.	Utpal Kr. Das, (ST), B.A.	01.12.52	30.10.78	13.12.80	30.10.78	17.09.92	DR	
116.	Dangshi Ram Boro (ST), Matric	01.02.44	25.01.65	13.12.80	25.11.78	17.09.92	PR	
117.	Swapan Kr. Roy, (SC), B.A.	16.03.51	10.11.80	01.10.81	10.11.80	17.09.92	DR	
118.	Debendra Ch. Das, (SC), B.A.	01.07.45	25.01.65	01.08.82	29.11.78	17.09.92	PR	
119.	N.C. Patra, (SC), B.Sc.	01.01.54	16.03.79	13.03.86	30.06.81	17.09.92	DR	
120.	Md. Joynul Abedin, B.Sc.	28.01.53	02.01.79	02.04.81	02.01.79	12.03.93	DR	
121.	A. Bhattacharjee, B.Sc.	01.03.56	25.09.78	13.12.80	25.09.78	12.03.93	DR	
122.	A. Chatterjee, B.Sc.	01.04.56	04.10.78	13.12.80	04.10.78	12.03.93	DR	
123.	P. Sikdar, B.Sc.	24.04.51	12.10.78	13.12.80	12.10.78	12.03.93	DR	
124.	B.K. Banerjee, B.Sc.	26.02.56	30.09.78	13.12.80	30.09.78	12.03.93	DR	
125.	Sashidhar Pegu, (ST), B.A.	01.09.43	04.10.78	13.12.80	04.10.78	12.03.93	DR	
126.	S. Sharma, M.Sc.	31.03.52	25.11.78	13.12.80	25.11.78	07.06.93	DR	
127.	Jagadish Ch. Das, No.1 B.A.	23.06.52	21.07.74	13.12.80	20.11.78	07.06.93	PR	
128.	Dhirendra Nath Boro, (ST), B.Sc.	01.05.48	04.10.78	13.12.80	04.10.78	07.06.93	DR	
129.	Biren Ch. Patir, (ST), B.A.	01.12.53	21.01.76	13.12.80	03.10.78	07.06.93	PR	
130.	K.C. Sarkar, Matric	05.07.46	25.01.65	13.12.80	27.11.78	07.06.93	PR	
131.	Alexander Lywait, (ST), B.Sc.	01.02.56	29.09.78	13.12.80	29.09.78	07.06.93	DR	
132.	Chandler Shullai, (ST) B.A.	19.12.49	13.11.78	01.04.81	13.11.78	07.06.93	DR	
133.	K.K. Taneja, M.Sc.	09.01.55	08.03.79	01.04.81	08.03.79	07.06.93	DR	
134.	R.C. Das, Matric	01.07.44	23.01.65	01.10.81	29.11.78	07.06.93	PR	
135.	Rupnath Pegu, (ST), B.A.	01.05.51	03.10.78	02.04.81	03.10.78	07.06.93	DR	
136.	Pranay Kanti Deb, B.Com.	26.01.54	12.06.74	13.12.80	24.11.78	07.06.93	PR	
137.	K.C. Gogoi, B.A.	01.03.45	23.01.65	02.04.81	30.11.78	07.06.93	PR	
138.	R.C. Dey, Matric	01.09.48	28.02.73	30.03.81	28.03.79	07.06.93	PR	
139.	Jatindra Nath Barua, Matric	01.02.36	08.02.62	01.10.81	22.11.78	07.06.93	PR	Retired



GOVERNMENT OF INDIA
OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE
M.G. ROAD, SHILLONG - 793 001

C.NO.II(34)5/ET.I/92/

21248-85

Dated:-

3/5/07

To

The Assistant Commissioner,
Central Excise Division,

The Deputy/Assistant Commissioner,
Customs Division,

The Branch-in-Charge,
Branch of Hqrs. Office.
Shillong.

The Superintendent,
Shillong Law Cell,
Office of the Commissioner of Central Excise,
Calcutta - II,
M.S. Building, 5th Floor,
15/1/, Strand Road,
Kolkata - 700 001.

Subject:- Seniority List of Group 'B' Superintendent as on 01.05.2001 of Central Excise & Customs Commissionerate, Shillong - Circulation thereof.

Consequent to the Judgement dated 05.09.95 pronounced by the Hon'ble CAT, Guwahati in O.A.No.241/91 and the Board's approval for implementation communicated vide F.No.A.23018/3/97-Ad.II.B dated 17.11.97, an integrated Seniority List of Superintendent was circulated to all concerned vide this office C.No. II(34)5/ET.I/92/30835-66 dated 22.3.2001. Representations/objections, if any, had been invited against the integrated Seniority List. Some representations have been received and have been examined carefully. These representations are given below in brief alongwith reasons, if any, for grounds of disposal.

- (I) Some of the representations have contended that their dates of joining as Inspectors should be the basis for fixing their Seniority. The principle laid down in DOP&Ts O.M. dated 7.2.86 have been followed. Therefore, the representations for fixing seniority with reference to the date of joining is incorrect and hence not tenable.
- (II) Representations have been received from officers, who have benefitted by way of date of promotion in the integrated seniority list, that they should be appropriately placed in the All India Seniority List with retrospective benefit of promotion to Group 'A' post in the year 1997-98 as enjoyed by their batch-mates. This issue will be taken up with the Ministry for extending all consequential benefits, as permissible.

Attache
Advocate
16/03/03

- (III) Some representations have contended that there were no vacancies when promotions were given to the grade of Superintendent during the relevant period and hence such officers should not be given seniority in the manner adopted in the Integrated Seniority List. This contention is not correct as promotions were given against vacancies.
- (IV) Some representations have mentioned that there have been mistakes in showing their date of birth and actual status under Col.3 and Col. 8 of the integrated seniority list. These mistakes have been taken care of and necessary corrections have been made in the Seniority List. These mistakes have crept in due to the fact that earlier Seniority Lists published since their appointments carried these mistakes and the concerned officers have not represented for necessary corrections.
- (V) Representations have also been received from the Superintendents promoted/appointed as on 01.04.95, regarding their placements in the integrated Seniority List. The revised seniority list of Inspectors (now Superintendent) which was circulated to all concerned vide office C.No. II(34)1/ET.1/96/28968-29010(A) dated 13.07.98 had been recasted in terms of Hon'ble CAT Guwahati's order dated 05.09.95 and representations, if any, had been invited from all concerned against the revised seniority of Inspectors (now Superintendent). All representations received against the revised seniority list dated 13.07.98 of Inspectors (now Superintendents) had been considered individually on merit in the past and disposed of by the Cadre Controlling Authority. The review DPC, for promotion to the grade of Superintendents was conducted strictly as per the revised seniority list of Inspectors (now Superintendents). Hence their would be no ground for placement in the integrated seniority list on any other criteria other than the revised seniority list of Inspectors (now Superintendents).

In view of the above, all the representations received against the integrated Seniority List are hereby disposed of.

A copy of the Final Seniority List of Superintendents is enclosed for circulation to all the concerned officers.

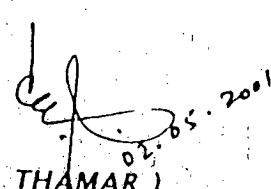
Encl:- As above.


(Z. TOCHHAWNG)
COMMISSIONER
CENTRAL EXCISE, SHILLONG.

Copy forwarded for information & necessary action to :-

1. Smt. Charusheela Sohoni, Joint Secretary (Admn.) Central Board of Excise & Customs, North Block, New Delhi - 02. The letter C.No. II(34)5/ET.1/92/30835-66 dated 22.03.2001 may please be referred to.
2. The Chief Commissioner (EZ), Customs & Central Excise, 15/1, Strand Road, Kolkata 700 001.
3. The Zonal Director, Narcotics Control Bureau, Eastern Zonal Unit, 4/2, Karaya Road, Kolkata-700017. Copy meant for the concerned officer is enclosed for delivery.

4. The Additional Director, Directorate of Revenue Intelligence, Calcutta Zonal Unit, 8, Ho Chi Minh Sarani, 2nd Floor, Kolkata- 700 071. Copy meant for the concerned officer is enclosed for delivery.
5. The Additional Assistant Director, Directorate of O. & M. Services, Customs & Central Excise, 405/8 Deep Sikha Building, Rajendra Place, New Delhi 110008. Copy meant for the concerned officer is enclosed for delivery.
6. The Deputy Director, (AS), Directorate of Preventive Operations, Zonal Unit, 44, Park Street, 2nd Floor, Kolkata - 16. Copy meant for the concerned officer is enclosed for delivery.
7. The Deputy Commissioner (Airport), Sahar International Airport, Sahar, Mumbai-99. Copy meant for the concerned officer is enclosed for delivery.
8. The Deputy Director, NACEN (ER), P-27, CIT Scheme, VIII(M) Bidhannagar Road, Kolkata 700 067. Copy meant for the concerned officer is enclosed for delivery.
9. The Deputy Director of Inspection (Admn.), Directorate General of Inspection, Customs & Central Excise, 'D' Block, I. P. Bhawan, I. P. Estate, New Delhi - 2. Copy meant for the concerned officer is enclosed for delivery.
10. The Zonal Director, Narcotics Control Bureau, Varanasi Zonal Unit, S. - 18/38, Taksal Lalit Behari Sen Marg, Patel Nagar, Varanasi - 221022. Copy meant for the concerned officer is enclosed for delivery.
11. The Deputy Director, Directorate General of Inspection, Customs & Central Excise, 'D' Shape Building, I. P. Estate, New Delhi - 2. Copy meant for the concerned officer is enclosed for delivery.
12. The Deputy Development Commissioner, Noida Export Processing Zone, Noida - 201305. Copy meant for the concerned officer is enclosed for delivery.
13. The Assistant Registrar, Customs, Excise & Gold Control Appellate Tribunal, E. R. Bench, Bamboo Villa, 169-A.J.C Bose Road, Kolkata - 700014. Copy meant for the concerned officer is enclosed for delivery.
14. The Commissioner. Customs NER, Shillong.
15. The Additional Commissioner (Tech.), Central Excise, Shillong.
16. The Dy./Asstt. Commissioner of Central Excise /Customs Divn. _____ Copy meant for the concerned officer(s) is/are enclosed for delivery.
17. The CAO/PAO of Hqs. Office, Shillong.
18. Shri A. V. Dulyan _____, Supdt. for compliance.
19. Accounts I & II/ET I & II/Confdl. Br./CIU-cum-VIG. Br. of Hqs. Office, Shillong.
20. The General Secretary, Group 'B' Executive Officers' Association, customs & Central Excise, Shillong.
21. Guard File.


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

- 45 -
60
SENIORITY LIST OF SUPERINTENDENT GROUP 'B' AS ON 01.05.2001.

Annexure - 6

S.No.	Name & Educational Qualification	Date of Birth	Date of Appt. in Govt. service	Date of confirmation in Govt. service	Date of joining as Inspector	Date /Deemed date of assumption of charge.	Whether DR/PR as Inspector	Remarks
	S/Shri							

01	02	03	04	05	06	07	08	09
01.	Biswajit Sarkar, B.Sc.	01.11.55	02.08.76	01.04.78	02.08.76	22.04.88	DR	
02.	Subir K. Chakraborty, B.A.	03.12.52	24.07.76	01.06.78	24.07.76	22.04.88	DR	
03.	S.P. Chakraborty, B.A.	05.08.50	20.03.72	01.07.78	28.07.76	22.04.88	DR	
04.	P.S. Purkayastha-I, B.Sc.	14.07.53	02.08.76	01.08.78	02.08.76	22.04.88	DR	
05.	Subodh Dhar (SC), B.Com.	27.06.54	17.09.77	13.12.80	17.09.77	22.04.88	DR	
06.	Rama Kanta Das, (SC) B.A.	01.01.54	09.10.75	13.12.80	03.10.78	22.04.88	DR	
07.	Ranjit Kr. Dutta, B.Sc.	10.08.51	26.07.76	01.09.78	26.07.76	29.08.89	DR	
08.	Indrajit Guha, B.Sc.	07.05.56	27.07.76	01.10.78	27.07.76	29.08.89	DR	
09.	A. Hore, B.Com.	31.07.53	23.07.76	01.10.78	23.07.76	29.08.89	DR	
10.	A. Dasgupta, B.Sc.	12.01.55	26.07.76	01.12.78	26.07.76	29.08.89	DR	
11.	B.B. Adhikari, B.Com.	22.11.53	07.06.74	20.05.79	26.07.76	29.08.89	DR	
12.	Gopendra Ch. Paul, B.A.	01.01.47	12.08.71	28.05.79	30.07.76	29.08.89	DR	Resigned voluntarily w/d 31.05.80
13.	P.K. Das-I, B.Sc.	01.03.55	02.08.76	20.05.79	02.08.76	29.08.89	DR	
14.	R.K. Goswami, B.Com.	07.06.54	23.07.76	28.05.79	23.07.76	29.08.89	DR	
15.	N. Bhattacharjee, Matric	15.05.51	04.01.71	20.05.79	17.11.76	29.08.89	PR	
16.	A.K. Sharma, B.Sc.	21.01.54	29.07.76	28.05.79	29.07.76	29.08.89	DR	
17.	Hemen Gogoi, B.Sc.	01.01.55	24.07.76	28.05.79	24.07.76	29.08.89	DR	
18.	A.B. Dutta, B.Sc.	01.07.55	21.07.76	28.05.79	21.07.76	29.08.89	DR	
19.	R.K. Bhattacharjee, P.U.	01.04.44	19.01.65	28.05.79	29.10.76	29.08.89	PR	
20.	S.K. Bose, B.A.	04.08.54	30.07.76	28.05.79	30.07.76	29.08.89	DR	
21.	D.K. Nath, B.A.	11.07.52	02.08.76	28.05.79	02.08.76	29.08.89	DR	
22.	S. Paul, B.Sc.	05.04.54	29.07.76	28.05.79	29.07.76	29.08.89	DR	
23.	M. Marbanian, (SI) B.Com.	24.02.54	30.09.78	13.12.80	30.09.78	29.08.89	DR	
24.	Agnu Ram Das, (SC) Matric	01.10.43	25.01.65	13.12.80	12.12.78	29.08.89	PR	
25.	Apalak Das, (SC) B.A.	20.02.53	17.11.75	13.12.80	22.09.78	29.08.89	DR	
26.	Chandi Das Baidya (SC) B.Sc.	20.11.46	30.09.78	13.12.80	30.09.78	29.08.89	DR	

