

0/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

3

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 89/2004

R.A/C.P No.

E.P/M.A No.

1. Orders Sheet..... OAPg. 1to 2
MJP 109/2004 orderPg. 1to 16.2.05
2. Judgment/Order dtd 8.2.2004Pg. 1to 18.2.2004 order PD
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A..... OA 89/2004Pg. 1to 23
5. E.P/M.P. 109/2004Pg. 1to 12
6. R.A/C.P.....Pg.....to.....
7. W.S. to the M.P. 109/2004Pg. 1to 11
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.)

Kali
09.11.07

FORM NO. 4

(SEE RULE 12)

CENTRAL ADMINISTRATIVE TRIBUNAL
COAHATI BENCH.

ORDER SHEET

Org. App/ Misc. Petn/Cont. Petn/ Rev. Appl. 89/2004

In O.A.

Name of the Applicant(S) Sri Upendra Nath Sarkar

Name of the Respondent(S) U.O.I. - Mors.

Advocate for the Applicant Mr. M. Chandra, Mr. G.N. Chakraborty
Mr. S. Nath or Mrs. Chandany

Counsel for the Railway/ C.G.S.C. _____

OFFICE NOTE

DATE

ORDER OF THE TRIBUNAL

This application is in form
is filed/C. F. for Rs. 10/-
deposited vide IPO/BD
No. JS 6. 378769

Dated 22.2.04

[Signature]
Dy. Registrar

Steps taken.

13
8/4/04

8.4.2004

Present : The Hon'ble Mr. K.V.
Prahlanan, Member (A).

The applicant who is a Sr. Divisional Accounts Officer was transferred and posted at office of the Ex. Engineer Pashighat Driling Division, I&FC with additional charge of Pasighat I&FC, Division, Pasighat by order dated 5.11.2003. Only after completion of 2 months at Pasighat Driling Division, he was further sought to be transferred by order dated 8.3.2004 to office of the Ex. Engineer, Gumti electrical Division, Jatanbari, Tripura with additional charge of Gumti Civil Division, (Power), Jatanbari within a span of two months. Being aggrieved the aforesaid order the applicant approach this Hon'ble Tribunal.

Contd/-

2

Contd/-

8.4.2004

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

Mr. Chanda, learned counsel for the applicant stated that the impugned transfer order is contrary to the transfer policy dated 19.4.2000. The applicant is also retiring within three years. In the circumstances, the case of the applicant is required to be reconsidered by the authority. Therefore, I direct the respondents to consider the case of the applicant as per transfer policy dated 19.4.2000 within two months from the date of receipt of this order. Till the completion of the aforesaid exercise the transfer order dated 8.3.2004 shall be kept in abeyance so far the applicant is concerned.

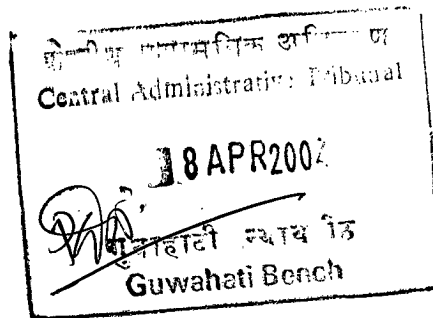
The application is accordingly disposed of. No order as to costs.

K. D. Prasad
Member (A)

23.4.04

Copy of the order has been sent to the Dy Sec. for issuing the order to the applicant as well as to the Sr. C.G.S.C. for the record.

sd / 26/4



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

O.A. No. 89 /2004

Sri Upendra Nath Sarkar

VS-

Union of India & Ors.

LIST OF DATES AND SYNOPSIS OF THE APPLICATION

- | | |
|-------------|---|
| 19.04.200- | Transfer policy issued by the Auditor and Comptroller General, India with the instruction for strict compliance |
| 05.11.2003- | Applicant transferred and posted from I&FC Division Itanagar to Pasighat Drilling Division I&FC. |
| 19.11.2003- | Representation submitted by the applicant for review of his posting order and prayed for posting at Itanagar or nearby places. |
| 24.11.2003- | Representation rejected by the senior Dy. A.G (Admn) and directed for immediate compliance of the posting order dated 5.11.03 |
| 03.12.2003- | Applicant submitted representation for reconsider of his posting order around the Capital Complex at Itanagar on the ground that applicant is in verge of retirement. |

Upendra Nath Sarkar

7

28.01.2004- Applicant joined at Pasighat Drilling Division Pasighat.

