

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 62/2003

R.A/C.P No.

E.P/M.A No.

1. Orders Sheet. OA- 62/2003 Pg. 1 to 2
2. Judgment/Order dtd 01/04/2003 Pg. NO separate order disposed
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A. 62/2003 Pg. 1 to 25
5. E.P/M.P. Pg. to
6. R.A/C.P. Pg. to
7. W.S. Pg. to
8. Rejoinder Pg. to
9. Reply Pg. to
10. Any other Papers Pg. to
11. Memo of Appearance
12. Additional Affidavit
13. Written Arguments
14. Amendement Reply by Respondents
15. Amendment Reply filed by the Applicant
16. Counter Reply

SECTION OFFICER (Judl.)

(RULE - 4)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
.....

ORDER SHEET

Original Application No. 62/03
Misc. Petition No. /
Contempt Petition No. /
Review Application No. /
Applicant (s) B.R. Sarila
- Vs. -
Respondent (s) B. O. I. Iem
Advocate for the applicant (s) G.K. Bhattacharyya
Advocate for the respondent (s) B. Choudhury
Mr. A.K. Choudhury, Addl. C.G.S.C.

Notes of the Registry	Date	Order of the Tribunal
<p>This application is in form but not in time for Rs. 50/- vide IPO/No. 26607665 Dated 31.3.03</p> <p>By Registry 31/3/03</p> <p>Steps taken.</p> <p><u>Am.</u></p>	1.4.2003	<p>This is an application under section 19 of the Administrative Tribunals Act, 1985, assailing the order of transfer and posting of the applicant vide order dated 28.2.2003 and consequence order passed on 11.3.2003.</p> <p>Heard Mr. G.K. Bhattacharyya learned counsel for the applicants and also Mr. A.K. Choudhury, learned Addl. C.G.S.C. for the respondents at length.</p> <p>It appears that the applicant had already submitted a representation before the authority for modification of the order on personal grounds. Considering the facts and circumstances of the case, I am of the view that ends of justice will be met if a direction is issued to the respondents to look into his representation dated 04.03.2003 justly and</p>

Contd/-

✓
Contd/-

1.4.2003 fairly and pass an appropriate order expeditiously as early as possible within a month from the date of receipt of the order. Till the completion of the aforesaid exercise the transfer order dated 28.2.2003 and 11.3.2003 shall not be given effect to.

Subject to the observation made above, the application is disposed of. No order as to costs.


Vice-Chairman

mb

Received True copy.
Personal Secretary
Adv.

2-4-03

4.4.2003
Copy of the order
has been sent to the
Office for issuing the
order to the H/Adv.
for the Regs.
H/S

4

LIST OF DATE AND SYNOPSIS

- 3.7.72 : Joined as Junior Engineer (Civil) in the Post & Telegraphs Department.
- 13.11.78 : Promote to Assistant Engineer (Civil) w.e.f. 16.12.78.
- 1.10.79 : In the All India Seniority List of Junior Engineer the applicant name appeared at Sl. No. 166.
- 24.6.89 : All India Eligibility List of Junior Engineer (Civil) applicant name appeared at Sl No. 125(A).
- 27.9.89 : All India Promotion List of Junior Engineers and their appointment to officiate on regular basis as A.E. (Civil) in the scale of Rs. 2000-3500/- w.e.f. 26.9.89. Applicant name was omitted.
- 17.10.89 : Representation/Objection.
- 15.3.01 : Provisional All India Seniority List of Assistant Engineer (Civil) was circulated Applicant name was omitted. Respondent No.5,6 and 7 name appeared at 285, 286 and 370.
- 4.4.01 : Applicant submitted representation.
- 21.9.01 : Another Provisional Seniority List of Assistant Engineer (Civil) was published. Applicant name was again omitted.
- 17.8.02 : Submitted representation for inclusion of his name in the seniority list which was duly forwarded.
- 23.1.03 : Instead of rectifying the omission the authorities promoted 21 officers to Executive Engineer (Civil) including officers junior to him.
- 13.2.03 : Order passed by the Hon'ble Tribunal in O.A. 24/03 Annexure-0I, Page - 13
- 28.2.03 : Transfer Order issued by Respondent No.2, Annexure-II, Page- 14
- 4.3.03 : Representation filed by the applicant and the guidelines for transfer. Annexure - III, Page - 19 Annexure- III(A), Page - 21
- 11.3.03 : Transfer and posting order. Annexure-IV, Page - 23
- 12.03.03 : Order issued by Respondent No.4 that the applicant shall be relieved in the 1st week of April' 03.

Annexure-V, Page-25.