	02	03	04	05	06	07	08	09
27.	K.C. Mohan, B.A.	20.09.53	31.07.76	23.05.79	31.07.76	09.08.90	DR	
28.	C.M. Chakraborty, B.Sc.	26.12.51	26.07.76	28.05.79	26.07.76	09.08.90	DR	
29.	T.S. Sarkar, B.Sc.	02.05.55	27.07.76	28.05.79	27.07.76	09.08.90	DR	
30.	H.R. Saha, B.A.	16.03.51	13.07.76	28.05.79	13.07.76	09.08.90	DR	
31.	N.K. Chakraborty, B.Com.	01.03.44	01.03.62	28.05.79	02.08.76	09.08.90	DR	
32.	S. Showmick, B.A.	23.01.54	26.07.76	28.05.79	26.07.76	09.08.90	DR	
33.	J.R.H. Diengdoh, (ST), B.Sc.LLB	28.01.50	04.10.78	13.12.80	04.10.78	09.08.90	DR	
34.	Pranab Kumar Barua, (SC) B.Sc.	05.09.53	03.10.78	13.12.80	03.10.78	09.08.90	DR	
35.	A.V. Duha, (ST), B.A.	01.03.51	13.09.75	31.10.77	13.09.75	20.06.91	DR	
36.	Md. Khurshed Ahmed, B.A.	01.03.52	30.07.76	28.06.79	30.07.76	20.06.91	DR	
37.	P.K. Das, -II, B.Sc.	01.03.48	06.02.74	23.05.79	30.07.76	20.06.91	DR	
38.	P. Sharma, B.Sc.	01.09.56	29.07.76	28.05.79	29.07.76	20.06.91	DR	
39.	U.C. Das, M.A.	19.12.53	29.07.76	28.05.79	29.07.76	20.06.91	DR	
40.	Biman Dhar, B.Sc.	27.10.53	31.07.76	28.05.79	31.07.76	20.06.91	DR	
41.	B. Paul, B.Com.	23.01.53	28.07.75	28.05.79	02.08.76	20.06.91	DR	
42.	P.B. Nag, B.A.	25.10.52	26.07.76	28.05.79	26.07.76	20.06.91	DR	
43.	G.K. Sharma Boral, HSLC	09.01.48	15.02.72	28.05.79	29.10.76	20.06.91	PR	
44.	R.Lalngurauva, (SI) B.A.	01.03.47	03.10.78	13.12.80	03.10.78	20.06.91	DR	
45.	Ramprasad Das, (SC) Matric	01.10.41	21.01.65	13.12.80	22.11.78	20.06.91	PR	
46.	Abhiram Das, (SC), Matric	01.02.40	25.07.64	10.09.81	20.02.79	20.06.91	PR	Retired
47.	N.C. Das, Matric	31.12.42	29.05.62	01.06.79	29.10.76	20.06.92	PR	
48.	D.K. Majumdar, B.Sc.	21.01.51	27.01.77	28.05.79	27.01.77	17.09.92	DR	
49.	A.K. Dutta, B.Sc.	01.02.53	27.01.77	28.05.79	27.01.77	17.09.92	DR	
50.	N.L. Roy, B.A.	01.09.45	20.01.65	01.06.79	28.01.77	17.09.92	DR	
51.	P.K. Singha Choudhury, B.Sc.	01.02.51	20.01.77	01.06.79	28.01.77	17.09.92	DR	
52.	I. A. Halim, B.Sc.	07.03.57	27.01.77	01.06.79	27.01.77	17.09.92	DR	
53.	T. Kar, B.A.	01.11.53	29.01.77	01.01.80	29.01.77	17.09.92	DR	
54.	H.K. Nath, B.Sc.	17.01.51	19.09.77	01.01.80	19.09.77	17.09.92	DR	
55.	M.K. Bose, B.Sc.	17.10.51	19.07.77	24.11.80	19.07.77	17.09.92	DR	
56.	A.K. Choudhury, B.A.	01.06.53	19.09.77	13.12.80	19.09.77	17.09.92	DR	
57.	Kisholoy Das, B.A.	19.03.53	04.10.78	13.12.80	04.10.78	17.09.92	DR	
58.	Utpal Kr. Das, (ST), B.A.	01.12.52	30.10.78	13.12.80	30.10.78	17.09.92	DR	
59.	Dangshi Ram Boro (ST), Matric	01.02.44	25.01.65	13.12.80	25.11.78	17.09.92	PR	
60.	Swapn Kr. Roy, (SC), B.A.	16.03.51	10.11.80	01.10.81	10.11.80	17.09.92	DR	

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Annexure - 5
17/5/2002

SENIORITY LIST OF SUPERINTENDENT GROUP 'B' AS ON 01.04.2002

Sl.No.	Name & Educational Qualification	Date of Birth	Date of Apptt. In Govt. service	Date of confirmation In Govt. service	Date of joining as Inspector	Date /Deemed date of assumption of charge.	Whether DR/PR as Inspector	Remarks
S/Shri								
01	02	03	04	05	06	07	08	09
01.	Subodh Dhar (SC), B.Com.	27.08.54	17.09.77	13.12.80	17.09.77	22.04.88	DR	
02.	Ranjit Kr. Dutta, B.Sc.	10.08.51	26.07.78	01.09.78	28.07.76	29.08.89	DR	
03.	Indrajit Guha, B.Sc.	07.05.56	27.07.78	01.10.78	27.07.76	29.08.89	DR	
04.	A. Hore, B.Com.	31.07.53	23.07.78	01.10.78	23.07.76	29.08.89	DR	On Deputation with DGCEI, KOLKATA
05.	A. Dasgupta, B.Sc.	12.01.55	26.07.78	01.12.78	26.07.78	29.08.89	DR	On Deputation with NCB, KOLKATA
06.	B.B. Adhikari, B.Com.	22.11.53	07.06.74	20.05.79	26.07.78	29.08.89	DR	On Deputation with DRI, KOLKATA
07.	P.K. Das-I, B.Sc.	01.03.55	02.08.78	20.05.79	02.08.78	29.08.89	DR	
08.	R.K. Goswami, B.Com.	07.08.54	23.07.78	28.05.79	23.07.78	29.08.89	DR	
09.	N. Bhattachanee, Matric	15.05.51	04.01.71	20.05.79	17.11.78	29.08.89	PR	
10.	A.K. Sharma, B.Sc.	21.01.54	29.07.78	28.05.79	29.07.76	29.08.89	DR	
11.	Hemen Gogoi, B.Sc.	01.01.55	24.07.78	28.05.79	24.07.78	29.08.89	DR	
12.	A.B. Dutta, B.Sc.	01.07.55	21.07.78	28.05.79	21.07.76	29.08.89	DR	
13.	R.K. Bhattachanee, P.U.	01.04.44	19.01.85	28.05.79	29.10.78	29.08.89	PR	
14.	S.K. Bose, B.A.	04.08.54	30.07.76	28.05.79	30.07.76	29.08.89	DR	On Deputation with NACEN, KOLKATA
15.	D.K. Nath, B.A.	11.07.52	02.08.78	28.05.79	02.08.78	29.08.89	DR	
16.	S. Paul, B.Sc.	05.04.54	26.07.76	28.05.79	26.07.76	29.08.89	DR	
17.	M. Marbaniang, (ST), B.Com.	24.02.54	30.09.78	13.12.80	30.09.78	29.08.89	DR	
18.	Agnu Ram Das, (SC) Matric	01.10.43	25.01.65	13.12.80	12.12.78	29.08.89	PR	
19.	Apalak Das, (SC), B.A.	20.02.53	17.11.75	13.12.80	22.09.78	29.08.89	DR	
20.	Chandi Das Baidya(SC) B.Sc.	20.11.46	30.09.78	13.12.80	30.09.78	29.08.89	DR	
21.	K.C. Mohan, B.A.	20.09.53	31.07.78	23.05.79	31.07.78	09.08.90	DR	
22.	C.M. Chakraborty, B.Sc.	26.12.51	26.07.76	28.05.79	26.07.78	09.08.90	DR	
23.	T.S. Sarkar, B.Sc.	02.05.55	27.07.76	26.05.79	27.07.76	09.08.90	DR	
24.	H.R. Saha, B.A.	16.03.51	13.07.78	28.05.79	13.07.76	09.08.90	DR	On Deputation with DRI, KOLKATA
25.	N.K. Chakraborty, B.Com.	01.03.44	01.03.62	26.05.79	02.06.76	09.08.90	DR	
26.	S. Bhownick, B.A.	23.01.54	26.07.76	28.05.79	26.07.78	09.08.90	DR	
27.	J.R.H. Diengdoh, (ST), B.Sc.LLB	28.01.50	04.10.78	13.12.80	04.10.78	09.08.90	DR	
28.	Pranab Kumar Barua, (SC) B.Sc.	05.09.53	03.10.78	13.12.80	03.10.78	09.08.90	DR	
29.	A.V. Duha, (ST), B.A.	01.03.51	13.09.75	31.10.77	13.09.75	20.06.91	DR	
30.	Md. Khurshed Ahmed, B.A.	01.03.52	30.07.78	28.06.79	30.07.76	20.06.91	DR	
31.	P.K. Das, -II, B.Sc.	01.03.48	06.02.74	23.05.79	30.07.78	20.06.91	DR	