08.03.2004- Impugned order of transfer and posting dated 08.03.04 has been passed after a lapse of 40 days after joining at new station at Pasighat in total violation of transfer policy dated 19.04.2000. By the impugned order applicant is sought to be transferred from Pasighat to Jatanbari, Tripura.

P R A Y E R S

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 be set aside and quashed so far the applicant is concerned.

Upendra Nath Saran

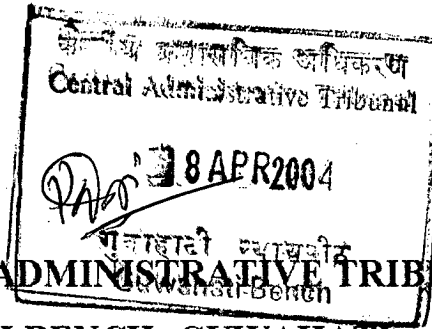
- 9
2. That the Hon'ble Tribunal be please to direct the respondents to allow the applicant to continue in the present place of posting at Pasighat Drilling Division I&FC or in any adjacent places near Itanagar till his retirement on superannuation in terms of clause (f) and (g) of the transfer policy dated 19.04.2000 issued by the Comptroller and Auditor General, Govt. of India
 3. Costs of the application.
 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 in respect of the applicant till disposal of the Original Application.

Upendra Nath Sengupta



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

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

Filed by the Applicant
Serajit Choudhury
Advocate
on 8.04.2004

Title of the case : O. A. No. 89/2004

Sri Upendra Nath Sarkar. : Applicant

- Versus -

Union of India & Others: Respondents.

INDEX

SL. No.	Annexure	Particulars	Page No.
01.	----	Application	1-11
02.	----	Verification	-12-
03.	I	Copy of the transferred order dated 5.11.03	-13-
04.	II	Copy of the representation dated 19.11.2003.	-14-
05.	III	Copy of the order dated 24.11.2003	-15-
06.	IV	Copy of the representation dated 03.12.2003.	-16-
07.	V	Copy of the letter dated 31.01.2004	-17-
08.	VI	Copy of the impugned transfer order dated 08.03.04	18-21
09.	VII	Copy of the letter dated 19.04.2000.	22-23

Filed by

Serajit Choudhury
Advocate

Date: 8.4.2004

Upendra Nath Sarkar

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 Upendra Nath Sarkar.
S/o- Late Radhanath Sarkar.
Sr. Divisional Accounts Officer,
Drilling Division, I & FC,
Pasighat,
Arunachal Pradesh.

... 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.
3. Accountant General (A & E)
Meghalay Etc.
Shillong.
4. Sr. Dy. Accountant General (Admn)
O/o- The Accountant General (A&E),
Shillong.
5. Executive Engineer,
I&FC, Drilling Division,
Pasighat, Arunachal Pradesh.

Upendra Nath Sarkar

6. Shri K. Bathow.
Sr. Dy. Accountant General (Admn)
O/o- The Accountant General (A&E)
Shillong.

... 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 in violation of professed norm by the Respondent No.4, whereby the applicant has been sought to be transferred from the Office of the Executive Engineer, Passighat Drilling Division to the Office of the Executive Engineer, Gumti Electrical Division, Jatanbari, South Tripura only after 2 months of his joining at Passighat on extraneous considerations and in violation of the professed policy of the Respondent department.

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.

Upendra Nath Barua

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 Divisional Accountant (D.A) on 05.02.1973 under the Accountant General Meghalaya etc, Shillong. Then he was promoted as Divisional Accountant, Selection grade and subsequently as Divisional Accounts Officer Grade-II on 01.01.1986. Thereafter, the applicant was further promoted to the grade of Divisional Accountants Officer Grade-I on 01.01.1990. At present the applicant is working as Senior Divisional Accounts Officer w.e.f 01.01.1997.

