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**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 114/2004

R.A/C.P No.....

E.P/M.A No.....

1. Orders Sheet..... O.A Pg. / to X
2. Judgment/Order dtd. 17.10.2004 Pg. / to 2.10.04
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A..... 114/2004 Pg. / to 27
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. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

FORM NO. 4
(SEE RULE 12)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

114/2004.....

✓ Org. App. / Misc Petn / Cont. Petn / Rev. Appl.

In C.A.

Name of the Applicant(s) ... A.R. Choudhury

Name of the Respondent(s) ... Mr. J.L. Sarkar

Advocate for the Applicant Mr. M. Chanda, G.N. Chakrabarty, S. Majumdar

Counsel for the Railway / CGSC CGSC:.....

OFFICE NOTE

DATE

17.5.2004

ORDER OF THE TRIBUNAL

Heard Mr. J.L. Sarkar, learned counsel for the applicant and also Mr. A.K. Chaudhuri, learned Addl. S.G.S.C. for the respondents.

The applicant is working as Divisional Accounts Officer, in the office of the Executive Engineer, Naharlagun, PWD, Arunachal Pradesh. He has been transferred by the office of the Accountant General (A&E), Meghalaya ETC Shillong by order dated 8.3.2004 to the Office of the Executive Engineer, Imphal West PHE, Imphal. The applicant submitted representation to the Accountant General (A&E), Meghalaya, Arunachal Pradesh etc. dated 29.3.2004 and the same is yet to be disposed of by the authority.

In the circumstances, the respondents are directed to consider the representation of the applicant sympathically keeping in mind the transfer policy of the Controller and Auditor General of India dated 19.4.2000 within a period of two months from the date of receipt of this order. Till the disposal of the representation the transfer order dated 8.3.2004 shall be kept in abeyance so far the applicant is concerned.

The application is in form
is filed C.P. for Rs. 50/-
disposed of vide I.P.C./BD
No. TSG 389379

Dated 13/5/04

Dy. Registrar
14/5/04

Contd/-

Contd/-

17.5.2004

Issue notice to the respondents, returnable within four weeks.
List on 17.6.2004 for admission.

17.5.04
17.5.04

Member (A)

19.5.04

Copy of the
final order has
been sent to the
Office for issuing
the same to the
applicants as well
as to the Addl.
C.G.S.C. for the
Respondents.

17.5.2004

Heard Mr. J.L. Sarkar, learned
counsel for the applicant and also
Mr. A.K. Chaudhuri, learned Addl.
C.G.S.C. for the respondents.

Orders passed separately.


Member (A)

Recd
19/5/04

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. / Rx.A. No. 111 114/2004.

DATE OF DECISION 17.05.2004.

Sri A. R. Choudhury

APPLICANT(S).

Mr. J. L. Sarkar, Mr. M. Chanda, Mr. G. N. Chakrabarty ADVOCATE FOR THE
Mr. S. Nath. APPLICANT(S).

-VERSUS-

Union of India & Ors. RESPONDENT(S)

Mr. A. K. Choudhury.

ADVOCATE FOR THE
RESPONDENT(S).

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

THE HON'BLE

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

Judgment delivered by Hon'ble Member (A).

5

CENTRAL ADMINISTRATIVE TRIBUNAL :::: GUWAHATI BENCH ::::

Original Application No. 114 of 2004.

Date of order : This the 17th day of May, 2004.

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

Sri Alokes Roy Choudhury
S/o - Late Ambika Charan Roy Choudhury
Divisional Accounts Officer, Grade-I
O/o - The Executive Engineer
P.W.D. Maharlagon Division
P.O. - Naharlagon
Arunachal Pradesh - 791 110.

..... Applicant.

By Advocates Mr. J.L. Sarkar, Mr. M. Chanda,
Mr. G.N. Chakrabarty, Mr. S. Nath.

- VERSUS -

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Finance
New Delhi.
2. The Controller and Auditor General of India
New Delhi - 110 002.
3. Accountant General (A & E)
Meghalaya Etc.
Shillong.
4. Sr. Dy. Accountant General (Admn.)
O/o - The Accountant General (A & E)
Shillong.
5. The Chief Engineer,
Western Zone
P.W.D. & P.W.D., Itanagar,
Arunachal Pradesh.
6. The Executive Engineer,
Naharlagon Division
PWD, Naharlagon,
Arunachal Pradesh - 791110.

By Mr. A.K. Chaudhuri, Addl. C.G.S.C. Respondents.

: O R D E R

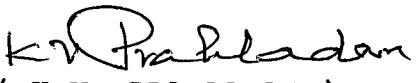
Heard Mr. J.L. Sarkar, learned counsel for the
applicant and also Mr. A.K. Chaudhuri, learned Addl.
C.G.S.C. for the respondents.

2. The applicant is working as Divisional Accounts Officer in the office of the Executive Engineer,

Naharlagun, PWD, Arunachal Pradesh. He has been transferred by the Office of the Accountant General (A & E), Meghalaya ETC Shillong by order dated 8.3.2004 to the office of the Executive Engineer, Imphal West PHE, Imphal. The applicant submitted representation to the Accountant General (A & E), Meghalaya, Arunachal Pradesh etc. dated 29.03.2004 and the same is yet to be disposed of by the authority.

3. In the circumstances, the respondents are directed to consider the representation of the applicant/^{sympathetically.} Till the disposal of the representation, the transfer order dated 8.3.2004 shall be kept in abeyance so far the applicant is concerned.

The application is disposed of at the admission stage. No order as to costs.


(K.V. PRAHLADAN)
ADMINISTRATIVE MEMBER

mb

X

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
Central Administrative Tribunal
GUWAHATI BENCH: GUWAHATI

14 MAY 2004

গুৱাহাটী ন্যায়বীক
Guwahati Bench

O.A. No. 114 /2004

Shri Alokes Roy Choudhury

-VS-

Union of India & Ors.