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01	02	03	04	05	06	07	08	09
32.	P. Sharma, B.Sc.	01.09.56	29.07.76	28.05.79	29.07.76	20.08.91	DR	
33.	U.C. Das, M.A.	19.12.53	29.07.76	28.05.79	29.07.76	20.06.91	DR	On Deputation with DPO, KOLKATA
34.	Biman Dhar, B.Sc.	27.10.53	31.07.76	28.05.79	31.07.76	20.06.91	DR	
35.	B. Paul, B.Com.	23.01.53	28.07.75	28.05.79	02.08.78	20.06.91	DR	
36.	P.B. Nag, B.A.	25.10.52	26.07.76	28.05.79	26.07.76	20.06.91	DR	
37.	G.K. Sharma Boral, HSLC	09.01.48	15.02.72	28.05.79	29.10.76	20.06.91	PR	
38.	R. Lalnguraiva, (ST) B.A.	01.03.47	03.10.78	13.12.80	03.10.78	20.06.91	DR	
39.	N.C. Das, Matric	31.12.42	29.05.62	01.06.79	29.10.76	20.06.92	PR	
40.	D.K. Majumdar, B.Sc.	21.01.51	27.01.77	28.05.79	27.01.77	17.09.92	DR	
41.	A.K. Dutta, B.Sc.	01.02.53	27.01.77	28.05.79	27.01.77	17.09.92	DR	
42.	N.L. Roy, B.A.	01.09.45	20.01.85	01.06.79	28.01.77	17.09.92	DR	
43.	P.K. Singha Choudhury, B.Sc.	01.02.51	20.01.77	01.06.79	28.01.77	17.09.92	DR	
44.	I. A. Halim, B.Sc.	07.03.57	27.01.77	01.06.79	27.01.77	17.09.92	DR	
45.	T. Kar, B.A.	01.11.53	29.01.77	01.01.80	29.01.77	17.09.92	DR	
46.	N.K. Nath, B.Sc.	17.01.51	19.06.77	01.01.80	19.09.77	17.09.92	DR	
47.	M.K. Bose, B.Sc.	17.10.51	19.07.77	24.11.80	19.07.77	17.09.92	DR	
48.	A.K. Choudhury, B.A.	01.06.53	19.06.77	13.12.80	19.09.77	17.09.92	DR	
49.	Kisholoy Das, B.A.	19.03.55	04.10.78	13.12.80	04.10.78	17.09.92	DR	
50.	Utpal Kr. Das (ST), B.A.	01.12.52	30.10.78	13.12.80	30.10.78	17.09.92	DR	
51.	Dangshi Ram Boro (ST), Matric	01.02.44	25.01.85	13.12.80	25.11.78	17.09.92	PR	
52.	Swapan Kr. Roy, (SC), B.A.	16.03.51	10.11.80	01.10.81	10.11.80	17.09.92	DR	
53.	Debendra Ch. Das, (SC), B.A.	01.07.45	25.01.65	01.08.82	28.11.78	17.09.92	PR	
54.	N.C. Patra, (SC), B.Sc.	01.01.54	16.03.78	13.03.88	30.06.81	17.09.92	DR	
55.	Md. Joynul Abedin, B.Sc.	28.01.53	02.01.79	02.04.81	02.01.79	12.03.93	DR	
56.	A. Bhattacharjee, B.Sc.	01.03.56	25.09.78	13.12.80	25.09.78	12.03.93	DR	
57.	A. Chatterjee, B.Sc.	01.04.56	04.10.78	13.12.80	04.10.78	12.03.93	DR	
58.	P. Sikdar, B.Sc.	24.04.51	12.10.78	13.12.80	12.10.78	12.03.93	DR	
59.	B.K. Banerjee, B.Sc.	26.02.56	30.09.78	13.12.80	30.09.78	12.03.93	DR	On Deputation with DGI, New Delhi
60.	Sashidhar Pegu, (ST), B.A.	01.09.43	04.10.78	13.12.80	04.10.78	12.03.93	DR	
61.	S. Sharma, M.Sc.	31.03.52	25.11.78	13.12.80	25.11.78	07.06.93	DR	
62.	Jaquadish Ch. Das, B.A.	23.06.52	21.07.74	13.12.80	20.11.78	07.06.93	PR	
63.	Dhirendra Nath Bora, (ST), B.Sc.	01.05.48	04.10.78	13.12.80	04.10.78	07.06.93	DR	
64.	Biren Ch. Patra, (ST), B.A.	01.12.53	21.01.76	13.12.80	03.10.78	07.06.93	DR	
65.	K.C. Sarkar, Matric	05.07.48	25.01.85	13.12.80	27.11.78	07.06.93	PR	
66.	Alexander Lywait, (ST), B.Sc.	01.02.56	29.09.78	13.12.80	29.09.78	07.06.93	DR	
67.	Chandler-Shillai, (ST) B.A.	19.12.49	13.11.78	01.04.81	13.11.78	07.06.93	DR	
68.	K.K. Taneja, M.Sc.	09.01.55	08.03.79	01.04.81	08.03.79	07.06.93	DR	

To
The Commissioner
Central Excise
S H I L L O N G

date, 04.04.2001.

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(Through Proper Channel)

Sir,

Subject : - Representation of OBJECTIONS - in the
Seniority List of Group 'B' Superintendents
of Central Excise and Customs,
Commissionerate, S H I L L O N G.,

With due respects I am to represent my OBJECTIONS, for
your kind perusal and timely necessary actions; regarding the
above subject - Integrated Seniority list of Superintendents as
per C A T 's Judgement, dated 05.09.1995 in O.A NO. 241/91.,
circulated vide your office endorsement C.NO. II(34)5/ET.1/92/
30835-66 dated 22.3.2001, received at this end only on 3.4.2001.

I also pray for necessary restoration, restitution and
recompensation that might have accrued of the facilities I have
been deprived of, when amended.

That sir, as I peruse the cited seniority list of Group
'B' superintendents, I have observed many irregularities against
me and object to them as stated below : -

01. On 28.6.1991, I have been promoted to superintendent
vide Customs & Central Excise, Shillong, Establish-
ment Order NO. 144/91, dated Shillong, the 28th.
June, 1991, alongwith the following officers. The
order of seniority is also clearly mentioned in the
2 para of the order. I reproduce the same - 'The
seniority of the above officers in the grade will be
in the order shown above'. The order is as follows:

Sl. No.	Name
1.	Shri Aloysius Vanlalduha
2.	Shri Chiranjib Madhab Chakraborty
3.	Shri Tapas Swarup Sarkar
4.	Shri Himangshu Ranjan Saha
5.	Shri Narayan Kumar Chakraborty
6.	Shri Parimal Chandra Kar - Exp. in d
7.	Shri Subinaoy Bhowmik

A copy of the order in Annexure 'A' is enclosed
for your ready reference.

But, the present cited seniority list shows the
following officers, who are junior to me as my
seniors, namely,

1.	C.M. Chakraborty, in	in	sl.No. 79
2.	T.S.Sarkar	in	" 80
3.	H.R.Saha	in	" 81
4.	N.K.Chakraborty	in	" 82
5.	S.Bhowmik	in	" 83

and

6.	J.R.H.Lyngdoh (ST)	in	" 84
7.	Pranab Kumar Barua (ST)	in	" 85
8.	A.V.Duha (ST)	in	" 86

Attested
Advocate
16/3/03

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02. I am also thunderstruck to observe the following officers emerging as my seniors.: -

1. Shri J.R.H. Lyngdoh (ST)
2. Shri Pranab Kumar Barua (ST)

The above officers are much junior as per the List of - 'Seniority of superintendent as on 01.04.1995. Their seniority Sl.NO. are 121 and 123 respectively; whereas, my seniority Sl.NO. is 92.

A copy of the same in Annexure 'B' is enclosed for your kind reference.

03. As per Seniority list of superintendent, as on 01.04.1995, in Annexure 'B' as enclosed above :

I, (A.V.Duha (ST)), am shown in SL.NO. 92, senior to the following officers :

- | | |
|------------------------------|---------------|
| 1. Masterwel Marbaniang (ST) | in Sl.No. 103 |
| 2. Apalak Das | in " 104 |
| 3. J.R.H. Diengdoh (ST) | in " 121 |

But the present cited seniority list shows the following officers, who are junior to me as my seniors :

- | | |
|------------------------|--------------|
| 1. M.Marbaniang (ST) | in Sl.No. 74 |
| 2. Apalak Das | in " 76 |
| 3. J.R.H.Diengdoh (ST) | in " 84 |
| and I, (A.V.Duha (ST)) | in " 86 |

04. I was promoted on 28.6.1991., another irregularity is also come to the notice that the following officers are shown promoted alongwith me on 20.6.1991,

- | | |
|-------------------------|--------------|
| 1. Md. Khurshid Ahmed | in Sl.No. 88 |
| 2. P.K. Das | in " 89 |
| 3. Pranab Bhattacharjee | in " 90 |
| 4. P.Sharma | in " 91 |
| 5. U.C.Das | in " 92 |
| 6. Biman Dhar | in " 93 |
| 7. B.Paul | in " 94 |
| 8. P.B.Nag | in " 95 |
| 9. G.K.Sharma | in " 96 |
| 10. R.Lalngurauva | in " 97 |
| 11. Ramprasad Das | in " 98 |
| 12. Abhiram Das | in " 99 |

The above mentioned officers were promoted at later date than our batch.

05. As per - the ' All India list of superintendent of Central Excise, Group 'B' recruited/Promoted to the grade upto 31.12.1991 (corrected upto 1.2.1996)' - a copy in Annexure 'C' enclosed for your kind ready reference;

Shri Kiran Chandra Mohan is shown in Sl.NO. 1590, and I, (Aloysius Vanlalduha) is in next Sl.NO. 1591..

But the present cited seniority list shows irregularity of 7 (seven) officers between us, namely;

- | | |
|--------------------|--------------|
| 1. C.M.Chakraborty | in Sl.NO. 79 |
| 2. T.S.Sarkar | in " 80 |

05. (continued)

3. H.R.Saha	in Sl.NO.	81
4. N.K.Chakraborty	in "	82
5. S.Bhowmik	in "	83
6. J.R.H.Diengdoh (ST)	in "	84
7. Pranab Kumar Barua (SC)	in "	85

I am to state herein that the above officers in Sl.NOs. 1, 2, 3, and 4 are promoted alongwith me as my juniors; Reference of Annexure 'A' as enclosed maybe made; (Establishment Order NO.144/91, dated, Shillong, the 28th.June,1991).

06. On 23.09.1975, I joined the department;

But there is high irregularity that my junior officers of the 1976 and 1977 batches superseded in promotion, namely;

1976

1. Ranjit Kumar Baydya (SC)	in Sl.NO.	28
2. M.C.Hazarika (SC)	in "	29
3. Sukla Baidya (SC)	in "	30
4. L.S.Vanchhawng (ST)	in "	43
5. Asanta Borah (ST)	in "	48

1977

1. Sujan Kumar Das (SC)	in "	49
-------------------------	------	----

07. Irregularity is also observed in the present cited seniority list that the following officers of 1976, 1977, and 1978 batches are shown senior to me, namely;1976

1. Biswajit Sarkar	in Sl.NO.	44
2. Subir Kr.Chakraborty	in "	45
3. S.P.Chakraborty	in "	46
4. P.S.Purkaystha NO.1	in "	47
5. Ranjit Kr Dutta NO.1	in "	55
6. Indrajit Guha	in "	56
7. A.Hore	in "	57
8. A.Dasgupta	in "	58
9. B.B.Adhikari	in "	59
10. Gopendra Chandra Paul	in "	60
11. P.K.Das	in "	61
12. R.K.Goswami	in "	62
13. N.Bhattacharjee	in "	64
14. A.K.Sharma	in "	65
15. Hemen Gogoi	in "	66
16. A.B.Dutta	in "	67
17. R.K.Bhattacharjee	in "	68
18. S.K.Bose	in "	69
19. D.K.Nath	in "	70
20. S.Paul	in "	71
21. K.C.Mohan	in "	78
22. C.M.Chakraborty	in "	79
23. T.S.Sarkar	in "	80
24. H.R.Saha	in "	81
25. N.K.Chakraborty	in "	82
26. S.Bhowmik	in "	83

07.(continued)1977

1. Subodh Dhar (SC) in Sl.NO. 50

1978

1. Rama Kanta Das in Sl.NO. 53
2. M. Marbaniang (ST) in " 74
3. Agnu Ramdas in " 75
4. Apalak Das (SC) in " 76
5. Chandi Das Baidya in " 77
6. J.R.H.Diengdoh (ST) in " 84
7. Pranab Kr.Barua (SC) in " 85

08.

As per - Seniority list of superintendents, as on 01.04.1995 - copy in Annexure 'B' enclosed for your kind ready reference, that my seniority among the Schedule Tribe is No. 2, as shown below :

1. Dhangshi Ram Boro (ST) in Sl. NO. 81.
- And I, 2. Aloysius Vanlalduha (ST) in " 92

Irregularity is shown as I am placed in Sl.No. 92 among the Schedule Tribe, as shown below :-

1. M. Marbaniang (ST) in Sl.NO. 84
2. J.R.H. Diengdoh (ST) in " 85
- and I, 3. A.V. Duha (ST) in " 86

I, highly object as the above mentioned officers namely,

1. M. Marbaniang (ST) in Sl.No. 84
- and 2. J.R.H. Diengdoh (ST) in " 85, suddenly emerges out of the blue, showing senior to me; who are only No. 3 and 4 respectively among the Schedule Tribe.

As per - seniority list of superintendents as on 01.04.1995, copy in Annexure 'B' enclosed the seniority of the Schedule Tribe is as follows :

1. Dhangshi Ram Boro in Sl.No. 81
2. A.V.Duha in " 92
3. M. Marbaniang in " 103
4. John R.H.Diengdoh in " 121
5. R.Lalngurauva in " 122
6. Utpal Kumar Das in " 129
7. Shashidhar Pegu in " 138
8. Dhiredra Bora in " 139
9. Biren Ch. Patir in " 140
10. Alexander Lywait in " 141
11. Chandler Shullai in " 142
12. Rupnath Pegu in " 145
13. Kalparam Kachari in " 146
14. Chalau Hauzel in " 149
15. Thang Mang Hatlang in " 157

09.

It may also be noted that I have availed Ex-leave for 613 days, and the same had been regularised in the year 1991, and seniority determined in 1995, as on 01.04.1995.

- page 5 -

As are the above mentioned facts, I therefore, pray your good and kindness to peruse and make necessary corrections and amendments, so as to restore me to my original place of seniority.