4.3 That the applicant since his joining in the respondent department has been transferred very frequently within and outside of the state and he had worked at different places in different capacities as desired and ordered by the respondent departments. A chronological details of his postings along with his tenure of services have been furnished hereunder:-

Upendra Nath Sarker

<u>Place of Posting</u>	<u>Period</u>
1) Jatanbari	- 1974-78
2) Gumti Project Division-I	
3) Gumti Electrical Division (All in the state of Tripura)	
4) Tirap CPWD, Jairampur Div. II Arunachal Pradesh	- August, 1978 - May, 1982.
5) Agartala Civil Division-4 at Agartala.	- 1982-1985
6) Agartala Electrical Division	- 1985-Feb'88
7) Capital Electrical Division, Itanagar, Arunachal Pradesh	- Feb'88-1991
8) Roing Electrical Division Arunachal Pradesh	- 1991-1995
9) Kalaktang PWD Division Arunachal Pradesh	- 1995-97
10) Itanagar IFC Division, Arunachal Pradesh	- 1997-Dec'2003.

4.4 That while serving at I&FC Division, Itanagar the applicant was again transferred and posted to Passighat Drilling Division, I&FC vide order bearing No. E.O No. DA Cell/85 dated 05.11.2003, issued by the respondent No.4.

(Copy of the order dated 05.11.2003 is annexed hereto as Annexure-I)

Upendra Nath Sarkar

4.5 That thereafter the applicant submitted one representation on 19.11.2003 to the respondent No.4 through proper channel describing his ill-health and physical condition and prayed for reconsideration of his transfer case and further praying for his transfer to any division within the Capital Complex of Itanagar in order to enable him to continue his ongoing treatments. He also explained that he was due to retire on April, 2007 and prayed for sympathetic consideration of his case.

(Copy of the representation dated 19.11.2003 enclosed herewith and marked as Annexure- II)

4.6 That surprisingly the prayer of the applicant was rejected vide order No. E.O No. DA CELL/1167 dated 24.11.2003 stating that "his retention in the same division is not agreed to" and he was further directed to report for duty at Pasighat Drilling Division immediately as per order dated 05.11.2003.

(Copy of order dated 24.11.2003 is annexed hereto as Annexure-III).

4.7 That thereafter the applicant submitted another representation on 03.12.2003 emphasising that he did not pray for his retention in the same division in his earlier representation dated 19.11.03 as mentioned in the rejection order dated 24.11.2003 but instead he had requested to post him in any division in the Capital Complex and as such he again prayed for the same vide his representation dated 03.12.2003.

Upendra Nath Sarkar

(Copy of the representation dated 03.12.2003 is annexed hereto as Annexure-IV).

- 4.8 That the applicant however did not get any consideration whatsoever even inspite of his serious ailments and his retirement approaching and as such he joined at Passighat Drilling Division on 28.01.2004 as per order dated 05.11.2003 and his joining report was forwarded by the respondent No.5 to the respondent No.3 vide letter bearing No. IFC/Drilling/PF-83/2004-05/ dated 31.01.2004.

(Copy of the letter dated 31.01.04 is annexed hereto and marked as Annexure- V)

- 4.9 That surprisingly within 40 (forty) days of his joining at Pasighat, the respondent No.4 again issued another transfer order Vide No. E.O No. DA CELL/120 dated 08.03.2004 whereby the applicant has been sought to be transferred from Pasighat to Jatanbari in Tripura in an arbitrary and unjust manner.

(Copy of impugned order dated 08.03.2004 is annexed hereto as Annexure-VI)

- 4.10 That the applicant most humbly begs to state that as per the professed policy of the respondent department as evident from the letter No. 394-NGE (App)/11-98 dated 19.04.2000 of the respondent No.2, the following parameters are to be followed for transfer and posting of Divisional Accounts Officer/Divisional Accountants;-

Upendra Nath Sarkar

“--- (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”.

In addition to the above some other conditions have been laid down under item sl. No. (b), (d), (e) and (h) also of the said letter dated 19.04.2000. But surprisingly all those professed norms have been violated by this impugned order dated 08.03.2004.