LIST OF DATES AND SYNOPSIS OF THE APPLICATION

19.04.2000- Transfer policy issued by the Auditor and Comptroller General, India with the instruction for strict compliance. (Annexure-II).

08.03.2004- Impugned order passed seeking to transfer the applicant from his existing place i.e. PWD, Naharlagun, Arunachal Pradesh to Imphal, violating all set norms of the transfer policy dated 19.04.2000. (Annexure-I)

29.03.2004- Representation submitted by the applicant praying for his retention at his present place of posting at Naharlagun due to his circumstantial distressing condition.
(Annexure-III)

31.03.2004- Representation forwarded by the Executive Engineer, PWD, Naharlagun strongly recommending the case of the applicant.
(Annexure-VI)

07.04.04- Chief Engineer forwarded the representation to the Respondent No.3, strongly recommending

Alokes Roy Choudhury

8

the case and urging for retention of the applicant at Naharlagun. (Annexure-VII)

Hence this application.

PRAYERS

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):

1. That the impugned order of transfer and posting issued under letter No. E.O. No. D.A Cell/120 dated 08.03.2004 (Annexure-I) be set aside and quashed so far the applicant is concerned.
2. That the Hon'ble Tribunal be pleased to direct the respondents to allow the applicant to continue in his present place of posting Naharlagun, Arunachal Pradesh, till his retirement on superannuation in terms of provisions of transfer policy dated 19.04.2000 (Annexure-II).
3. Costs of the application.

Alokesh Roy Choudhury

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

Interim order prayed for.

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

1. That the Hon'ble Tribunal be pleased to stay the operation of the impugned transfer and posting order dated 08.03.2004 (Annexure-I) in respect of the applicant till disposal of the Original Application.

Alokesh Roy Chaudhary

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

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

Title of the case : O. A. No 114 /2004

Sri Alokesha Roy Choudhury : Applicant

- Versus -

Union of India & Others : Respondents.

INDEX

SL. No.	Annexure	Particulars	Page No.
01.	----	Application	1-13
02.	----	Verification	-14-
03.	I	Copy of the impugned order dated 08.03.04.	15-18
04.	II	Copy of the policy letter dated 19.04.00	19-20
05.	III	Copy of the representation dated 29.03.04.	21-22
06.	IV	Copy of G.N.R.C's certificate dated 8.6.00	-23-
07.	V	Copy of letter dated 26.08.03.	-24-
08.	VI	Copy of the letter dated 31.03.04.	-25-
09.	VII	Copy of the letter dated 07.04.2004.	26-27.

Filed by

Subrata Nabi
Advocate

Date: 14.05.04

Alokesha Roy Choudhury

Filed by the applicant
through: Subrata Nabi
Advocate

10
Gauri
11.05.04

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

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

O. A. No. _____/2004

BETWEEN

Sri Alokesha Roy Choudhury.
S/o- Late Ambika Charan Roy Choudhury.
Divisional Accounts Officer, Grade-I
O/o- The Executive Engineer.
P.W.D, Naharlagun Division.
P.O- Naharlagun.
Arunachal Pradesh- 791 110.

... Applicant

-AND-

1. The Union of India,
Represented by the Secretary to the
Government of India,
Ministry of Finance,
New Delhi.
2. The Comptroller and Auditor General of India,
New Delhi- 110 002.
3. Accountant General (A & E)
Meghalay Etc.
Shillong.
4. Sr. Dy. Accountant General (Admn.)
O/o- The Accountant General (A&E),
Shillong.
5. The Chief Engineer,
Western Zone
P.W.D, Itanagar.
Arunachal Pradesh.

Alokesha Roy Choudhury

6. The Executive Engineer,
Naharlagun Division,
PWD, Naharlagun,
Arunachal Pradesh- 791110.

... Respondents.

DETAILS OF THE APPLICATION

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

This application is made against the impugned transfer order No. E.O. No. D.A. Cell/120 dated 08.03.2004 issued by the Respondents No.4, whereby the applicant has been sought to be transferred from the Office of the Executive Engineer, Naharlagun Division PWD, Arunachal Pradesh to the Office of the Executive Engineer, Imphal West PHE in violation of the transfer policy of the Respondent Department and the professed norms of the Government in an arbitrary manner.

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.

Alokesh Roychoudhury

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 your humble applicant was initially appointed as Lower Division Clerk (L.D.C) under the PWD, Arunachal Pradesh on 11.09.1973 and thereafter was promoted as Upper Division Clerk (UDC). While working as UDC in PWD, Arunachal Pradesh, he was appointed as Emergency Divisional Accountant in November, 1985. Thereafter the applicant appeared in the mandatory examination in the year 1989 and got absorbed in June, 1990 as regular U.D.A and eventually promoted to the grade of Senior Divisional Accountants Officer in the year 1996. Subsequently he was promoted as DAO-I in the year 1999 and posted in the office of the Executive Engineer, Electrical Division, Gumti Electrical Division Jatanbari, South Tripura; thereafter the applicant was transferred and posted in the Office of the Executive Engineer, Naharlagun PWD, Arunachal Pradesh, where he is still serving.