Filed by the applicant
through Bikram Choudhary
Adv.
31.3.03

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI

BENCH: GUWAHATI

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

O.A. NO. OF 2003

Sri Betha Ram Saikia ... Applicant

-Vs-

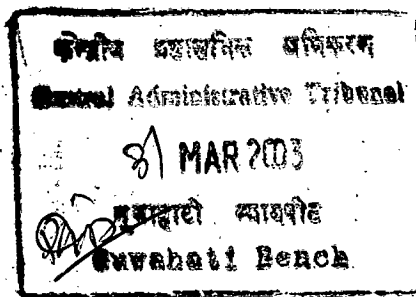
Union of India and others ... Respondents

I N D E X

Sl No.	Particulars	Page No.
1.	Application	: 1 to 11.
2.	Verification	: 12
3.	Annexure - I	: 13
4.	Annexure - II	: 14 to 18
5.	Annexure - III	: 19 to 20
6.	Annexure - IV (A) - 1985	: 21 to 22
7.	Annexure - <u>IV</u>	: 23 to 24.
8.	Annexure - <u>V</u>	25

Filed by

Bikram Choudhury
Advocate



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI
BENCH: AT GUWAHATI

(An application under section 19 of the
Administrative tribunal Act, 1985)

O.A NO. 62 of 2003

Sri Betha Ram Saikia,
Son of late Lakheswar Saikia,
Assistant Engineer (Civil),
B.S.N.L. Civil Sub-Division-V,
Guwahati.

... Applicant

-Vs-

1. Union of India
Represented by its Secretary
(DOT), Ministry of
Communication, Sanchar
Bhawan, 20 Ashoka Road,
New Delhi - 110001.
2. Joint Deputy Director
General (B.W)
BSNL, Chandrik Building,
(10th Floor) 36, Janapath,
New Delhi-110001.
3. Chief Engineer (Civil),
BSNL, North East Zone,
Barik Road, Shillong-1

Betha Ram Saikia
Filed by the Applicant
Through Bishwan Chandra
31-3-03

A

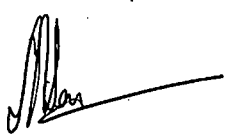
4. Chief Engineer (Civil),
BSNL, Assam Civil Zone,
Mitra Building, Ulubari,
Guwahati-781001.

5. Sri A.R. Baro,
Assistant Engineer (P&D)
Office of the Civil Engineer
(C) BSNL, NEZ, Shillong.

... Respondents

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

- i) Order No:- 1-6/2002-CSE dt. 28.2.2003 issued by the Respondent No.2 whereby it was notified that the appellant alongwith 59 other Assistant Engineers (Civil) is going to be transferred and further posting orders shall be issued by the Zonal Chief Engineer (C).
- ii) Order No. 56/2001/CE-NEZ/SH/117 dt. 11.3.2003 issued by the Respondent No. 3 in pursuance to the order dt. 28.2.03 issued by the Respondent No. 2 transferring the appellant to the diverted post of Assistant Engineer (P&D) in the office of the Superintendent Engineer (C), BSNL, Civil Circle, Shillong.



iii) Order No. 1(13)/2002/CE-ASM/GH/276 dt. 12.03.03 issued by the office of the Respondent No. 4 notifying that the appellant shall be relieved in the 1st week of April, 2003.

2. JURISDICTION OF THE TRIBUNAL:

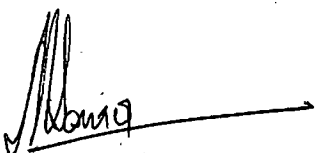
The applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of this Tribunal.

3. LIMITATION :

The applicant further declares that the application is within the limitation prescribed under Section 21 of the Administration Tribunal Act, 1985.

4. FACTS OF THE CASE :

1. That the applicant begs to state that he belongs to Schedule Tribe Community and after completing his diploma course in Civil Engineering from Dibrugarh Polytechnic in the year 1971, he joined service under the Post and Telegraphs Department as Junior Engineer (Civil) on 3.7.72 and was posted at Shillong. Thereafter the applicant in recognition of his faithful and commendable service was promoted to the post of Assistant Engineer (Civil)



w.e.f. 16.12.78 vide P & T Board Order No. 64-11/78-CW (P&T) dated 28.10.78.

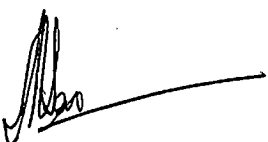
2. That the applicant begs to state that in the All India seniority of Junior Engineers on 1.10.79 published by the authority and in eligibility list issued vide Memo No.8 (9) 87/TCC/SH/1215 dated 24.6.89 his name appeared at serial No. 166 and 125 (A). Thereafter, the applicant was shocked and surprised when he came over Telecom Board's notification No. 57/89-CWG dt. 27.9.89 where his name was omitted from the list of All India Promotion List of Officers who were allowed to officiate on regular basis as Assistant Engineer (Civil). The apppellant, immediately filed a representation/ appeal on 17.10.89 with the prayer that his name be included in the list but there was no response. The appellatant again filed several representations but nothing happened.