I also pray and request to cause necessary recompensation of all facilities that might have accrued in the past on my account.

For which act of kindness I shall ever remain grateful.

Enclo : as stated
(15 sheets)

Yours faithfully,

Dated, Moran,
the 4th. April, 2001.

(ALOYSIUS VANLALDUHA)
alias
(A.V.DUHA)
Superintendent
Central Excise & Customs
Moran Range,
Dibrugarh Division

The Commissioner
Central Excise
S H I L L O N G

Date 16.05.2001

(Through Proper Channel)

Sir,

Subject : - Representation of OBJECTIONS - in the Seniority list of Group 'B' Superintendents as on 01.05.2001 of Central Excise & Customs Commisionarate, S H I L L O N G.,

With all humility and respects, I am yet to represent to your good and kindself my objections, for your kind perusal and timely necessary action; regarding the above mentioned subject; circulated vide your office endorsement C.NO.II(34) ET.I/92/24248-85 dated 3.5.2001 in amendment to previous list endorsed under the same file dated 22.3.2001.

I also pray for necessary amendment, restoration, restitution and recompensation that might have accrued of the facilities I have been deprived of, when amended.

That Sir, after careful scrutiny of the list (enclosed for ready reference), it is observed that my previous representation dated 04.04.2001, does not seem to be examined in minute details. As such, I request your kind perusal for Irregularities as stated below : -

01. On 28.6.1991, I have been promoted to Superintendent, vide Customs & Central Excise, Shillong, Establishment Order NO.144/91, dated Shillong, the 28th. June, 1991, alongwith the following officers. The order of Seniority is also clearly mentioned in the 2 para of the order. I reproduce as follows - 'The seniority of the above officers in the grade will be in the order shown above'. The order is as follows :-

<u>Sl.No.</u>	<u>Name</u>
1.	Shri Aloysius Vanlalduha
2.	Shri Chiranjib Madhab Chakraborty
3.	Shri Tapas Swarup Sarkar
4.	Shri Himangshu Ranjan Saha
5.	Shri Narayan Kumar Chakraborty
6.	Shri Parimal Chandra Kar
7.	Shri Subinaoy Bhowmik

A copy of the order in Annexure 'A' is enclosed for your ready reference.

But, the present order shows with irregularity thus : -

1.	C.M.Chakraborty,	in	Sl.NO.	28
2.	T.S.Sarka	in	"	29
3.	H.R.Saha	in	"	30
4.	N.K.Chakraborty	in	"	31
5.	S. Bhowmik	in	"	32

and

Attested
Advocate
18/3/03

- page 2 -

6. J.R.H.Lyngdoh (ST) in Sl.No. 33
 7. Pranab Kumar Barua (SC) in " 34
 then only myself
 8. A.V.Duha (ST) in " 35

02. I am also thunderstruck to observe the following officers emerging as my seniors, namely, : -

1. Shri J.R.H.Lyngdoh (ST)
 2. Shri Pranab Kumar Barua (SC)
 in between the cited promotion order.

03. In column 06 the date of joining as Inspector should be shown as 23.09.1975

In column 04 the date of apptt. in Govt. service should be shown as 23.09.1975

04. As per - Seniority list of Inspector (Now Superintendent) Revised as per HON'BLE, CAT, Guwahati's Order Dated 05.09,1995 in O.A. NO.241/91. a copy enclosed in Annexure 'D', in Sl.No.59. I should have been among the Schedule Tribe Sl.NO. 1

But out of the blue, among the Schedule Tribe two officers emerges as my seniors in the last seniority list, which is irregular, namely,

1. M.Marbanliang (ST) in Sl.NO. 23
 2. J.R.H.Diengdoh (ST) in " 33
 and I, come in
 3. A.V.Duha (ST) in " 35

As are the above mentioned facts, I therefore, pray your good and kindself to peruse the list weeding whims that might have cropped up and make necessary corrections and amendments, so as to restore me back to my original place of seniority.

For which act of kindness I shall ever remain grateful.

Enclo: as stated
 (10 sheets)

Yours faithfully,

A. Duha
 (ALOYSIUS VANLALDUHA)

alias

(A.V.DUHA)

Superintendent of
 Central Excise & Customs
 Moran Range
 DIBRUGARH Division

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCHAnnexure-9
~~Annexure-11~~
11

Original Application No.241/91

Date of Order: This the 5th Day of September 1995.

JUSTICE SHRI M.G.CHAUDHARI, VICE-CHAIRMAN
SHRI G.L.SANGLYINE, MEMBER (ADMN)1. Shri Biman Dhar,
Inspector, Customs & Central Excise,
PSC-II, Range
Guwahati ... Applicant.

By Advocate Mr.B.K.Sharma, Mr.M.K.Choudhury, Mr.A.K.Roy.

-Vs-

1. Union of India
represented by the Secretary
Ministry of Finance
New Delhi.
2. Secretary, Central Board of Excise,
and Customs,
New Delhi
3. The Collector,
Customs and Central Excise,
Shillong-793001.
4. Shri Rasik Chandra Suklabaidya,
5. Shri Niranjan Bhattacharjee,
6. Shri Ranjit Kumar Bhattacharjee
7. Shri Santosh Banik.
8. Shri Atul Chandra Das,
9. Shri Parimal Chandra Kar
10. Shri Gopal Krishna Sarmabaral,
11. Shri Mohan Chandra Hazarika,

Respondents No.4 to 11 are all Inspectors under the
Collector of Customs and Central Excise, Shillong-793001.

...Respondents.

By Advocate Mr.A.K.Choudhury, Addl.C.G.S.C.

ORDER.CHAUDHARI J.(VC):

1. In the absence of the learned advocate for the
applicant we have gone through the record and have heard
Advocate Mr.A.K.Choudhury Addl.C.G.S.C. for respondents 1 to 3 and
proceed to dispose of the O.A. on merits acting under

Attested
Advocate
16/03/02

Rule 15 of the CAT Procedure(Rules)1987. None of the private respondents have appeared.

2. The applicant assails the seniority list of Inspectors of Customs and Central Excise as on 1-1-90 and prays that it be quashed and the official respondents be directed to rectify the same and assign correct seniority position to him above the respondents No.4 to 11 in the light of judgment of the Cuttack Bench of the Central Administrative Tribunal in O.A.No.62 of 1971 (and companion matters) dated 10-4-89 with all consequential benefits. In paragraph 4.10 of the O.A. it is averred that the directions given by Cuttack Bench ^{not} ought to be confined to the direct recruits alone who approached the Tribunal but the same principle should necessarily be extended to all the direct recruits and their seniority position should be revised and fixed accordingly.

3. In the order of the Cuttack Bench aforesaid dated 10-4-89(Annexure 2) it was held that the quota rule of recruitment had failed in as much as there was large scale deviation and consequently the rota rule of seniority cannot be given effect to and the date of appointment to the grade of Inspectors(O.G.) Central Excise and Customs should determine the seniority. The present respondents 1 to 3 were the respondents in that case. They were directed to recast the seniority of the parties to that O.A. in the light of the principles contained in O.M. dated 7-3-86 of the Department of Personnel and Training.

3. The respondents have not offered any comments in the W.S. about the aforesaid averment of the applicant

could/-

(contained in paragraph 4.10 of the O.A.). They have rather stated in paragraph 7 of the written statement that no decision on the representation of the applicant could be taken as the same is a policy matter and that the seniority has ^{been} determined on the basis of existing instructions on seniority in force at the relevant period. This is stated in answer to the averment in paragraph 4.11 of the application that the applicant had filed representation on 22-7-91 to the Collector Customs and Central Excise claiming rectification of the seniority list and restoration of the seniority but that was not considered by the respondents.

4. It appears to us reasonable that the respondents should dispose of the representation of the applicant on merits in the light of the decision of the Cuttack Bench (Annexure 2).

5. It is stated by Mr. Choudhury that after the order on M.P. 21/92 dated 4-2-92 was passed the applicant has been promoted as Superintendent of Customs and Central Excise. In paragraph 9 of the written statement it is stated that the seniority list of Inspectors as on 1-1-91 was circulated in December 1991 and it was based on the guidelines of Govt. dated 7-2-1986 and it cannot be reopened. However in our view the question of assigning correct seniority to the applicant in the promotional post has to be decided in the light of the decision of the Cuttack Bench. That can be adequately decided while disposing of the representation.

6. We therefore direct the respondent No. 3 to dispose of the representation of the applicant in the light of the above observations as expeditiously as

contd/-

-4-

practicable after receiving the copy of this order and communicate the decision taken thereon to the applicant.

It is needless to add that ^{if} the applicant would be aggrieved by that decision he will be at liberty to adopt such remedies as he may be advised in accordance with the law. The O.A. is disposed of accordingly.

order as to costs.

Sd/- VICE CHAIRMAN

Sd/- MEMBER (ADMIN)

TRUE COPY

प्रतिलिपि

[Signature]
28/11/75

Section Officer (J)

आनुमान अधिकारी (न्यायिक शाखा)
Central Administrative Tribunal
केन्द्रीय प्रशासनिक अधिकरण
Guwahati Bench, Guwahati-5
गुवाहाटी - ६.३.१०, गुवाहाटी-५

29/11

LM

[Handwritten mark]

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.111 of 2001

Date of decision: This the 16th day of May 2002

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

The Hon'ble Mr K.K. Sharma, Administrative Member

Shri Debajyoti Mishra,
Inspector,
Office of the Assistant Commissioner,
Central Excise, Dibrugarh Division,
Dibrugarh, Assam.

.....Applicant

By Advocates Mr J.L. Sarkar, Mr M. Chanda,
Mrs N.D. Goswami, Mr G.N. Chakraborty and
Mr S. Ghosh.

- versus -

1. The Union of India, represented by
The Secretary to the Government of India,
Revenue Department, Ministry of Finance,
New Delhi.

2. The Chairman,
Central Board of Excise & Customs,
New Delhi.

3. The Collector,
Central Excise,
Shillong.

4. The Secretary to the Government of India,
Ministry of Personnel,
Public Grievances and Pensions,
Department of Personnel & Training,
New Delhi.

5. Shri Arun Kumar Chaturvedi

6. Shri D.K. Verma

7. Shri Khanindra Nag

8. Shri Susmal Das,

9. Shri Jambu Lamba

10. Shri Nitya Gopal Barma

11. Shri A. Swami

12. Shri Bapukan Patir

13. Shri Raju Sonowal

14. Shri Gobinda Thabrah

15. Shri J. Tuankhsthang

16. Shri Pabitra Kumar Reang

17. Shri Paresh Debnath

18. Shri Bijoy Kr. Deb

19. Shri Jahar Dey

20. Shri N.C. Singh Singjam

21. Shri A. Chakraborty

22. Shri T.K. Sarkar



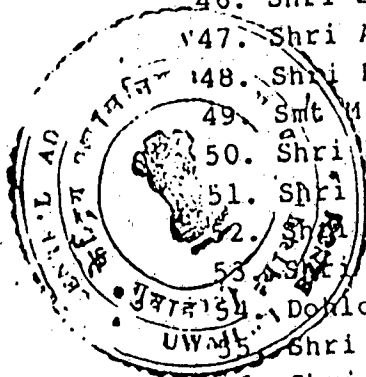
Attested
Advocate
16/03/03

23. Shri Partha Sarathi Das
24. Shri Arabinda Dutta
25. Shri Koj Tat
26. Shri B.M. Saha
27. Shri R.K. Sarkar
28. Shri Sukanta Das
29. Shri Biren Saikia
30. Shri Subrangshu Deb
31. Smt Ninamani Phukan
32. Shri Alok Chakraborty
33. Shri Nalini Mohan Biashya
34. Shri Ranjit Kr. Sharma
35. Shri Amrit Kr. Saikia
36. Shri Deepak Bhattacharjee
37. Shri Amar Kr. Singha
38. Shri Dinesh Mohanta
39. Shri Partha Sarathi Purkayastha
40. Shri Pranab Kr. Sharma
41. Shri Aswini Kr. Das
42. Shri Manoj Kr. Brahma
43. Shri Padmeswar Pegu
44. Shri Naba Krishna Baruah
45. Shri Binoy Kr. Bashing
46. Shri Subodh Ch. Basumatari
47. Shri Achinta Kr. Sonowal
48. Shri Bidya Bhushan Saikia
49. Smt M. Synnah
50. Shri M.M. Neog
51. Shri D.N. Doley
52. Shri Gangadhar Das
53. Shri Debendra Moshahary
54. Shri Donlong
55. Shri Khagendra Nath Daimary
56. Shri Bikash Kr. Saikia
57. Shri Jagadish Chandra Das.

Respondent Nos.5 to 57 are working as
Inspectors/Superintendent Group 'B' of
Customs and Central Excise under the
Commissioner of Customs and Central Excise,
Shillong.