Nlokesh Ray Choudhury

4.3 That the applicant since his joining in the respondent department has been performing his duties with his utmost dedication and commitments, to the full satisfaction of his superior officers and successfully discharging all types of responsibilities as or when assigned to him. It is relevant to mention here that the applicant served in difficult areas for pretty long time as and when required by the department. A chronological details of his postings along with his tenure of services have been furnished hereunder: -

<u>Place of posting</u>	<u>Period</u>
1) Subansiri PWD Division Rino, Arunachal Pradesh	07.11.85 to 10.04.89
2) Tezu PWD Division Tezu, Arunachal Pradesh	April, 89 to June, 92.
3) Longding PWD Division Longding, Arunachal Pradesh	June, 92 to June, 96.
4) Gumti Electrical Division Gumti Civil Division, South Tripura.	September, 96 to September, 99.
5) Naharlagun PWD Division Naharlagun, Arunachal Pradesh	October, 99 to till date.

4.4 That it is stated that while the applicant working at Naharlagun, PWD Division as Divisional Accounts Officer, Grade-I, the respondents issued the impugned order of transfer and posting vide order bearing No. E.O No. D.A. Cell/120 dated 08.03.2004, whereby the applicant is now sought to be transferred from the

Alokesh Roy Chaudhury

office of the Executive Engineer, PWD, Naharlagun, Arunachal Pradesh to the Office of the Executive Engineer, Imphal West PHE, Imphal. Be it stated that as per the transfer policy issued by the Comptroller and Auditor General of India bearing No. 394-NGE (App)/11-98 dated 19.04.2000 wherein all principal Accountant General/Accountant General were instructed to follow the transfer policy laid down therein scrupulously and uniformly. As per the aforesaid transfer policy it was directed to list of Division likely to fall vacant during the year should be published well in advance, as per clause (d) options should be invited for posting in particular station from the individuals and efforts should be made to accommodate the officers at the place of their choice subject to availability of the vacancy and on basis of seniority. Further instruction is contained in clause (e) of the transfer policy dated 19.04.2000 wherein it is stated that a transfer committee should be formed to consider the case of transfer, again in clause (f) it was further directed that tenure of posting should normally be three years in a particular Division and six years at a particular station; it was further stated in clause (a) of the said transfer policy dated 19.04.2000 that the transfer should be fixed properly so that this may not disturb the academic session. But surprisingly the aforesaid impugned transfer has been made in total violation of clause (a), (b), (d), (e), (g) and (h) of the aforesaid transfer policy. Be it stated that vacancies occurred

Alokesh Roy Choudhury

During the year 2003-04 never notified by the Accountant General (A&E), Meghalaya, Shillong and no option was invited from any one for accommodating them to their choice place of posting as contained in paragraph (d) of the transfer policy. In this connection it may be stated that clause (d) has been inserted in transfer policy with the sole intention to accommodate the officers to their choice station as per as possible as because the individual officers have individual domestic problems and keeping in mind the Comptroller & Auditor General of India has framed the aforesaid policy. But no attempt is made even to consider the posting of the applicant in their choice station, the present applicant is a victim of such circumstance.

It is further submitted that wife of the applicant is a serious heart patient; she was suffering from Acute Infero-lateral MI in cardiogenic shock, NIDDM and Cholelithiasis. She was suggested coronary angiographies and accordingly wife of the applicant undergone coronary angiography during September, 2003.

The Director of Health Services, Naharlagun, Arunachal Pradesh accorded necessary approval for treatment of the wife of the applicant, which would be evident from the letter No. MPH-2002/1 dated 26.08.03.

Be it stated that even after Coronary Angiographies serious complications have already developed and she is under constant medical check-up at G.N.R.C, Guwahati and the applicant requires to attend very often G.N.R.C

Abolosh Roy Choudhury

Hospital for medical treatment of his wife. It is more convenient for the applicant to attend G.N.R.C at Guwahati undertaking overnight journey but it will be more difficult and also will be costly affairs on the part of the applicant to attend G.N.R.C Hospital frequently if the impugned transfer order is carried out.

The applicant is at least entitled to stay for a period of 6 years at a particular station considering the facts and circumstances stated above and more particularly in view of the fact that the respondents have violated almost all provisions laid down in transfer policy dated 19.04.2000 and that score alone the impugned order of transfer and posting is liable to be set aside and quashed.

(Copy of impugned order dated 08.03.2004 and transfer policy dated 19.04.00 are annexed hereto as Annexure-I & II respectively).

4.5 That your applicant thereafter submitted one representation through proper channel to the Respondent No.3 on 29.03.2004, wherein the applicant prayed for review and consideration of his transfer order and requested for retention at least for one more tenure at the present place of posting. More particularly on the ground that his wife is a patient of Coronary Artery, she needs by-pass surgery and already undergone Coronary Angiography and is under constant care and follow-up treatments of G.N.R.C. The applicant has also

Alokesh Roy Choudhury

submitted the relevant letter No. MPH-2002/1 dated 26.08.2003 of the Director of Health Services, Govt. of Arunachal Pradesh and the certificate dated 06.06.2000 of the GNRC Heart Institute, Guwahati alongwith his representation for consideration.

This apart, the applicant has also stated in his aforesaid representation that he himself is a patient of Gastric Ulcer and hypertension and is under medical treatment since long and as such he is neither in a position to take his ailing wife with him to Imphal nor can dissociate from his wife at this stage.

(Copy of the representation dated 29.03.2004 G.N.RC'S certificate dated 8.6.2000 and letter dated 26.8.03 are annexed herewith and marked as Annexure- III, IV & V respectively).