3. That the authorities instead of rectifying the mistake, again on 15.3.01, the office of Respondent No. 4 vide its notification no. 1(59) 2000/CE-ASM/ GH/432 dt. 15.3.01 circulated All India Provisional Seniority List in the Grade of Assistant Engineer (Civil) issued by the Respondent No. 2 by its office memorandum no. 5-1/2001-CSE dt. 27.02.01 where



also the name of the applicant was omitted for no apparent reason while the name of officers who were junior to the appellant appeared in the list. The applicant immediately on 4.4.01 filed a representation before the authority, but the authorities instead of rectifying the mistake, again on 21.9.2001, circulated a Provisional Seniority List of Assistant Engineers (Civil) and there also the name of the appellant was omitted. The appellant on 17.8.02 filed a representation for inclusion of his name.

4. That the applicant was hoping that this time the authorities shall rectify the mistake/omission and grant him promotion to Executive Engineer (Civil) to which he is otherwise eligible. But the authorities instead of rectifying the mistake/omission has now issued impugned order No. 3-2/2002-CWG dated 23.1.03 issued by Under Secretary (CWG) to the Government of India whereby 21 Officers were promoted to the grade of Executive Engineer (civil) including officers who were junior to the applicant.
5. That the applicant being highly aggrieved by the impugned actions of the authorities, the applicant filed an original application before this Hon'ble Tribunal which was registered and



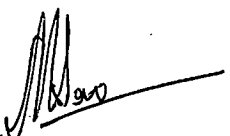
numbered as O.A No. O.A. No. 24/03. The Hon'ble Tribunal on 13.2.2003 admitted the application and called for the records. In the meantime the Hon'ble Tribunal passed an interim order directing that any further promotion to the post of Executive Engineer shall be subject to the outcome of the proceeding.

A copy of the order dated 13.2.03 is annexed herewith and marked as **Annexure-I**.

6. That thereafter the applicant was shocked and surprised when he received the impugned order No.1-6/2002- CSE dated 28.2.03 issued by the Respondent No.2 transferring him to the North East, Civil Zone.

A copy of the impugned order dated 28.2.03 is annexed herewith and marked as **Annexure- II**.

7. That the applicant immediately on 4.3.03 filed a representation before the Chief Engineer (Civil) BSNL, NER Circle, Shillong through proper channel stating the above facts and further that his daughter is studying the transfer order is modified.

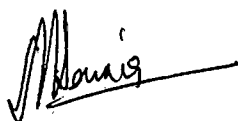


A copy of the representation and policy guideline dt. 29.11.02 is annexed herewith and a marked as **ANNEXURE-III** and **III (A)** respectively.

8. That the applicant has now received in consequence to the impugned order dt. 28.2.03 (Annexure-II) another impugned order no 56/2001/CE-NEZ/SH/117 dt. 11.3.2003 issued by the Chief Engineer (Civil) North East Zone, Shillong, (Respondent No. 3) transferring and posting the applicant in the diverted post of Assistant Engineer (Civil), BSNL, Civil Sub-Division-III, Shillong, By another impugned order No. 1(13)/2002/CE-ASM/GH/276, dt. 12.3.03 issued by the Respondent No. 4 the applicant was informed that he shall be relieved in the 1st week of April, 2003 and Respondent No. 5 shall be posted in his place.

Copies of the impugned order dt. 11.03.2003 and 12.3.2003 are annexed herewith and marked as **ANNEXURE-IV** and **V** respectively.

9. That the applicant begs to state that, as stated above, the applicant has approached this Hon'ble Tribunal through O.A. No. 24/03 with

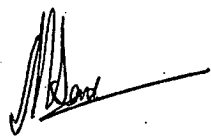


the prayer that his name be included in the All India Seniority List of Assistant Engineer (Civil) and thereafter promote him to the rank of Executive Engineer from the date when his juniors were promoted and the above original application is still pending before this Hon'ble Tribunal. The applicant further states that the authorities instead of solving the genuine service problem of the applicant on their own or waiting for outcome of the proceeding has issued the impugned transfer orders as a punishment to the applicant.

10. That the applicant begs to state that finding no other alternative remedy he is approaching this Hon'ble Tribunal for just and adequate relief and moreover the applicant has a school going daughter studying in class-V and in this stage his movement out of Guwahati will upset her studies. As such unless some interim orders are passed the appellant will suffer irreparable loss and injury.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS :

- I. For that the impugned orders were passed in a most arbitrary manner without any justification and as such the impugned orders are bad in law and is liable to be set aside.