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

.....Respondents



ORDER (ORAL)CHOWDHURY.J. (V.C.)

In this application under Section 19 of the Administrative Tribunals Act, 1985, following are the reliefs sought for:

"8.1 That the impugned order dated 11.1.2001 rejecting the claim of the applicant, seniority list as on 21.10.94 published vide letter No.C No.II(34)I/ET-1/91/PT-I dated 24.10.94 and the letter No.C. No.II(34)/ET-I/91/PT-I/9466-550 dated 27.4.95 whereby draft seniority is declared as final be set aside and quashed.

8.2 That the letter No.C.No.II(34)10/ET-I/93 (Annexure-13) whereby impugned seniority list published as on 1.7.99 is be set aside and quashed.

8.3 That the Respondents be directed to maintain seniority position of the applicant and private Respondents which was assigned as on 1.1.84 and also on 1.1.93 in terms of seniority principles laid down in the Office Memorandum dated 22.12.59 and also in terms of para 7 of the O.M. dated 7.2.1986.

8.4 That the decision of the Revenue Boards for refixation of seniority communicated vide telex F. NO.23024/5/5/92-AD-III dated 4.10.94 be set aside and quashed.

8.5 That the applicant be declared senior to the private respondent No.5 to 58 in the grade of Inspector in Customs and Central Excise for all purposes.

8.6 That the imugned promotion order issued under Estt. Order No.167/95 dated 7.6.95 be set aside and quashed in respect of private respondent Nos.5 to 14.

8.7 That the respondents be directed to hold Review DPC to consider the promotion of the applicant with all consequential benefits to grade of Superintendent Group 'B' in respect of the applicant as Inspector.



8.8 That impugned promotion orders issued under Estt. Order NO.362/95 dated 11.12.95, 69/96 dated 29.3.96, 184/96 dated 29.9.96, 156/97 dated 8.7.97, 206/97 dated 3.10.97, 228/97 dated 19.11.97 and 238/97 dated 8.12.97 be set aside and quashed. (Any other promotion order/orders promoting the juniors to the applicant during the pendency of this application also be set aside and quashed."

2. The crux of the issue raised in this application is the interse seniority of the applicant vis-a-vis the respondents. Being aggrieved by the fixation of interse seniority the applicant came before this Tribunal by way of O.A.No.171 of 1995. The O.A. in question was taken up alongwith like cases by the Tribunal and by order dated 22.1.1999 remanded the matter to the authority to each case in the light of the observations made therein. Consequent to the Judgment and Order dated 22.1.1999 the applicant also submitted representation for refixation of his seniority. A draft seniority list in the grade of Inspector as on 1.7.1999 was circulated vide order dated 20.8.1999. In that seniority list the name of the applicant was shown below the respondents. The applicant submitted his representation on 14.12.1999. Finally, by the impugned order dated 11.1.2001 the representation was fraudly rejected and the authority decided to adhere to the seniority list dated 13.7.1998 issued under C.No.11(34)1/ET:1/96/28968-290(A).

3. In this application the applicant stated and contended that prior to issuance of the impugned notification, the applicant was all throughout assigned as senior to the respondent Nos.5 to 57 in the grade of Inspector. The applicant pleaded that he was appointed in the grade of Inspector with effect from 16.11.1982 and on

the.....

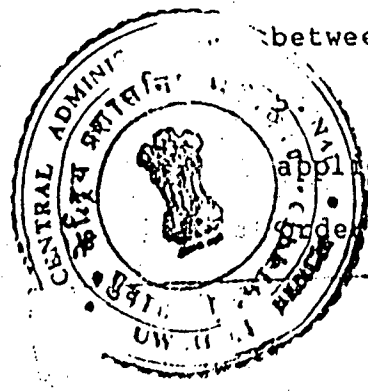
the basis of his entering into service, the seniority position assigned as on 1.1.1984 and 1.1.1993, the applicant was shown above the private respondents. However, by the interse seniority list as on 21.10.1994 the applicant was shown junior to the private respondents, which was the subject matter in O.A.No.171/1995. The applicant contended that the interse seniority was determined on the basis of O.M. dated 22.12.1959 which was modified by O.M. dated 7.2.1986. Mr J.L. Sarkar, learned counsel for the applicant, submitted that the O.M. dated 7.2.1986 itself indicated that the 1986 O.M. was to come into effect from 1.1.1986 and the seniority already determined in accordance with the existing principles on the date of issue of the O.M. dated 7.2.1986 was not to be re-opened. The O.M. was clearly prospective and the same was upheld by the Hyderabad Bench of the Tribunal in O.A.No.1323 of 1993 and connected O.A.s disposed of on 13.2.1997.

4. We have heard the learned counsel for the parties at length. Upon hearing the parties we are of the opinion that the matter requires further reconsideration at the official level. The order dated 11.1.2001 itself indicated that the respondents failed to apply its mind to the fact situation. In the impugned order dated 11.1.2001 it had mentioned that the authority decided to adhere to the revised seniority list dated 13.7.1998 issued under C. No.11(34)1/ET.1/96/28968-290(A). We have perused the revised seniority list circulated vide C.No.11(34)1/ET.1/96/28968-290(A) dated 13.7.1998 which related to the seniority list of Inspectors subsequently promoted as Superintendents. The applicant was not promoted as

Superintendent.....

Superintendent and therefore, his case could not have been linked with those cases. At any rate, the matter requires reconsideration by the authority. As was earlier ordered by the Tribunal while determining the interse seniority between the applicant and the private respondents, the respondents were also to take note of the decision rendered by this Bench including the decision of the Hyderabad Bench in O.A.No.1323/1993 and also the O.M. dated 7.2.1986 which was made applicable prospectively. The applicant may also submit a fresh representation, if so advised, within two weeks from the date of receipt of the order and on receipt of such representation, the respondents are directed to redetermine the interse seniority of the applicant vis-a-vis the private respondents as expeditiously as possible, preferably within two months from the date of receipt of such representation. We, however, decline to pass any order on the promotion matter since we have remanded the matter to the authority for determination of the interse seniority between the applicant and the private respondents.

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



Certified to be true copy
প্রমাণিত প্রকৃত নকল

Sd/MEMBER(A)
Sd/MEMBER(J)

nkm

President Officer (J)
অসম প্রশাসনিক আদালত (অসম প্রশাসনিক আদালত)
Central Administrative Tribunal
Guwahati Bench, Guwahati
গুৱাহাটী বেঞ্চ, গুৱাহাটী

MOST IMMEDIATE
COURT MATTER

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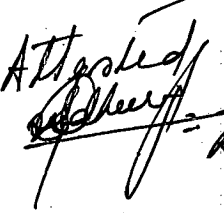
F No. A23010/397A/III
GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE

New Delhi, Dated the June 18, 2001

Subject : All India Seniority List of Superintendents of Central Excise, Group 'B' promoted / appointed upto 31.12.1992 --Corrections therein in respect of Shillong Commissionerate - regarding

Consequent upon revision of seniority position of Superintendents of Central Excise, Group 'B' in the Commissionerate's seniority list by the Commissioner of Central Excise, Shillong, in the light of implementation of CAT, Guwahati Bench's order dated 8.2.2001 in O.A. No.237/1999, the all India seniority list of Superintendents of Central Excise, Group 'B' appointed / promoted from 1.1.1986 to 31.12.1992 is amended as under :-

Sr. No.	Existing Position	Revised Position	Name/ DOB Category	Date of appl. as Supdt/ Deemed date as appl./ date of appl. as Inspector	Commissionerate	Remarks
1	2	3	4	5	6	7
1.	489	462.1	M.K.CHAKRABORTY 01.03.40	24.04.87 ----- 02.08.72	SHILLO- NG	PROMOT- ED A.C.
X 2.	572	462.2	PROBIR KR. BOL 01.05.36	24.04.87 ----- 02.08.72	SHILLO- NG	RETIRED
X 3.	591	462.3	D.K. BHATTACHARJEE 01.02.36	24.04.87 ----- 02.08.72	SHILLO- NG	RETIRED
X 4.	592	462.4	P.SHARMA 01.08.39	24.04.87 ----- 02.08.72	SHILLO- NG	RETIRED
X 5.	593	462.5	G.C.CHATTERJEE 01.11.39	24.04.87 ----- 02.08.72	SHILLO- NG	RETIRED

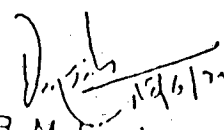
Attested

 Advocate
 16/02/03

✓ 62.	2243	1813.13	HEMEN GOGOI 01.01.55	29.08.89 21.07.76	SHILLO- NG	Promoted vide order no. 206/2002 dt. 10.12.2002.
✓ 63.	2251	1813.14	A.B. DUTTA 01.07.55	29.08.89 21.07.76	SHILLO- NG	"
✓ 64.	2252	1813.16	R.K. BHATTACHARJEE 01.04.44	29.08.89 29.10.76	SHILLO- NG	"
✓ 65.	2308	1813.16	S.K. BOSE 14.08.54	29.08.89 30.07.76	SHILLO- NG	"
✓ 66.	2402	1813.17	D.K. NATH 11.07.52	29.08.89 02.08.76	SHILLO- NG	"
✓ 67.	2642	1813.18	S. PAUL 05.04.54	29.08.89 29.07.76	SHILLO- NG	"
X 68.	2412	1813.19	S. BANIK 01.02.41	29.08.89 19.11.76	SHILLO- NG	RETIRED
X 69.	1220	1013.20	MS M. SWER (ST) 31.03.39	29.08.89 22.11.70	SHILLO- NG	RETIRED
✓ 70.	3265	1813.21	M. MARBANIANG (ST) 24.02.54	29.08.89 30.09.78	SHILLO- NG	Promoted vide order no. 206/2002 dt. 10.12.2002.
✓ 71.	2196	1813.22	AGNU RAM DAS (SC) 01.10.43	29.08.89 12.12.78	SHILLO- NG	"
✓ 72.	3266	1813.23	APALAK DAS (SC) 20.02.53	29.08.89 22.09.78	SHILLO- NG	"
✓ 73.	4073	1813.24	CHANDI DAS BAIDYA (SC) 20.11.46	29.08.89 30.09.78	SHILLO- NG	"
✓ 74.	2709	2222.1	K.C. MOHAN 20.09.53	09.08.90 31.07.76	SHILLO- NG	"
✓ 75.	2711	2222.2	C.M. CHAKRABORTY 26.12.51	09.08.90 26.07.76	SHILLO- NG	"

✓ 76	2712	2222.3	T.S. SARKAR 02.05.55	00.00.00 ----- 27.07.70	SHILLO- NG	Promoted vide order 10.06/2002 Dt. 10.12.2002.
✓ 77	2713	2222.4	H.R. SAHA 16.03.51	09.08.90 ----- 13.07.76	SHILLO- NG	"
✓ 78	2714	2222.6	N.K. CHAKABORTY 01.03.44	00.00.00 ----- 02.08.76	SHILLO- NG	"
✓ 79	2716	2222.6	S. BHOWMICK 23.01.54	09.08.90 ----- 26.07.76	SHILLO- NG	1/
✓ 80	3530	2222.7	J.R.H. DIENGDOH (ST) 28.02.50	09.08.90 ----- 04.10.78	SHILLO- NG	"
✓ 81	4100	2222.8	PRANAB KR. DARUA (SC) 05.09.53	09.08.90 ----- 03.10.78	SHILLO- NG	"
✓ 82	2710	2777.1	A.V. DUHA (ST) → (1) 01.03.51	20.06.91 ----- 13.09.75	SHILLO- NG	
83	2777A	2777.2	R.S. PATTHAIK 04.09.51	20.06.91 26.06.91 01.11.75	BHUDA- NES- WAR	
84	2777B	2777.3	P.L. LENKA 16.01.53	26.06.91 ----- 04.11.75	BHUDA- NEW- WAR	
X 85	2715	2777.4	PARIMAL CH. KAR 04.06.45	20.06.91 ----- 02.08.76	SHILLO- NG	EXPIRED
86	2717	2777.5	MD. KHURSHED AHMED 01.03.52	20.06.91 ----- 30.07.76	SHILLO- NG	
87	2718	2777.6	P.K. DAS NO.2 01.03.48	20.06.91 ----- 30.07.76	SHILLO- NG	
X 88	3264	2777.7	PRANAB BHATTACHARJEE 14.02.52	20.06.91 ----- 29.07.76	SHILLO- NG	EXPIRED
89	3491	2277.8	P. SHARMA 01.09.56	20.06.91 ----- 29.07.76	SHILLO- NG	