4.6 That the representation dated 29.03.04 of the applicant was thereafter forwarded by the Executive Engineer, Naharlagun PWD Division, Govt. of Arunachal Pradesh vide No. ND/PF-82/99/5039-40 dated 31.03.04 recommending for consideration of the representation of the applicant and stating that it deserves consideration. The application was in turn forwarded by the Chief Engineer, Western Zone, PWD, Govt. of Arunachal Pradesh, Itanagar to the Accountant General (A&E), Shillong vide his No. CEAP (WZ)/E-II/17/2004-05/108-II dated 07.04.2004 recommending for retention of the applicant at his existing post at Naharlagun. The Chief Engineer in his said letter dated 07.04.2004

Alokech Roy chandhury

further suggested/proposed for an alternative solution to the problem by way of an internal arrangement and requested to accommodate the applicant at Naharlagun by interchanging the transfer of his proposed reliever with that of his counterpart at Imphal who is under order of transfer to Itanagar vice Shri A. Roy Choudhury, now at Naharlagun, such arrangement would adequately serve the purpose of public interest and satisfy the professed transfer regulations in addition to redressal of the problems of the applicant.

(Copy of letter dated 31.03.04 and letter dated 07.04.04 are annexed hereto as Annexures-VI & VII respectively).

- 4.7 That the humble applicant most respectfully submits that under the impugned transfer order, the Respondents have transferred the applicant from Naharlagun to Imphal and another officer from Imphal to Naharlagun to discharge similar functions thereby resulting into an interchange of two identical officers only which will not serve the public interest in any better way. As such this transfer has been ordered only for the sake of transfer and not in the public interest.
- 4.8 That the applicant begs to submit that the Respondents have issued the impugned transfer order violating all the set norms of the transfer policy professed by the Government and have not considered the genuine difficulties of the applicant even when his proposed transfer could be averted by implementing the proposal

Alokesh Roy Choudhury

put forwarded by the Chief Engineer in his letter dated 07.04.04 aforesaid. As such the respondents have acted in an arbitrary, malafide, unjust, unfair manner and in violation of all set norms apart from the procedures established by law and the principles of natural justice.

4.10 That due to non-consideration of his prayer the applicant has been subjected to extreme difficulties and mental stress. As such finding no other alternative the applicant is approaching this Hon'ble Tribunal seeking for justice and it is a fit case for the Tribunal to interfere with and to protect the right and interest of the applicant by setting aside the impugned transfer order dated 08.03.2004 and directing the respondents to retain the applicant at his present place of posting i.e. at Naharlagun.

4.11 That the applicant begs to state that though he has been sought to be transferred from Naharlagun to Imphal under the impugned transfer order, but he has been retained at his present post at Naharlagun by the Chief Engineer till now vide letter dated 07.04.04 of the Chief Engineer (Annexure-VII) in anticipation of a revised order from the competent authority in case of the applicant. But no such order has yet been received.

4.12 That this application is made bonafide and for the cause of justice.

Alokesh Roy chandhury

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

5.1 For that, the applicant has been transferred in violation of all the set norms of the transfer policy notified under Government letter dated 19.04.2004.

5.2 For that, the authorities have strongly recommended for retention of the applicant at his present place of posting.

5.3 For that, the impugned transfer of the applicant has been made most mechanically by simply interchanging his posting with another identical officer at Imphal for the sake of transfer only and not for any public interest.

5.4 For that, the applicant served initially in remote areas without any grievance whatsoever.

5.5 For that, the applicant being in extremely distressing condition occasioned by the impugned transfer order, represented before the respondents for consideration and review of his transfer order but to no avail.

5.6 For that the respondents acted in an arbitrary, malafide, unjust, unfair manner and in violation of all set norms, procedures established by law and the principles of natural justice.

6. Details of remedies exhausted.

That the applicant states that he has exhausted all the remedies available to him and there is no other

Alokesh Roy Choudhury

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 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 impugned order of transfer and posting issued under letter No. E.O. No. D.A Cell/120 dated 08.03.2004 (Annexure-I) be set aside and quashed so far the applicant is concerned.
- 8.2 That the Hon'ble Tribunal be pleased to direct the respondents to allow the applicant to continue in his present place of posting at Naharlagun in terms of the

Alokesh Roy Choudhury

provisions of transfer policy dated 19.04.2000
(Annexure-II).

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 stay the operation of the impugned transfer and posting order dated 08.03.2004 (Annexure-I) in respect of the applicant till disposal of the Original Application.

10.

This application is filed through Advocates.

11. Particulars of the I.P.O.

i) I. P. O. No.	:	11 G 389379.
ii) Date of Issue	:	13.5.04.
iii) Issued from	:	G Po. Guwahati
iv) Payable at	:	G Po. Guwahati

12. List of enclosures.

As given in the index.

Alokesh Roy Choudhury

VERIFICATION

I, Shri Alokesh Roy Choudhury, S/o Late Ambika Charan Roy Choudhury, aged about 54 years, working as Divisional Accounts Officer, Grade-I, Naharlagun, PWD, Division, Arunachal Pradesh, do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the 11th day of May, 2004.

Alokesh Roy Choudhury

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

E.O. No. D.A. Cell/120

2381

7/4/04

Dated:- 8-3-2004

23

The following Sr. Divisional Accounts Officers and Divisional Accounts Officer Grade-I & II are transferred and posted to the Divisions noted against each as shown below.

They are requested to submit their handing over memorandum to their Divisional Officers under intimation to this office.

The Divisional Officers/Controlling Officers are requested to release the Officials concerned falling under them latest by 9th April 2004 under intimation to this office and to forward a formal handing and taking over charge report of the officials concerned to this office at an early date.

The transfer is in public interest.