II. For that it will be apparent from the impugned orders that the transfer order has been issued as a punishment to the applicant for approaching the Hon'ble Tribunal against the action of the authorities in denying applicant advancement in career by not including his name in the All India Seniority List of Assistant Engineer (Civil) even after his name appeared in the Zonal Seniority List and as such the same is bad in law and is liable to be set aside.

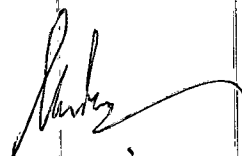
III. For that, in any view of the matter, the impugned action of the authorities is bad in law and is liable to be set aside.

6. DETAILS OF REMEDIES EXHAUSTED:

The applicant after receiving the impugned order dated 28.02.03 had submitted a representation dt. 4.3.03 before the Respondent No. 3 but till date the same have not been disposed of.

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

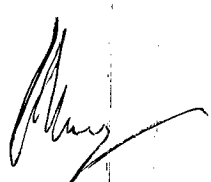
The applicant further declares that he has not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made before any Court or any other authority or any other Bench of the



Tribunal nor any such application, Writ petition or suit is pending before any of them.

8. PRAYER:

It is, therefore, prayed that Your Lordships would be pleased to admit this application, call for the entire records of the case, ask the respondents to show cause as to why the impugned orders dt. 28.2.03 (Annexure-II), dated 11.3.03 (Annexure-IV), and dt. 12.3.02 (Annexure-V) should not been set aside and quashed so far as it relates to the applicant and after perusing the causes shown, if any, and hearing the parties, set aside the impugned orders dt. 28.2.03 (Annexure-II), dt. 11.3.03 (Annexure-IV) and dt. 12.3.03 (Annexure-V) so far as it relates to the applicant and/or pass any other order/orders as Your Lordships may deem fit and proper so as



to grant adequate relief to the applicant.

And for this act of kindness, the applicant as in duty bound shall every pray.

9. INTERIM ORDER IF ANY PRAYED FOR :

It is, further prayed that pending disposal of the applications, Your Lordships would be pleased to stay the operation of the impugned orders dt: 28.2.03 (Annexure-II), dt: 11.3.03 (Annexure-IV) /dt. 12.3.03 (Annexure-V) which has not yet been given effect to so far as it relates to the applicant and/or pass any other order/orders as Your Lordships may deem fit and proper.

And for this act of kindness, the applicant as in duty bound shall every pray

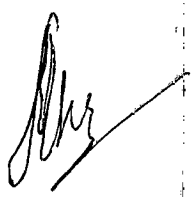
10. DOES NOT ARISE:

11. PARTICULARS OF BANK DRAFT/POSTAL ORDER IN RESPECT OF THE APPLICATION FEE.

- (i) I.P.O No. : 76 607665
- (ii) Date. : 31.03.03.
- (iii) Issued by Guwahati Post Office.
- (iv) Payable at Guwahati.

12. LIST OF ENCLOSURES :

As stated in the INDEX



-12-

8

VERIFICATION

I, Sri Betha Ram Saikia, aged about 51 years, Son of late Lakheswar Saikia, Assistant Engineer (Civil), B.S.N.L. Civil Sub-Division-V, Guwahati do hereby verify that the statements made in Paragraphs No. 1, 2, 3, 4 and 5 and are true to my personal knowledge and the statements made in paragraphs No. 5, 6, 7 and 8 and 8 are believe to be true on legal advice and that I have not suppressed any material fact.

And I sign this verification on this the 31st day of March 2003 at Guwahati.

Place: 31-3-03.

Date: Guwahati.

M. R. Saikia

8

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI

19

ORDER SHEET

Original Application No : 24 / 2003
Misc. Petition No. _____
Contempt Petition No. _____
Review Application No. _____

Applicant(s) : Baiba Ram Saikia

- Vs. -

Respondent(s) : UOI & OAS

Advocate for the Applicant(s) : Mr G.K. Bhattacharya

Advocate for the Respondent(s) : Mr B. Choudhury
C/S

es of the Registry	Date	Order of the Tribunal
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13.2.2003



Heard Mr. G.K. Bhattacharya, learned Sr. counsel for the applicant and also Mr. B.C. Pathak, learned Addl. C.G.S.C. for the respondents.

The application is admitted. Call for the records. Returnable by four weeks.

Any further promotion to the post of Executive Engineer shall be subject to the outcome of this proceeding.

List the matter again on 13.3.2003 for orders.

Sd/ VICE CHAIRMAN

TRUE COPY
25/12/03
Section Officer
Central Administrative Tribunal
Guwahati Bench, Guwahati

Certified to be true copy.

Choudhury
Adv.