90.	3536	2777.9	U.C. DAS 19.12.53	20.06.91 29.07.76	SHILLO- NG	
91.	3537	2777.10	BIMAN DIHAR 27.10.53	20.06.91 31.07.76	SHILLO- NG	
92	3010	2777.11	B. PAUL 23.01.53	20.06.91 02.00.76	SHILLO- NG	
93	3019	2777.12	P.D. NAG 25.10.52	20.06.91 26.07.76	SHILLO- NG	
94.	2719	2777.13	G.K. SHARMA DORAL 09.01.40	20.06.91 29.10.76	SHILLO- NG	
✓ 95.	-----	2777.14	R. LALNGURAUVA (ST) 01.03.57	20.06.91 03.10.70	SHILLO- NG	Promoted vide order no. 206/2002 D. 10.12.2002
96.	3490	2777.15	RAMPRASAD DAS (SC) 01.10.41	20.06.91 22.11.70	SHILLO- NG	
X 97.	----	2777.16	ADHIRAM DAS (SC) 01.02.40	20.06.91 20.02.79	SHILLO- NG	RETIRED
X 98.	3020	3644.1	SUNIL CH. DHOWAL 10.01.39	20.06.92 30.10.76	SHILLO- NG	RETIRED
X 99.	3034	3644.2	D.C. BISWAS 01.03.39	20.06.92 30.10.76	SHILLO- NG	RETIRED
100.	4004	3644.3	N.C. DAS 31.12.42	20.06.92 29.10.76	SHILLO- NG	
X 101.	-----	3930.1	BIJOY KRISHNA DEB-I 01.02.30	17.09.92 13.11.76	SHILLO- NG	RETIRED
X 102.	-----	3930.2	M. SUPRA SINGH 01.07.35	17.09.92 26.10.76	SHILLO- NG	RETIRED
103.	3021	3930.3	D.K. MAJUMDAR 21.01.51	17.09.92 27.01.77	SHILLO- NG	

2. The seniority position mentioned under column Number 2 stand deleted in the seniority list of Superintendent of Central Excise, Group 'B' mentioned above. The date of assumption of charge against the officers listed at serial Nos. 453 to 462 in the aforesaid seniority is corrected as 24.4.1987.


(R. M. Singh)
for DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA

Copy forwarded to :-

1. The under Secretary, Ad.II Section, Department of Revenue, New Delhi.
2. All Commissioners of Central Excise,
3. The Commissioner of Central Excise, shillong.
4. Office folder


(R. M. Singh)
for DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA

GOVERNMENT OF INDIA
MINISTRY OF FINANCE & COMPANY AFFAIRS
DEPARTMENT OF REVENUE
CENTRAL BOARD OF EXCISE & CUSTOMS

New Delhi, Dated: December 10, 2002

OFFICE ORDER NO. 206/2002

Subject: Promotion, Posting & Transfer in the grade of Assistant Commissioner of Customs & Central Excise - reg.

The President is pleased to order that the officers in the grade of Custom Appraisers, Superintendents of Customs(Prev) and Superintendents of Central Excise, whose names appear in Annexure I, II & III respectively of this order are promoted on purely ad-hoc basis to officiate in the grade of Assistant Commissioner of Customs & Central Excise in the pay scale of Rs.8,000-275-13,500/- with effect from the date(s) they assume charge of the higher post and until further orders.

2. These promotions to the grade of Assistant Commissioner of Customs & Central Excise have been made purely on ad-hoc basis for a limited period of Six months. Besides, the above promotions do not confer on the officers so promoted any claim for continued officiation in the grade of Assistant Commissioner and the period of such service will not count for seniority or as qualifying service for further promotions.

3. Consequent upon these promotions, the postings/transfer of officers in the grade of AC/DC are ordered as per Annexure IV. The Officers promoted/transferred under this order should assume the charge of their new post latest by 23.12.2002 positively. If an officer fails to assume charge of his promotion post by 23.12.2002, it will be treated as refusal of promotion and will be dealt with accordingly. However, the concerned Commissionerates should ensure that no officer in the promotion list is relieved if he is under suspension or facing any chargesheet or prosecution and report this fact to the Board immediately.

4. These promotions would be subject to outcome of the pending Court/ CAT Cases in C.P.No.107/2001 in O.A.Nos 485/99 & 556/99 in CAT, Mumbai Bench, CWP No.1324/2002 in Bombay High Court, O.A.Nos 29/2002 & 525/2002 in CAT, Mumbai Bench, O.A.No.1127/2002 in CAT, Principal Bench, New Delhi, CWP NO. 15764/2002 in Madras High Court and such other cases.

5. With these orders all the representations/requests received so far from the officers in the grade of AC/DC regarding transfer & posting stand disposed of.

6. The Annexures I, II, III & IV to this order are enclosed.

(R.S.MEENA)

Deputy Secretary to the Government of India

Attested
Advocate
16/03/03

ANNEXURE-IIISUPERINTENDENTS OF CENTRAL EXCISE

Sr. No.	Name of the officer(s) Date of Birth	Commissionerate
1.	Baljinder Singh Gill 12 02 53	Chandigarh
2.	Rajinder Singh 15 10 51	Chandigarh
3.	Babua Tuddu 25 05 52	Patna
4.	S K Bhaskar 22 01 52	Delhi
5.	N G Sabhadadpuri 15 08 52	Delhi
6.	Smt M M Joshi 31 07 45	Mumbai
7.	Kamta Prasad 01 01 45	Allahabad
8.	K R Surendran 01 01 52	Cochin
9.	Barhu Ram 13 07 46	Allahabad
10.	G Divakaran Nair 12 04 51	Cochin
11.	Ranjit Kumar Dutta-I 10 08 51	Chandigarh / Shillong
12.	Indrajit Guha 07 05 56	Shillong
13.	Amitabha Hore 31 07 53	Shillong
14.	Abhijit Das Gupta 12 01 53	Shillong
15.	Bijan Bandhu Adhikari 23 11 53	Shillong
16.	P K Das-I 01 03 55	Shillong
17.	R K Goswami 07 06 54	Shillong
18.	N Bhattacharjee 15 05 51	Shillong
19.	Hemen Gogoi 01 01 55	Shillong
20.	A B Dutta 01 07 55	Shillong
21.	R K Bhattacharjee 01 04 44	Shillong
22.	S K Hore 04 08 54	Shillong
23.	D K Nath 11 07 52	Shillong
24.	S Paul 05 04 54	Shillong

25.	M Marbaniang 24 02 54	Shillong
26.	Agru Ram Das 01.10.43	Shillong
27.	Apalak Das 20.02.53	Shillong
28.	Chandi Das Baiddya, 20 11 46	Shillong
29.	P R. Katare 12 09 50	Indore
30.	P C Savena 08.07.43	Indore
31.	E Sukhmaran 03.01.52	Cochin
32.	O. Mohammed Ashraf 26 07 52	Cochin
33.	S.N Sharma 20 07 44	Jaipur
34.	Atma Prakash Mehta 11.01.52	Jaipur
35.	M G Mathad 01.07.43	Mumbai
36.	Rajinder Kumar Sood 02 10 53	Chandigarh
37.	S.T. Shivsharan 01.04.49	Mumbai
38.	M H. Bukelia 18 12 52	Mumbai
39.	Madhukar Sharma 13 09 50	Jaipur
40.	Surjit Singh Dhillon 12 12 52	Delhi
41.	C K Savidharan Nair 10.05.51	Cochin
42.	S L. Bansal 14 07 52	Jaipur
43.	K M Gregory 19 11 45	Cochin
44.	M Balaji Rao 14 06 50	Chennai
45.	S Gabriel Pandian 17 05 50	Chennai
46.	M G Rajkumar 10 01 46	Chennai
47.	R D More 15 04 47	Mumbai
48.	R K Tuplondhe 18 07 46	Mumbai
49.	B L. Kasture 15 12 49	Mumbai
50.	T R Rasal 15 02 46	Mumbai
51.	P T Shikhare 01 06 49	Mumbai

187	K C Mohan 20 09 53	Indore <i>Shillong</i>
188	C M Chakraborty 26 12 51	Indore "
189	T S Sarkar 02 05 55	Indore "
190	H R Saha 16 03 51	Indore "
191	N K Chakraborty 01 03 44	Indore "
192	S Bhowmick 23 01 54	Indore "
193	J R H Diengdoh 28 02 50	Indore "
194	Pranab Kumar Barua 05 09 53	Indore "
195	Hadibandhu Saho 23 03 50	Bhubaneswar
196	Arjun Kishore Panda 06 03 50	Bhubaneswar
197	K P H Paul Mohammed 05 09 50	Chennai
198	M M Viswanath 03 01 51	Chennai
199	K S Subramanian 26 02 52	Chennai
200	M Premkumar 26 03 52	Chennai
201	R K Mittal 04 12 52	Delhi
202	R C Sharma 27 01 54	Delhi
✓ 203	Ashish Bijoy Dutta 01 07 55	Shillong
✓ 204	Ranjit Kr. Bhattacharjee 01 04 44	Shillong
205	P D Dhure 15 04 43	Mumbai
206	I Sadanandakumar 07 04 47	Hyderabad
207	A S Kuruvila 04 06 51	Cochin
208	P C Skaria 14 01 51	Cochin
209	Madan Mohan 27 08 54	Delhi
210	M R Jakati 09 07 49	Bangalore
211	V K Kaul 27 07 50	Chandigarh
212	V K Mishra 05 07 52	Jaipur
213	D Y Raje 30 06 50	Mumbai

160	Sohan Singh 15.04.53	Jaipur
161	S N B Sharma 25.02.53	Jaipur
162	B J Ghode 01.06.49	Mumbai
163	R N Yadav 25.06.46	NC, Gwalior
164	V N Lad 01.02.50	Mumbai
165	D Ramaprasad 05.05.49	Hyderabad
166	C Duraimani 18.01.47	Chennai
167	S Jayakumar 10.01.50	Chennai
168	P Murugesan 11.05.49	Chennai
169	Felix Micheal Amalraj 09.03.53	Chennai
170	N Viswanathan 12.12.51	Chennai
171	B V Kulthe 04.10.46	Indore
172	R N Tripathi 16.12.51	Indore
173	N D Jakati 03.04.47	Indore
174	Rakesh Sharma 30.06.50	Indore
175	D A Nistane 13.11.50	Indore
176	Ijveer Singh 24.01.50	Allahabad
177	A W Shaikh 22.11.50	Mumbai
178	S P Panjabi 09.06.51	Mumbai
179	M A Samiullah 29.12.46	Mumbai
180	M Murali Manoharan 07.06.48	Chennai
181	N Jayabalakrishnan 04.05.50	Chennai
182	K Balasundaram 17.05.50	Chennai
183	S K Mathur 27.05.52	Indore
184	Gautam Banerjee 27.08.50	Delhi
185	E E J Premnand 03.06.50	Chennai
186	A D Thakre 08.08.50	Indore

268	N C Halder 30 10 48	Kolkata
269	D K Mondal 26 07 47	Kolkata
270	M L Mondal 13 06 44	Kolkata
271	Vikram Fulzele 17 08 47	Indore
272	V R Waghmare 08 12 50	Indore
273	Jaideo Dongre 05 05 52	Indore
274	G G Patke 12 01 53	Indore
275	N B Deshmukh 01 03 53	Indore
276	Hansraj Mahajan 01 06 52	Indore
277	Madhao B Kowey 19 04 46	Indore
278	M P Solanki 28 07 49	Ahmedabad
279	R C Parmar 03 12 49	Ahmedabad
280	A R Biswas 17 01 43	Kolkata
281	Matilal Mallick 18 01 44	Kolkata
282	R U Kharade 12 04 46	Mumbai
283	P Y Dadamani 01 06 52	Mumbai
284	S R Devaghare 01 02 52	Mumbai
285	J S Karande 01 06 51	Mumbai
286	R Lalngurauva 01 03 57	Shillong
287	R Kanakadri 20 05 47	Hyderabad
288	M Rathna Kumar 15 06 53	Hyderabad
289	C Simeon 11 06 51	Hyderabad
290	S Sreenath 15 07 53	Hyderabad
291	D Premasundaram 15 11 50	Hyderabad
292	D P C Ramesh Joshi 28 07 47	Hyderabad
293	M Mallikarjunajah 10 06 46	Bangalore
294	M M Ravirajendran 12 06 54	Bangalore
295	Prem Chandra	Allahabad

Joining
(BT)

	11 02 45	
296	Nathu Lal 06 07 47	Allahabad
297	G.Soundararajan 11.11.52	Chennai
298	A Alexander 07 05 54	Chennai
299	G Kannaiyan 16 07 49	Chennai
300	Ram Bharosey 13 09 51	Allahabad
301	V S Kumbhara 01 05 62	Indore
302	O P Melhar 08 08 46	Indore
303	R. V Ramakrishnappa 01 07 46	Bangalore
304	G. V. Shivanna 04 02 51	Bangalore
305	M S S Murthy 15 02 48	Bangalore
306	C Nagarajan 27 01 52	Chennai
307	V S Sunderarajan 24 10 51	Chennai
308	M Krishnaswamy 08 08 50	Chennai
309	P Vellaichamy 08 05 45	Chennai
310	A Perumal 13 12 49	Chennai
311	P Jeevanandan 10 12 51	Chennai
312	P.A. Vijay 15.04.52	Chennai
313	S Kulothungan 05 12 52	Chennai
314	G Mathiazahan 16 10 55	Chennai
315	H R Vaity 26 07 50	Mumbai
316	S B Shinde 04 06 52	Mumbai
317	Tarsius Lakra 03 07 50	Bhubaneswar
318	K G Shankarappa 21 01 53	Bangalore
319	Tukaram Allure 05 01 51	Bangalore
320	D L. Muthe 01 06 49	Mumbai
321	P I Lama 01 01 47	Kolkata
322	N I Bhutia	Kolkata

To

Dt. 11th Dec. 2002



The Commissioner,
Central Excise,
Shillong.