SL No	Name & Designation	Present Division	Division Transfer to	REMARKS
1.	Shri P.C.Borah, Sr.DAO	O/o the Ex.Engineer, Gumti Electrical Division Jatanbari, Tripura, Addl.charge of Gumti Civil Division (Power) Jatanbari	O/o The Executive Engineer, Pasighat Drilling Division, I& FC, with addl. Charge of Pasighat I&FC Division, Pasighat vice Shri U.N.Sarkar, Sr.DAO	Shri P.C.Borah will move first to release Shri Sarkar.
2.	U.N.Sarkar, Sr.DAO,	O/o the Ex. Engineer Pasighat Drilling Division, I&FC, with addl. charge of Pasighat I&FC, Division,Pasighat	O/o the Ex. Engineer Gumti Electrical Division, Jatanbari, Tripura, with additional Charge of Gumti Civil Division, (Power), Jatanbari, vice Shri P.C.Borah	
3.	A.Pharami, DAO-I,	O/o the Ex.Engineer Gas Thermal Civil Division (Power), Rokia, Tripura, addl. charge of Gas Thermal (Elect.) Division, Rokia.	O/o the Ex. Engineer Building Project Division No.IV PWD, Imphal, vice L.Shanti Kumar Singh, DAO-I	Shri Pharami will move first to release Shri L.Shanti Kr. Singh.
	L.Shanti Kumar Singh, DAO-I	O/o the Ex.Engineer Building Project Division No.IV PWD, Imphal	O/o the Ex. Engineer Gas Thermal Division, (Power) Rokia, Tripura, Addl.Charge of Gas Thermal (Electrical) Division Rokia. Vice A.Pharami.	

2381
Certified to be true copy
S. K. Adarsh
14.05.04

5.	L.Thoiba Singh, DAO-I	O/o The Ex.Engineer Agartala Division No.V, PWD, Agartala.	O/o The Ex. Engineer Imphal Electrical Division No.III Manipur vice Shri N.Kumarjit Singh, DAO-I	Shri L.Thoiba Singh.will move first to release Shri N.Kumarjit Singh.
6.	N.Kumarjit Singh, DAO-I	O/o The Ex. Engineer Imphal Elect. Division No.III, Imphal	O/o The Ex. Engineer Agartala Division No.V, PWD, Agartala vice Shri L.Thoiba Singh.	
7.	Bhabesh Chakraborty, DAO-I	O/o The Ex.Engineer Ziro Elect Division A.P.	O/o The Ex.Engineer Electrical Divn No.IV Udaipur vice M. Sanajoaba Singh already transferred	
8.	Anindya Kr. Das, DAO-II	O/o The Ex.Engineer RWD Seppa, A.P.	O/o The Ex.Engineer Ziro Electrical A.P. vice Bhabesh Chakraborty, DAO-I transferred	Shri Anindya Kr.Das will move first to release Shri B.Chakraborty.
9.	D.Roy Choudhury, Sr.DAO	O/o The Ex.Engineer Capital 'A' Division, PWD, Itanagar	O/o Chief Engineer, PWD Imphal, with additional charge of Building Division No.I PWD Imphal, vice Shri M.Heramani Singh, DAO-II	
10	M.Heramani Singh, DAO-II	O/o the Chief Engineer, PWD Imphal and additional charge Building Divn No.I PWD Imphal	Capital 'A' PWD, A.P. vice D.Roy Choudhury transferred	Shri M.H.Singh, will move first to release Shri D.Roy Chouhdhury
11.	A.Kanungoe, DAO-I	O/o The Ex.Engineer Paisghat Electrical Division, Pasighat, AP	O/o The Ex.Engineer Highway South PWD, Imphal, Vice Shri A.Binode Kr. Sharma, DAO-I	
12.	A.Binode Kr. Sharma, DAO-I	O/o The Ex.Engineer Highway South PWD, Imphal	O/o The Ex.Engineer Pasighat Elect Divn A.P. Vice A.Kanungoe,DAO-I	Shri A.Binode Kr.Sharma, will move first to release Shri A.Kanungoe.
13.	D.Khamzachin, DAO-II	O/o The Ex.Engineer N.H. No.II PWD Imphal additional charge N.H. Divn No.I PWD,Imphal	O/o The Ex.Engineer Rig Divn PHE, Agartala vice P.C.Das, Sr.DAO	Shri D.Khamzachin will move first to release Shri P.C.Das
14.	P.C.Das, Sr.DAO	O/o The Ex.Engineer Rig Divn PHE Agartala	O/o The Ex.Engineer N.H. No.II PWD Imphal additional charge N.H. Divn No.I PWD,Imphal	

15.	A.Haloi, Sr.DAO	O/o The Ex. Engineer Banderdewa PWD, A.P.	O/o The Ex. Engineer Jairampur PWD A.P. vice K.C. Das, DAO-I relieved of additional Charge.	
16.	D.B.Choudhury Sr.DAO	O/o The Ex.Engineer I&FM Divn No.II Agartala	O/o The Ex. Engineer Imphal Elect Divn No.I vice L.Shamjal Singh, DAO-I	
17.	L.Shyamjai Singh, DAO-I	O/o The Ex.Engineer Imphal Elect Divn No.I	I&FM Divn No.II Agartala vice D.B. Choudhury, Sr.DAO	Shri L.Shyamjai Singh will move first to release Shri D.B.Choudhury.
18.	D.N.Mohan, DAO-I	O/o The Ex. Engineer Seppa PHE, A.P.	O/o The Ex. Engineer Changlang PWD vice K.C.Das, DAO-I	Shri D.N. Mohan will move first to release Shri K.C.Das
19.	K.C.Das, DAO-I	O/o The Ex. Engineer PWD Changlang, AP	O/o The Ex. Engineer PHE Division No.IV, Agartala.	
20.	S.C.Ghosh, DAO-I	O/o The Ex.Engineer Tawang PWD,AP	O/o The Ex.Engineer Electrical Division No.III, Agartala.	
21.	J.P.Sinha, Sr.DAO	O/o The Ex.Engineer Roing RWD, A.P.	O/o The Ex.Engineer Tawang PWD, A.P. Vice S.C.Ghosh,DAO-I	Shri J.P.Sinha will move first to release Shri S.C.Ghosh.
22.	J.K.Lahiri, Sr.DAO	O/o The Ex.Engineer Pasighat PWD	O/o The Ex.Engineer Tawang Elect Divn vice N.C.Barman DAO-I	J.K.Lahiri will move first to release Shri N.C. Barman.
23.	N.C.Barman, DAO-I	O/o The Ex.Engineer Tawang, Elect. AP	O/o The Ex.Engineer Kailashahar PWD, vice Shri B.Chakraborty, Sr.DAO	
24.	Birajendu Chakraborty, Sr.DAO	O/o The Ex.Engineer Kailashahar PWD, Tripura	O/o The Ex.Engineer Northern Divn PWD Dharmanagar vice S.Nag, Sr.DAO	Shri B.Chakraborty will move first to release Shri S.Nag.
25.	Shyamalendu Nag, Sr.DAO	O/o The Ex.Engineer Northern Divn PWD Dharmanagar	O/o The Ex.Engineer Thoubal PHE, with additional charge of PWD Thoubal Manipur vice P.Manglem Singh, Sr.DAO	
26.	P.Manglem Singh, Sr.DAO	O/o The Ex.Engineer Thoubal PHE Manipur with additional charge PWD Thoubal Divn. Manipur	O/o The Ex.Engineer Hayuliang Electrical A.P. Vice Swapan Kr. Chakraborty	P.Manglem Singh will release Shri S.Kr.Chakraborty