-15-

20

13.	Sh.M.Venkatasubramanian	AEQ,BSNL, Civil Sub Division, Palakkad, Kerala	AE(T/A),O/o Pr.CEO,BSNL Chennai. (Tamilnadu)	Vice Shri R.Mohan-Dass transferred
14.	Sh.R.Mohan Dass	AE(T/A), O/O Pr.CEO, BSNL, Chennai (Tamilnadu)	AEQ,BSNL,Civil, Sub,Division, Pallakad (Kerala)	Vice Shri M.Venkatasubramaniam transferred
15.	Sh.Ashish Guha	AEQ,BSNL Civil Sub Division, Tezpur, (NER) Shillong	BSNL West Bengal Civil Zone	Preferably in planning unit
16.	Sh.L.Sivagnanam	AE(P&D) O/OCEO, BSNL, Ahmedabad (Gujarat)	BSNL Tamil Nadu Civil Zone	Preferably in field unit at Madurai, Colmbatore, Trichy
17.	Sh Sh.Ardhendhu mondal	AEQ,BSNL Civil Sub Division, Kolkata (WB)	BSNL North East Region, Civil Zone	Preferably in planning unit
18.	Sh R.N.P.Sahu (Staff.No.90507)	AE(QA/TA),O/O Pr.CEO, Patna.(Bihar)	BSNL Jharkhand Civil Zone	Preferably in planning unit
19.	Sh.A.Sundarajan	AEQ,BSNL Civil Sub Division, Bhavani, (Tamilnadu)	BSNL Maharashtra Civil Zone	Preferably in field unit
20.	Sh Tapan Sahu	AE(P&D),O/O CEO BSNL, Shimla (H.P)	BSNL West Bengal Civil Zone	Preferably in field unit
21.	Sh S.Dey Choudhury Staff no.91066	AEQ-IV, BSNL Civil Division-III, Kolkata (WB)	BSNL Orissa Civil Zone	Preferably in planning unit
22.	Sh.Mihir Kumar Nath	AE(P&D),BSNL Civil Division, Shimla (H.P)	BSNL West Bengal Civil Zone	Preferably in field unit
23.	Sh.Ajay kumar Sarkar	AEQ-VI, BSNL Civil Sub Division-V, Kolkata (WB)	BSNL Orissa Civil Zone	Preferably in Field unit
24.	Sh.Arjun Garg.	AEQ,BSNL(IHQ), New Delhi-1	AEQ,BSNL Civil, Sub Division, Anand Grove Road, New Delhi-1	Vice Sh S.K.Shukla transferred
25.	Sh.P.Vaidharajan (staff- 90915)	AE(P&D),BSNL Civil Division-I, Chennai Tamilnadu	BSNL Maharashtra Civil Zone	Preferably in field unit

20.2.03

42	Sh B.K.Mahanta	AE(P&D), BSNL Civil Circle Jorhat (Assam)	BSNL North- East Region Civil Zone	Preferably in field unit
43	Sh.B.R.Saikia	AEO,BSNL Civil Sub Division, Guwahati (Assam)	BSNL North- East Region Civil Zone	Preferably in field unit
44	Sh. Swapan Parial	AEO,BSNL Civil Sub Division Malda (West Bengal).	BSNL Bihar Civil Zone	Preferably in field unit
45	Sh.Amal Kumar Dey	AE(P&D),BSNL Civil Division -I, Kolkata (West Bengal)	BSNL Bihar Civil Zone	Preferably in field unit.
46	Sh M.Karuppiab	AE(P&D),BSNL Civil Circle -I, Chennai (Tamilnadu)	BSNL Chattisgarh Civil Zone	Preferably in field unit.
47	Sh Laxmi Narayan Swain	AE(P&D), BSNL Civil Circle , Shillong (NER)	BSNL Orissa Civil Zone	Preferably in field unit at Balasore, Cuttack, Dhekani
48	Sh Y.Muthiah	AEO,BSNL Civil Sub Division Gandhidham (Gujarat)	BSNL Tamilnadu Civil Zone	Preferably in Planning unit at Nagercoil, Madurai, Chennai
49	Sh M Ravikumar	AEO,BSNL Civil Sub Division Dholka, Ahmedabad (Gujarat)	BSNL Tamilnadu Civil Zone	Preferably in Planning unit at Erode, Salem, Coimbatore
50	Sh R.Vadivelu	AEO BSNL Civil Sub Division -III,Erode (Tamilnadu Zone)	BSNL Maharashtra Civil Zone	Preferably in planning unit
51	Sh K.Chakrapani.	AEO,BSNL Civil Sub Division -II, Thanjavur, (Tamilnadu Zone)	BSNL Maharashtra Civil Zone	Preferably in planning unit
52	Sh J.S.Murthy (Staff no.-90469)	AEO,BSNL Civil Sub Division M.K.R.Nagar Pune, (Maharashtra zone)	BSNL Gujarat Civil Zone	Preferably in planning unit
53	Sh A.V.Thembe (Staff no. 90404)	AE(P&D),BSNL Civil Circle, Pune (Maharashtra zone)	BSNL Gujarat Civil Zone	Preferably in field unit.
54	Sh Shyamal Banerjee.	AEO,BSNL Civil Sub Division Jalpaigudi (WB Zone)	BSNL Jharkhand Civil Zone	Preferably in planning unit
55	Sh M.K.Dutta	AE(P&D), BSNL Civil Circle -II ,Kolkata (WB Zone)	BSNL Bihar Civil Zone	Preferably in field unit