93

(Through Proper Channel)

Sir,

Subject:-Order No.206/2002 dated 10.12.2002 in respect of promotion, Posting and Transfer in the Grade of Assistant Commissioners of Customs and Central Excise: Regarding-

With due respect and humble submission, I beg to lay before you the following points for favor of your kind perusal and consideration.

That sir, I am presently posted at Moran Range, Central Excise, Dibrugarh Division as Superintendent (Range). As per above order, it has been noted that a total of 27 officers have been promoted to the grade of Assistant Commissioners from the Commissionerate of Customs and Central Excise, North Eastern Region, Shillong. However, my name has not been figured in the list of officers promoted although the names of several officers junior to me in the Seniority List of Shillong Commissionerate have been covered in the order. As per the All India Seniority List as on 18.06.2001, my name is at Sl. No. 82, position 2710 and R. Lalnguraiva at Sl. No. 95, position 2777.14 is my immediate junior among the Scheduled Tribe (ST) category.

That sir, in this regard I would like to submit that no adverse remark or disciplinary proceedings have ever been initiated against me. Also, I have been recently granted the ACP on 13.09.2000 with regular increments.

In view of the above, it is not understood as to how my name has not been considered for promotion. I would therefore request your honor to kindly look into the matter favorably so that the promotion due to me is granted in time.

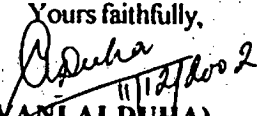
It is also to mention herein that, the said order No.206/2002 dt.10th Dec.2002 bore other discrepancy as well in serial Nos. 20 & 21 A.B. Dutta & R.K. Bhattacharjee respectively figured in short form of their names, and the same persons' refigured at serial Nos. 203 & 204 in their full names as Ashish Bijoy Dutta & Ranjit Kr. Bhattacharjee respectively

You are therefore, requested to kindly take the matter with the Board for rectification of the matter.

Thanking you,

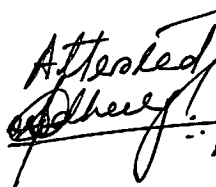
Dated: 11.12.2002.

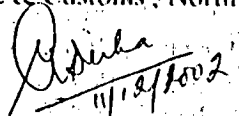
Yours faithfully,


(ALOYSIUS VANLALDUHA)
Superintendent, Central Excise
Moran Range, Dibrugarh Div.

Copy to: -

- 1) The Chairman, Central Board of Excise & Customs, North Block, New Delhi -- 110001 for information and kind necessary action.
- 2) The Deputy Secretary (AD - II), Government of India, Ministry of Finance and Company Affairs, Department of Revenue, Central Board of Excise & Customs, North Block, New Delhi - I, for kind information.


Advocate
16/03/03


(ALOYSIUS VANLALDUHA)
Superintendent, Central Excise
Moran Range, Dibrugarh Div.

C.No. MRN/ET/18/2001/16

Dated, 8th January 2003

To
The Chairman,
Central Board of Excise & Customs,
North Block - 110001

(Through proper channel)

Sir,

Subject: - Order No.206/2002 dated 10.12.2002 in respect of promotion, posting and Transfer in the Grade of Assistant Commissioners of Customs and Central Excise, regarding-

With due respect and humble submission, I beg to lay before you the following points for favor of your kind perusal and consideration.

That sir, I am presently posted at Moran Range, Central Excise, Dibrugarh Division as Superintendent (Range). As per above order, it has been noted that a total of 27 officers have been promoted to the grade of Assistant Commissioners from the Commissionerate of Customs and Central Excise, North Eastern Region, Shillong. However, my name has not been figured in the list of officers promoted although the names of several officers junior to me in the seniority list of Shillong Commissionerate have been covered in the order.

As per the All India Seniority List as on 18.06.2001, my name is at Sl. No. 82, position 2710/2777.1 and R. Lalngurauva at Sl. No. 95, position 2777.14 is my immediate junior among the Scheduled Tribe (ST) category is promoted.

That sir, in this regard I would like to submit that no adverse remark or disciplinary proceedings have ever been initiated against me. Also, I have been recently granted the ACP on 13.09.2000, with regular increments.

Considering the fact that there was no valid reason to my knowledge for being denied the benefit of promotion. I had requested the Commissioner of Central Excise, Shillong. Vide my letter of even No. 1084 dated, 11.12.2002, a copy of which was also endorsed to your honour, but no action appears to have been taken towards addressing my application.

I am therefore, left with no option but to approach your honour to look into the matter to do justice and to give me the promotion due to me with due effect and to restore me my former seniority and all benefits of the promotion to the rank of the Assistant Commissioner of Central Excise & Customs.

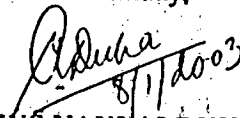
In case, there being any reason for denial of my promotion, the same may kindly be intimated to me so as to enable me to approach assistance of other forum for redressal of my grievances.

Your honour is therefore, earnestly requested to kindly take up the matter.

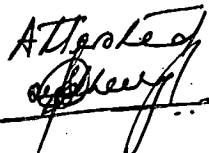
Thanking you,

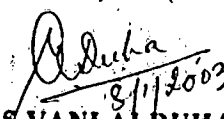
Dated.08.01.2003.

Yours faithfully,


(ALOYSIUS VANLALDUHA)
Superintendent, Central Excise, Moran Range,
Dibrugarh Division.

Copy to: - The Deputy Secretary (AD-II), Government of India, Ministry of Finance and company Affairs, Department of Revenue, Central Board of Excise & Customs, North Block, N. Delhi-1, for kind information.


Advocate
16/03/03


(ALOYSIUS VANLALDUHA)
Superintendent, Central Excise, Moran Range,
Dibrugarh Division.

To,

13th Jan. 2003

The Member Personal,
Central Board of Excise & Customs,
Ministry of Finance & Company Affairs,
Dept. of Revenue,
North Block, New Delhi -1

Subject: Representation against Non-promotion in the grade of Assistant Commissioner of Customs & Central Excise; Reference Order No. 206/2002, New Delhi dt. 10th Dec. 2002 regarding,

Sir,

With due respect I am to enclose herewith my representations dt. 11th Dec. 2002, to the Commissioner, Central Excise, Shillong, & 8th Jan. 2003, to the Chairman, Central Board of Excise and Customs, Ministry of Finance & Company Affairs, Dept. of Revenue, North Block, New Delhi-1, on the above subject for your kind perusal and necessary action.

1. Further to the above-cited representations I submit herewith a checklist of important and relevant points for your kind and easy perusal for taking necessary action.
2. It may kindly be seen that due to some oversight my name has been omitted in the promotion list referred to above. Whereas, my name should have figured at the right Sl. No. for reasons shown in the above check list.
3. I therefore, request for your kind and immediate action for making necessary corrections and issuance of corrigendum order, for the following reasons: -
 - (a) Revision of 1991 DPC in 2001 i.e. after ten years is beyond limitation under the general law of limitation.
 - (b) No reason whatsoever has been adduced/ communicated even after repeated representation, thereby, denying principles of natural justice. (copy enclosed)
 - (c) Officers figuring in serial numbers below me even as per department ACP and revise Seniority list have been promoted as ACs., in the above cited promotion order.
 - (d) Officers junior to me and not figuring in the ACP of the department have even been promoted in the above-referred order.
 - (e) DCP is required to consider last 5/7 years ACRs; to my strong belief my ACRs for the last 5/7 years are very good, without blemish or any adverse entry.
 - (f) The above referred promotion order contains certain in-accuracy, such as, repetition of names, etc., which lends to a belief that omission of my name in the correct serial number is a mere oversight.

I remain,

Yours faithfully,

Encl: - 1. Representation = 2 sheets

2. Check list with
its enclosure =
Total =

Attested
Advocate
15/03/03

(ALOYSIUS VANLALDUHA)

Superintendent, Central Excise, Moran Range
Dibrugarh Division,
Shillong Commissionerate

9/9

- 2 -

Copy to: -

1. Commissioner, Central Excise/Addl. Commissioner (P & V), Shillong, for his kind confirmation regarding submission of copies of last 5/7 ACRs to Ministry for DCP.
2. The Joint Secretary (AD-II), Government of India, Ministry of Finance and Company Affairs, Department of Revenue, Central Board of Excise & Customs, North Block, New Delhi-1, for kind information.
3. Under Secretary (AD-II), Government of India, Ministry of Finance and Company Affairs, Department of Revenue, Central Board of Excise & Customs, North Block, New Delhi-1, for kind information.


17/1/2003
(ALOYSIUS VANLALDUHA)
Superintendent, Central Excise, Moran Range
Dibrugarh Division
Shillong Commissionerate

97

20.01.03

To,

The Commissioner,
Central Excise,
Shillong.

Sir,

Subject: - Order No. 206/2002 dated 10.12.2002 - Promotion of Supdt. to Asstt.
Commissioner - Reg.

With due respect, I am to state the following for your kind and sympathetic consideration, that my name has not figured in the above cited promotion list, in this respect I have represented about the matter.

That Sir, on learning from reliable sources that my ACR has not been received by the Board, though it has been forwarded from your end on the 27.11.2002.

It is also learnt that my promotion is held up due to absence of my ACRs.

I am therefore, requesting your goodself to kindly forward the copy of my ACRs to the Board for doing the needful.

Thanking You,

Yours faithfully,

Camp: Shillong

A. Duha
20/1/2003
(ALOYSIUS VANLALDUHA)
SUPERINTENDENT
CENTRAL EXCISE, MORAN RANGE
DIBRUGARH DIVISION

- Copy to: -
- 1) The Chairman, Central Board of Excise & Customs, North Block, New Delhi -- 110001, for favour of information.
Central Excise, Shillong.
 - 2) The Additional Commissioner (P&V).
Central Excise, Shillong, for his kind information and necessary action.
 - 3) The Member Personal CBEC.
Ministry of Finance & Company Affairs,
Department of Revenue, for favour of information and necessary action with reference to the Addl. Commissioner, CE, Shillong,
letter C No.II(39)I/CON/2001/1492, dated 27.11.200
 - 4) The Under Secretary (AD-II) CBEC, Ministry of Finance & Company Affairs,
Department of Revenue, for favour of information and necessary action,
with reference to my representations to the Member Personal (P&V)
dated 13.1.2003, a copy of which was endorsed to her.

Attested
[Signature]
Advocate
16/03/03

A. Duha
20/1/2003
(ALOYSIUS VANLALDUHA)
SUPERINTENDENT
CENTRAL EXCISE, MORAN RANGE
DIBRUGARH DIVISION

To,
The joint Commissioner
Central excise,
Dibrugarh.

Dated - 07.02.2003

(Through proper channel)

Sir,

Subject :- Order No.206/2002.dated 10.12.2002, in respect of promotion, posting and transfer in the grade Assistant Commissioner of custom & Central excise, representations regarding.

With due respect and submission I beg to lay down before you the following points for favour of your kind perusal, consideration and necessary action.

That Sir, I am presently posted at Moran Range, Dibrugarh Division, as Superintendent in the Range.

And as per above Order, it has been noted that a total of 27 Officers have been promoted to the grade of Assistant Commissioner from the Commissionerate of Customs & Central Excise, North Eastern Region, Shillong. However, my name has not figured in the list of the Officers promoted, although the names of several Officers junior to me in the Seniority list of Shillong Commissionerate have been covered in the list of the order.

As per All India seniority list, as on 18.06.2001, my name stands at Sl.No.82, position 2710/2777.01, but R.Lalngurauva standing at Sl. No. 95, position 2777.14, who is my immediate junior in the Scheduled Tribe Category figured.

In this regards, as the Dibrugarh Commissionerate is tagged with Shillong Commissionerate, with due permission, I immediately represented and rushed to Shillong, and thereby, met the Addl. Commissionerate, as the Commissioner was on tour to Delhi, and accordingly submitted the Advance copy of my representation.