27.	Swapan Kr. Chakraborty, DAO-I	O/o The Ex.Engineer Hayuliang Electrical Divn A.P.	O/o The Ex.Engineer Electrical Divn I&FC PWD Imphal	
28.	Sajal Kanti Choudhury, DAO-I	O/o The Ex.Engineer Along RWD, A.P.	O/o The Ex.Engineer Building Divn IFC Imphal	
29.	Ashim Kr. Bhattacharjee, DAO-I	O/o The Ex.Engineer Khonsa PWD A.P.	O/o The Ex.Engineer R&D Task Force Divn No.I PWD Imphal	
30.	Ch. Naba Kr. Singh, DAO-I	O/o The Ex.Engineer Task Force Divn IFC, Manipur	O/o The Ex.Engineer Khonsa PWD A.P, Vice A.K. Bhattacharjee	Shri Ch. Naba Kr. Singh will move first to release Shri A.K. Bhattacharjee
31.	O. Manihar Singh, DAO-I	O/o the Ex.Engineer, Roing PHE, A.P	Churachandpur Electrical, Division, Manipur	
32.	M.H. Angami, DAO-I	O/o The Ex.Engineer Bishnupur PWD, Manipur.	O/o The Ex.Engineer M.L. Division No.I (valley) Lamphelpat, Imphal	
33.	Abhijit Kr. Das, DAO-I	O/o The Ex.Engineer Elect Divn No.I, Agartala	O/o The Ex.Engineer Bomdila, P.H.E., Arunachal Pradesh	
34.	A. Roy Choudhury, DAO-I	O/o The Ex.Engineer Naharlagun PWD, A.P.	O/o The Ex.Engineer Imphal West PWD, Vice H. Yaishkul Singh	
35.	H. Yaishkul Singh, DAO-I	O/o The Ex.Engineer Imphal West PHE, Manipur	O/o The Ex.Engineer Naharlagun PWD, A.P. Vice A. Roy Choudhury	Shri H. Yaishkul Singh will move first to release Shri A. Roy Choudhury.
36.	Hamendra Ch. Das, DAO-I	O/o The Ex.Engineer Basar PWD A.P. addl Charge of Basar I&FC	O/o The Ex.Engineer Building Divn IFC PWD, Imphal	✓

(Authority:- AG's order dated 4.3.2004. at p/101th off No.DA Cell/2-36/99-2002/Vol. V)

Sd/-

Smt. Subrata Chatterjee General (Admn).

Certified to be true copy
Smt. Subrata Chatterjee
Advocate
11.4.05.04

ANNEXURE-II

Annexure-6

OFFICE OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA
NEW DELHI -110002

No. 394-NGE(App)/11-98

Dated 19.4.2000

To

All P.M. Accountants General/Accountant General
Dealing with the cadre of Divisional Accountants.

Sir/Madam,

The need to evolve some clearly defined norms and a uniform and transparent policy of transfer and posting of Divisional Accounts Officers/Divisional Accountant was being felt for sometime. Though transfer is an incidence of service of Divisional Accountant, it should be effected in such a way that it causes minimum inconvenience to the individuals and at the same time it fulfils the administrative requirements. It has, therefore, been decided to prescribed the following broad parameters for transfer and posting of Divisional Accounts Officers/Divisional Accountants which should be followed scrupulously and uniformly.

- (a) transfer and posting should normally be made once in a year and annual transfers should be timed properly so that these may not disturb the academic session.
- (b) list of Divisions likely to fall vacant during the year should be publicised well in advance.
- (c) Divisions should be properly graded by following the instructions issued in this regard from time to time and posting of officers should be made in the appropriately graded Divisions;
- (d) Option for posting in particular station(s) should be called for from the individuals and efforts should be made to accommodate the officers at the place of their choice, subject to availability of vacancy and on basis of seniority. The adverse comments given by the Inspecting Officer auditing the accounts of the Divisions, adverse remarks made by the Executive Engineers on the performance of the Divisional Accounts Officers/Divisional Accountants which are finally substantiated and the performance in proper and timely submission of accounts may also be kept in view;

certified to be true copy
Sijith Hosh
Advocate

Certified to be true copy
Sijith Hosh
Advocate
11.05.01

(e) a transfer Committee comprising the Group Officer in ~~stage~~ of works Accounts and two other Indian Audit & Accounts Department officers of the rank of Sr. Dy. Accountant General/Dy. Accountant General, to be nominated by the Pr. Accountant General/Accountant General should be formed to consider the case of transfer.