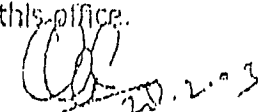
22/4/3

56	Sh R.K.Majhi (Staff no.90907)	AEO,BSNL Civil Sub Division Rourkela (Orissa zone)	BSNL Jharkhand Civil Zone	Preferably in planning unit
57	Sh P.K.Sahoo (Staff no.-91038)	AE(P&D),BSNL Civil Circle Sambalpur (Orissa Zone)	BSNL Jharkhand Civil Zone	Preferably in field unit
58	Sh R.P.Satyarthi (Staff no.91051)	AE O,BSNL Civil Sub Division, Shivpuri (MP Zone)	BSNL Gujarat Civil Zone	Preferably in planning unit
59	Sh Mukul Dutta	AEO,BSNL Civil Sub Division North Lakhimpur (Assam Zone)	BSNL North East Region, Civil Zone	Preferably in planning unit

2. Further posting orders of the officers posted in the Zones shall be issued by the respective Zonal Pr. CE(C)s / CE(C)s.

3. All the officers are to be relieved within 7 days from the date of issue of this order irrespective of the fact whether their relievers have joined or not.

4. Necessary charge report may be forwarded to all concerned including this office.


(Chandra Bhushan)
Jt.DDG(BW)

Copy to :-

1. Officers concerned.
2. All CGMs, BSNL.
3. All Pr. Chief Engineers (Civil), BSNL.
4. All Chief Engineers (Civil), BSNL.
5. Sr.DDG(BW), BSNL, New Delhi.
6. Jt.DDG(Civil), BSNL HQ, New Delhi.
7. Director(Civil) / US(CWG), DOT, New Delhi.
8. Order Bundle / Guard File.

To

The Chief Engineer (Civil)
BSNL, NER Circle
Shillong.

(Through Proper Channel)

Ref:- Order No.1-6/2002-CSE dated 28.02.2003 issued by Joint Deputy Director General(B.W). New Delhi.

Sir,

I am in receipt of a copy of the above quoted order whereby I have been transferred from the BSNL (Civil) Sub-Division, Guwahati to the BSNL, NER, Civil Zone and I would humbly like to place the following before your good self for your kind consideration while issuing further posting orders.

1. That I have a minor school going daughter who is studying in class-V in the Maharishi Vidya Mandir, Guwahati and she is in the mid academic session and her exams are due from 06.03.2003 onwards and as such my presence at home is very essential at this stage as my movement out of Guwahati will upset her studies.
2. That being highly aggrieved by the action of the authorities in not including my name in the seniority list of Assistant Engineers and consequent super cession to the rank of Executive Engineers by many of my juniors, I have, after exhausting my departmental remedies, filed an application in the CAT Guwahati bench and the same has been admitted and numbered O.A 24/2003. My advocate has instructed me that I should be available in Guwahati for further instructions with regard to my case.
3. That, being, a faithful and loyal employee of the department, I am willing to carry out the transfer order but, because of the difficulties stated above it is essential that I stay in Guwahati for some more time.
4. Moreover, as per the policy guideline in respect of transfer of AE(C) to tenure circle, vide No.1-20/2000-CSE dated 29.11.2002 Para No.3, no Assistant Engineer (Civil) aged above 50 years, should be considered for posting in North East. But it was quite unfortunate that the transfer was ordered.

I therefore, pray before your good self to consider what is stated above and be kind enough to post me to the BSNL, Civil Sub-Division (NER) Guwahati so that the education of my only daughter is not disrupted and I can diligently pursue my case in the Tribunal and for which act I shall remain ever grateful to you.

Thanking you

Yours faithfully

(B.R.SAIKIA)
Assistant Engineer(C)
Civil Sub-Division-V
Guwahati, BSNL(Assam)

Attested by
Branching
Adv

Copy to:-

1. The Chief Engineer(C),BSNL, Assam Circle,Guwahati.

(B.R.SAIKIA)
Assistant Engineer(C)
Civil Sub-Division-V
Guwahati,BSNL(Assam)

-2-

ANNEXURE-II (A)

Bharat Sanchar Nigam Limited
(A Government of India Enterprise)
10th Floor, Chandra Park Building, Connaught Place, New Delhi-110001

No. 1-20/2002-CSE

Dated: 29.11.2002.