(Copy of the letter dated 19.04.2000 is annexed hereto as Annexure-VII).

4.11 That the applicant begs to submit that he had earlier served in many places as or when ordered as shown in para 4.3 hereinabove without any grievance or complaint but this time he had prayed for consideration of his case on genuine ground for which he submitted relevant medical certificates etc. also but he was denied any consideration. The respondents acted on extraneous considerations and transferred the applicant without paying any humanitarian considerations which smacks malafide and which is arbitrary, illegal, unjust, unfair and violative of the principles of natural justice.

Upeendra Nath Sarkar

4.12 That due to non-consideration of his prayer the applicant has been put to a seriously distressed condition at the fag end of his service tenure even to the extent of interrupting proper treatment of his ailments. It is submitted that no one has been posted in the place of the applicant at Pasighat. 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 legitimate 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 Pasighat.

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

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

5.1 For that, the applicant has been transferred under the impugned order within 40 days of his joining at Pasighat on extraneous consideration, which smacks malafide.

5.2 For that, the applicant had earlier been transferred very frequently and he worked at different places in Arunachal Pradesh and Tripura.

5.3 For that, the impugned transfer order is violative of the professed norms of the respondent department.

Wpendra Nath Sarkar

5.4 For that, the action of the respondents are arbitrary, unfair, unjust and violative of the principles of natural justice.

5.5 For that, the applicant is at the verge of his retirement having left only 3 years of service in his credit as such he is squarely covered by the transfer policy dated 19.04.2000 issued by the Comptroller and Auditor General of India.

5.6 For that, the applicant only prayed for his retention in and around the Capital in order to facilitate his ongoing treatment and also agreed for his posting under any division but even that has been denied to him.

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 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:

Upendra Nath Sarkar

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 be set aside and quashed so far the applicant is concerned.
- 8.2 That the Hon'ble Tribunal be please to direct the respondents to allow the applicant to continue in the present place of posting at Pasighat Drilling Division I&FC or in any adjacent places near Itanagar till his retirement on superannuation in terms of clause (f) and (g) of the transfer policy dated 19.04.2000 issued by the Comptroller and Auditor General, Govt. of India
- 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: -

Upendra Nath Sarkar

9.1 That the Hon'ble Tribunal be pleased to stay the operation of the impugned transfer and posting order dated 08.03.2004 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.	: 11G378769.
ii) Date of Issue	: 22.3.04.
iii) Issued from	: G. P. O. Guwahati.
iv) Payable at	: G. P. O. Guwahati.

12. List of enclosures.

As given in the index.

Wendro Hally Sarkar

VERIFICATION

I, Shri Upendra Nath Sarkar S/o Late Late Radhanath Sarkar, aged about 57 years, working as Sr. Divisional Accounts Officer, Drilling Division, I & FC, Pashighat, Arunachal Pradesh, aged about 57 years, 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 8th day of April, 2004.

Upendra Nath Sarkar

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

E.O. NO.DA CELL/85

Dated:- 10.2003

Smti Subithy Nandy, Sr.DAO Pasighat Drilling Division I&FC Pasighat, Arunachal Pradesh is transferred and posted in the same capacity to I&FC Division Itanagar vice Sri Upendra Nath Sarkar, Sr.DAO I&FC Division Itanagar, Arunachal Pradesh is withdrawn and posted in the same capacity to Pasighat Drilling Division I&FC with additional charge of Pasighat I&FC Division Pasighat, Arunachal Pradesh, with immediate effect.