(f) tenure of posting should normally be three years in a particular Division and six years at a particular station;

(g) an officer should normally allowed to serve the last three years of his service life at a place of his choice even if it results in his stay in the same place etc. beyond the normal tenure.

(h) a general order indicating transfers and postings of all officers should be notified in addition to individual posting orders that may be issued.
Dispensation of the set norms could be made only in every exceptional circumstances, to be recorded in writing, on account of extreme personal circumstances which are quite distinguishable.

Yours faithfully,

Sd/-

Asstt. Comptroller and Auditor General (N)

Certified to be true
কুতুব সহিত

Section Officer (S)

T. GUWAHATI BRANCH
Guwahati-781005

16/4/04
16/4/04

To,

The Accountant General(A&E),
Meghalaya, Arunachal Pradesh etc.
DA|DAO's Cell,
Main Building,
Shillong.

(Through Proper Channel)

Sub:- An earnest appeal for re-consideration
of transfer order.

Ref:- Your E.O.No.D.A.Cell/120 dtd.8/3/2004.

Sir,

With profound veneration and humble submission, I would like to draw your kind and sympathetic attention with the following facts for re-consideration of the cited transfer order.

That Sir, my wife is a patient of "Coronary artery". She needs regular medical treatment from consultant Cardiologist. As per opinion of Cardiologist GNRC Heart Institute, Dispur, Guwahati she needs "bypass Surgery" and undergo "coronary Angiographies". It is also to mention here that due to her frequent cardiological problem and other associated symptoms she has been referred to GNRC Heart Institute, Guwahati for medical treatment and investigation. The Director of Health Service, Govt.of Arunachal Pradesh has recommended and approved the proposal vide No. MPH-2002/1 dtd.26/8/03 (copy enclosed) and till date she is under the treatment of GNRC under specialist's observation there. Considering her critical condition it is very difficult task on my part to move at Imphal with my ailing wife at this juncture. Over and above, I would not isolate her in her such ailing stage. The photo copies of necessary Medical Certificates are enclosed herewith for your kind perusal please.

Further, the humble applicant have been suffering from "Gastric Ulcer" associated with "hypertension" and under medical treatment since long.

*Certified to be true
Gol. Govt. private
11th. 5. 04*

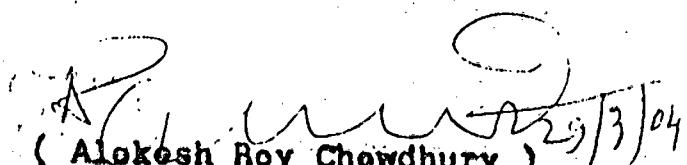
In view of facts as narrated above, I would like to appealing your benign authority kindly re-consider my transfer order and retain me in the present place of posting at least for one more tenure or place me in any near-by Divisions as per your administrative convenience so that I could tackle the painful situation.

I do hope and believe that your benevolent authority will certainly realise my problems and favoured me by retaining at least one more tenure at this assignment.

With regards,

Enclo: As above.

Yours faithfully,


(Alokech Roy Chowdhury)
Divisional Accounts Officer Gd.I
Naharlagun Division, PWD,
AP : Naharlaguna

G.N.R.C. HEART INSTITUTE

Dispur, Guwahati - 781 006
Assam



TEL: 561654
567195
567190
566536
FAX: (0361) 562465

Date : 08/06/2000

TO WHOM IT MAY CONCERN

This is to certify that Mrs. Bhabatarini Roy Choudhury, ^{wife of Mr. Alexander Roy} ~~45 years~~ female (Hosp. No- 1103949) was admitted in Cardiology, GNRC Heart Institute on 29/05/2000 in a critical condition with CAD : Acute Infero-lateral MI in cardiogenic shock, NIDDM and Cholelithiasis. She is undergoing treatment in ICCU and will require coronary angiography.


Dr. A. K. Boro, MD, DM
Senior Consultant Cardiologist
& Head of the Deptt. (Cardiology)

Attached
for private
11.05.00

GOVERNMENT OF ARUNACHAL PRADESH
DIRECTORATE OF HEALTH SERVICES
NAHARLAGUN

24-

ANNEXURE-V

34

No. MPH - 2002/1

Dated, Naharlagun the 26/8/ 2003

~~Ex post facto~~ Approval is hereby accorded for consultation and treatment of
Shri/Smti/Miss..... B. Roy, Chowdhury.....
Father/mother/wife/daughter/son/brother/sister of Shri/Smti..... A. Roy Chowdhury
Divisional Accounts Officer P.W.D. "Ruy", G.M.R, U.S.Y.
at Assam Medical College, Dibrugarh/Medical College Hospital, Gauhati/Civil
Hospital, Tezpur/I.O.C. Hospital Digboi/General Hospital, Naharlagun/R.K.
Mission, Itanagar/General Hospital, Pasighat with an escort.

Sd/-

(Dr. G. Jomcha)

Director of Health Services,
Government of Arunachal Pradesh,
Naharlagun

Memo No. MPH - 2002/1

Dated, Naharlagun the 26/8/ 2003

Copy to :-

1. (a) The District Medical Officer district
Arunachal Pradesh with reference to his letter No.
dated
- (b) The Deputy Director of Health Services (T&R) Pasighat with reference to his
letter No. dated
- (c) The secretary R.K. Mission Hospital, Itanagar with reference to his letter
No. dated
- (d) The Chief Medical Officer, General Hospital, Naharlagun with reference to his
letter No. D/6/83/10012-1998 dated *nil*
- (e) Medical Officer Assam Rifles C/O 99 APO.
with reference to his letter No. dated

2. Shri/Smti/Miss

B. Roy Chowdhury
w/o Smti. A. Roy Chowdhury
Div. Accounts Officer
P.W.D. "Ruy", G.M.R, U.S.Y.

26/8/03
(Dr. G. Jomcha)

DDHS (PH)

For Director of Health Services.