Subject: - Guideline regarding transfer of AE(Civil) to Tenure Circles - Reg.

Policy guidelines on rotational transfers have been issued by the Department of Telecom vide OM No.6-4/98-CWG dated 4.5.99. Para (9) thereof refers to posting of officers to Tenure Circles. There have been representations from various Associations/officers regarding transfer of Assistant Engineer (Civil) to tenure stations such as North-East/Assam etc. It has been stated by them that in the transfer of officers to North-East etc., a uniform policy is not being adopted. The Associations were of the opinion that Assistant Engineer (Civil) should be posted to North-East etc. from all the Zones proportionate to the number of AEs(C) working in each Zone.

2. The matter has been examined and it has been decided that in future transfers in the grade of Assistant Engineer (Civil) to North-East etc. will be done as per the details indicated below:

Sl. No	Name of the zone	Total strength of AE(Civil)	Number of AE(C) to be posted in North East Zone/ Assam / J&K	Number of AE(C) to be posted in other zones according to their strength
1.	Jammu & Kashmir	10		
2.	Haryana	21	1	1
3.	Himachal Pradesh	10		
4.	Punjab	49	1	
5.	Delhi	23 + 13	1	
6.	UP (East)	64	2	
7.	UP (West)	35	1	
8.	Bihar	48	2	1
9.	Madhya Pradesh	63	2	1
10.	Rajasthan	58	2	1
11.	Gujarat	71	2	
12.	West Bengal	99	2	1
13.	Orissa	25	1	
14.	Maharashtra	111	2	
15.	Karnataka	55	2	
16.	Tamil Nadu	100	2	
17.	Kerala	71	2	
18.	Andhra Pradesh	60	2	

3. On completion of prescribed tenure by the officer working in the tenure stations he will be re-joined by the AE(C) with the longest stay in the respective Zone. Assistant Engineer (Civil) above 50 years will not be considered for posting in North-East/ Assam and J&K.

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2002-02-701

Attested by:

Prakashwari
Adv

4. Attention is invited to the provisions contained in the Rule 20 of CCS (Conduct) Rules, 1964 which lay down that no Government servant shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interest in respect of matters pertaining to this service under the Government. Any violation of the said Rule will be viewed very seriously and action as prescribed therein will be taken against the officers found guilty.

(Chandra Haldan)
Jt.DDO(BW)

Copy to :-

1. All Principals Chief Engineer (Civil), BSNL.
2. All Chief Engineer (Civil), BSNL.
3. Group- 'B', & T Civil Wing Association.
4. Order Bunc - / Guard File.

(Gorvada Kulampalli)
Section Officer (CSE)



भारत संचार निगम लिमिटेड

(भारत सरकार का एक उद्यम)

BHARAT SANCHAR NIGAM LIMITED

(A Govt of India Enterprise)

कार्यालय मुख्य अभियन्ता सिविल

Office of the Chief Engineer (Civil)

उत्तर पूर्व क्षेत्र North East Zone,

एन ए जिला महाप्रबंधक भवन (द्वितीय तल) GMID Bldg. (2nd floor),

बरिक, शिलोंग Barik, Shillong - 793 001

No. 56/2001/CE-NEZ/SH/ 117-

Dated at Shillong, the 11th March, 2003.

OFFICE ORDER

Subject:- Transfer / posting in the Grade of Assistant Engineers (Civil).

Consequent upon the transfer/posting order in the grade of Assistant Engineers (Civil) issued by the Jt. DDG (BW), BSNL, New Delhi vide order No.1-6/2002-CSE dated 28-02-2003, the following Assistant Engineers (C) allotted to N.E. Zone, are transferred /posted as detailed below with immediate effect in the interest of public service.