(copy enclosed for your ready reference, dated 11.12.2002).

The Addl. Commissioner, assured me to look into the matter.

But, as nothing seemed to take shape another representation was made to the Chairman of the Board, dated 08.01.2003, and another to the member personal, dated 13.01.2003, (copy enclosed for ready reference)

In the meantime, it is learnt from reliable sources that my promotion could not take effect due to non-receipt of my ACRs by the Board, As such, I applied to the Commissioner and the Addl. Commissioner, CE, Shillong, dated 20.01.2003, to kindly do the needful, with a copy to the Member Personal and the Under Secy., AD-II, CBEC, New Delhi. (copy enclosed).

It is also learnt that my ACRs were dispatch from Hqtrs. Shillong, details are as enclosed in Annexure-A, for your kind perusal and necessary action.

That Sir, event to this date, after an elapse of nearly 2 months of the issue of the order and my representations, nothing seem to take shape. I therefore, with all humility and respect approach your sympathy and to kindly help me out, so as to enable me attain my promotion.

May I also mention herein that No ADVERSE or disciplinary proceedings or vigilance case is pending with me.

I have also recently been granted the ACP scheme on 13.09.2000, vide Commissioner's Order No.55/2001, dated Shillong 04.04.2001. (copy enclosed).

Thanking You.

Encl: - 9 Nos. (18 sheets)

Attested
Advocate
16/03/03

Yours faithfully,
(ALOYSIUS VAN ALDUHA)
alias
A.V.DUHA
SUPERINTENDENT, CENTRAL EXCISE.



GOVERNMENT OF INDIA

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE

M.O. ROAD, SHILLONG - 793 001

ESTABLISHMENT ORDER NO. 55/2001
DATED, SHILLONG THE 04.04.2001

Subject : ACP Scheme in the case of Direct Recruit Gr. 'B' and Gr. 'C' officers working in the field formation under Central Board of Excise & Customs regarding.

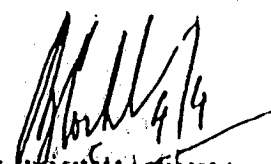
In pursuance of the Department of Personnel & Training's O.M. No. 35034/1/97-Bstt(D) dated the 9th August, 1999 and clarifications issued thereon from time to time on 'Assured Career Progression Scheme' with the approval of Competent Authority, the undermentioned officials who joined as Inspectors of Excise, Preventive Officers/Examiners are hereby granted 2nd Financial upgradation under the ACP Scheme and are accordingly placed in the pay scale of Rs. 8,000-275-13,500/- from the date(s) mentioned against each.

Sl. No.	Name S/Shri	Date from which 2 nd financial upgradation to be granted	Scale(s) of pay in which Financial Upgradation granted	Present place of posting.
01.	Biswajit Sarkar	02.08.2000	Rs. 8,000-13,500/-	Ghy. Cus. Divn.
02.	Subir Kr. Chakraborty	24.07.2000	Rs. 8,000-13,500/-	Kxj. Cus. Divn.
03.	P. S. Purkayastha - I	02.08.2000	Rs. 8,000-13,500/-	DOMS, N/Delhi
04.	Amitabha Hore	23.07.2000	Rs. 8,000-13,500/-	NCB, Kolkata
05.	Abhijit Dasgupta	26.07.2000	Rs. 8,000-13,500/-	DRJ, Kolkata
06.	B.B. Adhikary	26.07.2000	Rs. 8,000-13,500/-	CSI, Airport Mumbai
07.	P.K. Das - I	02.08.2000	Rs. 8,000-13,500/-	Hqrs. Audit Unit, Ghy.
08.	R.K. Goswami	23.07.2000	Rs. 8,000-13,500/-	Dibrugarh C.Ex. Divn.
09.	A.K. Sharma	29.07.2000	Rs. 8,000-13,500/-	Guwahati Customs Divn.
10.	Hemen Gogoi	24.07.2000	Rs. 8,000-13,500/-	Jorhat C.Ex. Divn.
11.	Asish Bijoy Dutta	21.07.2000	Rs. 8,000-13,500/-	Tezpur C.Ex. Divn.
12.	Sekhar Kr. Bora	30.07.2000	Rs. 8,000-13,500/-	NACIN, Kolkata
13.	Dilip Kr. Nath	02.08.2000	Rs. 8,000-13,500/-	Agartala Customs Divn.
14.	Sabyasachi Paul	29.07.2000	Rs. 8,000-13,500/-	Hqrs. Anti Evasion, Ghy.
15.	Kiran Ch. Molun	31.07.2000	Rs. 8,000-13,500/-	DRI, Guwahati
16.	A. Varul Datta	13.09.2000	Rs. 8,000-13,500/-	Dibrugarh C.Ex. Divn.
17.	C.M. Chakraborty	26.07.2000	Rs. 8,000-13,500/-	Guwahati C.Ex. Divn.
18.	Tapash Swarup Sarkar	27.07.2000	Rs. 8,000-13,500/-	DRI, Kolkata
19.	Himangshu Rn. Saha	13.07.2000	Rs. 8,000-13,500/-	Silchar C.Ex. Divn.
20.	Subinoy Bhowmick	26.07.2000	Rs. 8,000-13,500/-	Dumri C.Ex. Divn.
21.	Md. Khurshed Ahmed	30.07.2000	Rs. 8,000-13,500/-	Aizawl Customs Divn.
22.	Pranab Sharma	29.07.2000	Rs. 8,000-13,500/-	Jorhat C.Ex. divn.
23.	Uttam Ch. Das	29.07.2000	Rs. 8,000-13,500/-	DPO, Kolkata
24.	Biman Dhar	31.07.2000	Rs. 8,000-13,500/-	Guwahati C.Ex. Divn.
25.	Birendra Paul	02.08.2000	Rs. 8,000-13,500/-	Agartala Customs Divn.
26.	Pranabindu Bikash Nig	26.07.2000	Rs. 8,000-13,500/-	Dumripur Customs Divn.

Attested
Advocate
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The Financial Upgradation granted to the above officials are subject to inter-alia the following conditions :-

1. The financial upgradations will not result in change in the designation of the beneficiaries i.e., the financial benefits are granted with the retention of their old designations and the said financial upgradation shall not confer any privilege related to higher status.
2. The financial upgradation under the ACP Scheme shall be purely personal to the incumbents (officials) and shall not amount to actual functional promotions of the officials concerned. And it shall have no relevance to their inter-se seniority position, and as such, there shall be no additional financial upgradation for the senior officials on the ground that the junior officials have got higher pay scale(s) under the ACP Scheme. The concept of "Senior-Junior" is quite alien to the idea behind the ACP Scheme.
3. Grant of higher pay scale(s) under the ACP Scheme shall be conditional to the fact that the above officials, while accepting the aforesaid financial benefits, shall be deemed to have given their unqualified acceptance for promotion on occurrence of vacancy subsequently.
4. On their financial upgradation under the ACP Scheme, which is in situ and which may not involve assumption of higher duties and responsibilities, as a special dispensation, their pay shall be fixed under F.R. 22(1)(a)(i) [old provision F.R. 22-C], subject to a minimum financial benefits of Rs. 100/- as per D.OPT's O.M. No. 176/97-Pay-I dated 5.7.1999.
5. The financial benefits allowed under the ACP Scheme shall be final and no further pay-fixation shall accrue to the above officials again at the their subsequent regular promotion against the regular vacancy of functional post in the higher grade.
6. Option (exercisable within one month from the date of receipt of this order) for fixation of pay in the higher grade scale(s) based on the date of increment (i.e., on accrual of next increment) of the incumbent is also allowable. Such option once exercised shall be treated as final.

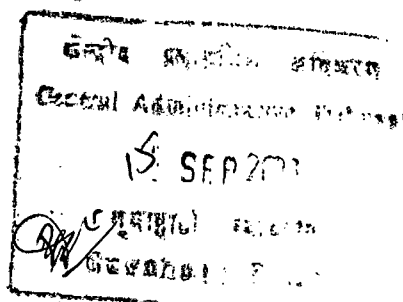

(Z. DOSHIWONG)
COMMISSIONER
CENTRAL EXCISE, SHILLONG

C.No. II(24)/BT.1/99/31966-92

Dated: 9/4/01

Copy forwarded for information & necessary action to :-

1. Shri R.K. Malhotra, Under Secretary AD II, Govt. of India, Ministry of Finance, Deptt. of Revenue, North Block, New Delhi -2. Ministry's letter F.No. A.32012/13/99-Ad II dated 02.03.2001 may please be referred to.
2. The Chief Commissioner (EZ), Customs & Central Excise, 15/1, Strand Road, Kolkata 700 001.
3. The Zonal Director, Narcotics Control Bureau, Eastern Zonal Unit, 4/2, Karaya Road, Kolkata-700017. Copy meant for the concerned officer is enclosed for delivery.
4. The Additional Director, Directorate of Revenue Intelligence, Calcutta Zonal Unit, 8, Ho Chi Minh Sarani, 2nd Floor, Kolkata- 700 071. Copy meant for the concerned officer is enclosed for delivery.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH :::: GUWAHATI

O.A. No. 50 OF 2003

Shri A. Vanladuha.

- Vs - Applicant.

Union of India & Ors.

..... Respondents.

- And -

In the matter of :

Written Statement submitted by
the respondents.

The humble respondents beg to submit the para-wise
written statement as follow :

1. That with regard to paras 4.1, 4.2, 4.3 and 4.4,
of the application the respondents beg to offer no comments.
2. That with regard to the statement made in para 4.5
and 4.6, of the application the respondents beg to state that
the applicant's contention is not tenable. Consequent to the
Hon'ble CAT's Order dated 05.09.1995, the draft Seniority List
was circulated to all concerned vide office C. No. II(34)1/ET-1/
96/28968-29010(A) dated 13.07.98 and representation have been
invited against the draft revised Seniority List of Inspector

(now Superintendent) in terms of Hon'ble CAT's Order dated 05.09.95 have since been issued on 13.07.98 after considering all representations received. All representations received against the revised Seniority List dated 13.07.1998 of Inspectors (now Superintendent) had been considered individually on merit in the past and disposed of by the Cadre Controlling Authority. The Review DPC, for promotion to the grade of Superintendent was conducted strictly as per the revised Seniority List of Inspectors. Hence there would be no ground for placement in the integrated Seniority List on any other criteria other than the revised Seniority List of Inspector.

3. That with regard to the statement made in para 4.7, of the application the respondents beg to state that the office is not aware of any representation to this effect. The applicant may be asked to furnish the acknowledgement receipt(s) of those representation(s) otherwise, the facts appears made fide.

4. That with regard to the statement made in para 4.8, of the application the respondents beg to state that the statement of this para is similar to the statement made in para 2.

5. That with regard to the statement made in para 4.9, of the application the respondents beg to state that the All India Seniority List of Superintendent issued by the Board was very correct. It was drawn as per the Seniority List of the Commissionerate as on 01.05.2001. Thus there is no further scope of revision at any stage as the assignment of seniority was done after the Review DPC which was final and binding and

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and accepted by the applicant of O.A. No. 241/91 and similarly placed officers.

6. That with regard to the statement made in para 4.10, of the application the respondents beg to state that the applicant has been promoted to the grade of Asstt. Commissioner w.e.f. the date of promotion of his immediate junior vide order No. 62/2003 dated 7.4.2003.

7. That with regard to the statement made in para 4.11, of the application the respondents beg to state that the contention of the applicant regarding discrepancies in the Seniority List in the cadre of Superintendent is not correct. The CBEC is the Competent Authority to issue promotion orders in Grade 'A' Cadre.

8. That with regard to the statement made in para 4.12 & 4.13 of the application the respondents beg to state that are similar to the statements made in para 6.

9. That with regard to the statement made in para 4.14, of the application the respondents beg to state that the promotion to the grade of Asstt. Commissioner (JTS) of Group 'B' officers will be regularised by the UPSC. The process of regularisation to the grade of AC grade be taken up with the UPSC subsequently.

10. That with regard to para 4.15, of the application, the respondents beg to offer no comments.

Verification.....

V E R I F I C A T I O N

I, Shri Anwar Hussain, presently
working as Deputy Commissioner, Central Excise, Guwahati, being duly
authorised and competent to sign this verification, do hereby
solemnly affirm and state that the statements made in paragraph
1 to 10 are true to my knowledge and belief and those
made in paragraph being matter of records, are true
to my information derived therefrom and the rest are my humble
submission before this Hon'ble Tribunal. I have not suppressed
any material fact.

And I sign this verification on this 10th day
of ~~August~~^{September}, 2003.

Anwar Hussain
Deponent.
Deputy Commissioner,
CENTRAL EXCISE
GUWAHATI DIVISION