After 10
from 11.8.03

By Speed Post

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE EXECUTIVE ENGINEER : NAHARLAGUN DIVISION
PWD:AP:NAHARLAGUN.

NO.ND/PF-82/99/5039-40 Dated, 31/3/04

To,

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

Sub:- Forwarding of appeal in respect of
Shri Alokes Roy Chowdhury, DAO Gr-I.

Ref:- Your E.O. No.DA Cell/120 dtd.8.3.04.

Sir,

Please find herewith an appeal received from the aforesaid officer, which is self explanatory. The problems as clarified by the incumbent are seems to be genuine and deserves consideration.

Therefore, the appeal in question is recommended for sympathetic consideration please.

Yours faithfully,

Enclo:- As above.

Executive Engineer
Naharlagun Division
AP:PWD:NAHARLAGUN.

Copy to:-

1) Shri Alokes Roy Chowdhury DAO Gr-I for information.
2) copy to concerned file.

Executive Engineer
Naharlagun Division
AP:PWD:NAHARLAGUN.

Heetoo
11.05.04

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE CHIEF ENGINEER ; WESTERN ZONE.
P.W.D. ; ITANAGAR

No. CEAP(WZ)/E-II/17/ 2004-05/18-11 Dtd., Itanagar, the 7th April/2004
To,

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

Sub:- Transfer of Shri. D. Roy Chaudhury, Sr. D.A.O. from Capital Division - 'A'
PWD, Itanagar, A.P.

Ref:- Your order No. E.o. No. DA Cell/120 Dated 8/3/2004
Sir,

The representation of Shri. D. Roy Chaudhury, Sr. D.A.O. alongwith the recommendations of the concerned Executive Engineer, Capital Division - 'A' PWD, Itanagar has been seen. The facts narrated in the representations and its recommendations made by the Executive engineer, are true, hence instead of repeatations, I would like to endorse and strongly recommend those. Shri. D. Roy Chaudhury, Sr. D.A.O. is personally known to me and his services are been appreciated by everybody. He has been entrusted with few important and vulnerable court cases spreded over few Divisions with huge monitory involvements at stake. At this stage it would be detrimental for the interest of the Government to separate the services of Shri. D. Roy Chaudhury from the deal of the said cases. As stated by the Executive Engineer, I too subscribe that the proposal for voluntary retirement to cut short of last spell of service life of an efficient and sincere government servant like Shri. D. Roy Choudhury, Sr. D.A.O. is rather greater loss to the Government itself, especially when many of the Divisions are running short of the Divisional Accountant. You are therefore requested to consider the retention of Shri. D. Roy Chaudhury, at Itanagar till his retirement which is due in February, 2007.

If you do not kindly consider it to be interference in your jurisdiction, it may be suggested as under to resolve the interest of everybody, where as the norms of transfer posting of Government servant can be fulfilled.

It has been observed from your order that Shri. D. Roy Chaudhury, Sr. D.A.O. of Capital Division-'A' and Shri. A. Roy Chaudhury, DAO-I of Naharlagun Division, PWD, under this PWD Zone have been transferred and their replacements have been ordered from the incumbents presently at Manipur. If you can consider the inter-change transfer in between Shri. D. Roy Chaudhury and Shri. A. Roy Chaudhury and corresponding changes in between their proposed reliever at Manipur, then the purpose of the interest of this government as well as personal prayer of the incumbents can be resolved and at the same time the norms and regulations of periodical transfer - posting can be fulfilled. The distance of Itanagar and Naharlagun is more than 10 K.m. which is considered to be two different stations, where-as this department can avail the service of Shri. D. Roy Chaudhury, as the stated Court case are having the involvement of Naharlagun Division also.

*W.M.G.
11-05-04*

27

37

The presence of the existing accountant Shri. A. Roy Chaudhury, DAO-I at nearby place shall be helpful in placement of records of that Division in relation to court case. In this connection your kind attention is also invited towards the representation of Shri. A. Roy Chaudhury, DAO-I of Naharlagun Division, PWD which has been forwarded by the Executive Engineer, Naharlagun Division. The ground narrated are recommended for your consideration.

You are requested kindly review the transfer orders at the earliest, so that the persons can receive your instructions before their movements from present assignments. The delay may cause to difficulties for the incumbents. In anticipation of your approval, the respective Executive Engineers of Capital Division - 'A' and Naharlagun Division are being instructed to retain the present incumbents till a final decision and instructions are received from your end.

Yours faithfully,

(G. Kato)
Chief Engineer,
Western Zone, P.W.D. A.P.
Itanagar.

No. CEAP(WZ)/ 2004-05/ Dtd., Itanagar, the /2004
Copy to:-

1. The Superintending Engineer, Capital Circle, PWD, Itanagar, for information with reference to his No. SECC/E-11/9/2004-05/23-25 Dtd. 6/4/2004.
2. The Executive Engineer, Capital Division-'A' PWD, Itanagar for information and necessary action. He may retain Shri. D. Roy Chaudhury, Sr. D.A.O. in Capital Division-'A' till a decision/revised order is received from the Accountant General, Shillong.
3. The Executive Engineer, Naharlagun Division, PWD, Naharlagun for information and necessary action. He may retain Shri. A. Roy Chaudhury, DAO, till a decision/revised order is received from the Accountant General, Shillong.

(G. Kato)
Chief Engineer,
Western Zone, P.W.D. A.P.
Itanagar.