Sl. No.	Name	Present place of posting	New place of posting	Remarks
1	Sri Ardhendu Mondal	A E(C), BSNL, Civil Sub-Division, Kolkata	A E (P&D), O/o the S E(C), BSNL, Civil Circle, Shillong	Vice Sri L N Swain transferred
2	Sri Dibakar Rajbongshi	A E (P&D), O/o the E E(C), BSNL, Civil Division, Guwahati	A E(C), BSNL, Civil Sub-Division-II, Shillong	Against existing vacancy
3	Sri B.K. Mahanta	A E (P&D), O/o the S E(C), BSNL, Civil Circle, Jorhat	A E (C), BSNL, Civil Sub-Division (NER), Tezpur	Vice Sri A Guha transferred
4	Sri B.R. Saikia	A E(C), BSNL, Civil Sub-Division-V, Guwahati	A E(C), BSNL, Civil Sub-Division-III, Shillong	Against diverted post of AE(P&D) O/o the SE(C), BSNL, Civil Circle, Shillong
5	Sri Makul Datta	A E (C), BSNL, Civil Sub-Division, Lakhimpur	A E(C), BSNL, Civil Sub-Division (NER), Guwahati	Vice Sri G. C. Mahanta transferred
6	Sri Sekhar Nath	A E (P&D), O/o the E E (C), BSNL, Civil Division, Shillong	A E (C), BSNL, Civil Sub-Division-I, Shillong	Vice Sri B K Thappa transferred
7	Sri B. K. Thappa	A E (C), BSNL, Civil Sub-Division-I, Shillong	A E (P&D), O/o the C E(C), BSNL, NEZ, Shillong	Vice Sri A R Baro transferred

Attested by

 24/3/03

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-24-

8	Sri P. K. Goswami	A E (P&D), O/o the E E (C), BSNL, Civil Division (NER), Silchar	A E (C), BSNL, Civil Sub-Division, Lunglei	Against existing vacancy
9	Sri C. S. Gupta.	A E (P&D), O/o the E E (C), BSNL, Civil Division, Agartala	A E (C), BSNL, Civil Sub-Division (NER)- II, Silchar.	Against temporarily diverted post of AE(C), BSNL, Civil Sub-Division, Dharmanagar

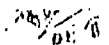
Necessary charge report should be furnished to all concerned


 Superintending Engineer (A&T) 12/3/03

For info

1. The Jt. DDG(BW), BSNL, New Delhi.
2. The Chief Engineer (C), BSNL, Assam Zone/ West Bengal Zone, Guwahati/Kolkata.
3. The Director (Civil), D.O.T., New Delhi
4. The Superintending Engineer(C), BSNL, Civil Circle, Shillong / Silchar/ Guwahati/ Jorhat.
5. The Executive Engineer(C), BSNL, Civil Division, Shillong/Itanagar/Dinapur/ Silchar(NER) /Agartala/Guwahati/Jorhat/Tezpur/Silchar(Assam)
6. The Sr. A.O.(T/A), O/o the C.G.M., BSNL, Shillong/ Guwahati/Kolkata
7. Officer concerned through their controlling office.


 Executive Engineer (P&D) 12/3/03


 12/3/03

-25- ANNEXURE-V

BIHARAT SANCHAR NIGAM LIMITED

(A GOVERNMENT OF INDIA ENTERPRISE)
OFFICE OF THE CHIEF ENGINEER (CIVIL)
 ASSAM CIVIL ZONE, 2nd FLOOR,
 MITRA BUILDING, ASHIRAM ROAD,
 ULUBARI, GUWAHATI - 781007.

No:-1(13)/2002/CE-ASM/GH/ 276

Dated:-12.03-2003.

OFFICE ORDER

In Continuation of the Jt. DDG(BW), New Delhi letter No:- 1-6/2002-CSE dtd. 28-02-03 the following Posting order in the cadre of AE(C) are made in the interest of public service.

S.No	Name of the AE(C)	Originally posted as	New place of posting as	Remarks
1	Shri A.R.Baro	AE(P&D).O/o the CE(C), Shillong	AE(C)CSD-V, Guwahati	B.R.Saikia shall be relieved in the 1 st week of April, 2003. ✓
2	Shri G.C.Mahanta	AE(C), CSD(NER), Guwahati	AE(P&D) Civil Circle, Guwahati	Vice Shri S.Jayaganthan transferred
3	Shri P.C.Dutta	AE(P&D), Civil Division, Jorhat	AE(P&D) Civil Circle, Jorhat.	Vice Shri V. Anandan transferred

Sd/-
 Executive Engineer(Admn)
 O/o the Chief Engineer(C)
 BSNL, Assam Civil zone,
 Guwahati.

Copy to:-

1. The CGMT, BSNL, Guwahati.
2. The C.E(C), BSNL, N.E.Zone, Shillong. It is requested to relieve Shri A.R.Baro in the 1st week of April 2003
3. The Jt. DDG(BW), BSNL, New Delhi.
4. The Director (Civil), DOT, New Delhi.
5. The SE(C), BSNL, Guwahati/Jorhat
5. The Executive Engineer(C), BSNL, CD, Guwahati/Jorhat/Tezpur for information.
6. The Officers concerned.

Sd/-
 Executive Engineer(Admn)

S.B.	
S.V.	
A.S.W. (Gen)	
O.S.	
Dy. No.	
Date	

Attested by
[Signature]
 Adv.