Authority:- A.G.'s order at P/18^N dated 30.10.2003 of file No.DA Cell/1-14/2001-02/Vol.III

Sr.
Sr. Dy.Accountant General (Admn)

Memo No.DA Cell/1-14/2001-02/Vol.III/1060-68

Dated:- 5 10.2003
5 NOV 2003

Copy to:-

1. Chief Engineer, Irrigation and Flood Control Department, Govt. of Arunachal Pradesh, Itanagar.
2. Executive Engineer, Irrigation and Flood Control Division, Itanagar, Arunachal Pradesh for information and necessary action. The date of release of Shri Sarkar, Sr.DAO from the division and joining of Smti Subithy Nandy, Sr.DAO in the division may please be intimated to this office early.
3. Executive Engineer, Pasighat Drilling Division I&FC Pasighat, Arunachal Pradesh is requested to release Smti S.Nandy, Sr.DAO to enable her to join in a new place of posting and date of joining of Shri Sarkar may be intimated to this office.
4. Smti Subithy Nandy, Sr.DAO, Pasighat Drilling Division I&FC Pasighat, Arunachal Pradesh for information
- ① 5. Shri Upendra Nath Sarkar, Sr.DAO I&FC Division Itanagar, Arunachal Pradesh and to intimate the date of joining in the new place of posting at an earliest.
6. The Executive Engineer, I&FC Division Pasighat, Arunachal Pradesh.
7. E.O. File.
8. P.C. File.
9. S.C. File.

Sr.
Sr. Accounts Officer,
Hc DA Cell.

Advised
Surgit Choudhary
Advocate
ON 8.04.2004

To

B

The Sr. Dy. Accountant General (Admn)
O/O A.G (A&E) Meghalaya etc.
Shillong.

(Through Proper Channel)

Sub :- Representation for re-consideration the transfer.

Ref :- Memo No. DAGELL/1-14/2001-02/Vol-III/1060-68
Dtd. 5/11/03.

Sir,

With humble request I beg to lay following lines for sympathetic consideration at your end.

That sir, I am suffering from Diabetic and Hypertention since last 15 Years. At present I am under the treatment of Dr. M. Saikia, Associated Professor of Endocrinology of Guwahati Medical College since Feb'2002 and I have to visit to Guwahati frequently at least four times in a Year for my treatment.

That sir the transfer for Pasighat is a shock to me when I received the order since it is very far from Guwahati and my health condition as very poor at present and does not permit me to perform long journey.

I am to state that I am due for retirement in April'2007 that is just after 3 Years. This will be my last tenure of posting.

Sir, in view of above I fervently request for reconsideration of my transfer to any Division within capital complex of Itanagar for this last tenure and to save my life from agony. The doctors prescription of Guwahati Medical College from Feb'2002 to till date are enclosed for sympathetic consideration at your end.

Yours faithfully,

R. N. Sarkar
(U.N. Sarkar) Sr.DAO
I&FC-Division,
Itanagar.

Date 19.11.03

AD. Secy
Singh Choudhary
Advocate
on 8.4.2004

OFFICE OF THE ACCOUNTANT GENERAL (A & E) : MEGHALAYA ETC.,
SHILLONG :: 793001.

E.O No.DA CELL/1167

Dated 24-11-2003.

The representation dated 19th November 2003 of Shri U.N.Sarkar Sr.D.A.O. I & F.C. Division Itanagar Arunachal Pradesh regarding retention in the same division has been considered, but not agreed to. Shri Sarkar is directed to report to the Executive Engineer, Pasighat Drilling Division, I & F.C. Pasighat, Arunachal Pradesh with additional charge of I & F.C. Pasighat, A.P. immediately as per order vide this office letter E.O. No. D.A.Cell/85 dated 5-11-2003.

The transfer is in public interest.

Authority :- Sr.D.A.G (Admn)'s order dated 21-11-2003 at p/20 n of file No.D.A.Cell /1-14/2001-2002/Vol-III/

Sr. Deputy Accountant General(Admn)

Memo No.D.A. Cell/1-14/2001-02/Vol -III/1168-1173

Dated 24-11-2003

Copy forwarded for information and necessary action to :-

1. The Chief Engineer, Irrigation & Flood Control Department, Govt of Arunachal Pradesh, Itanagar.
2. The Executive Engineer, Pasighat Drilling Division, I & F.C. Pasighat, A.P. He is requested to intimate the date of joining of Shri U.N.Sarkar, Sr.D.A.O.
3. The Executive Engineer, I & F.C. Division, Itanagar, A.P. to intimate the date of release of Shri U.N.Sarkar, Sr. D.A.O from the division.
4. Shri U.N.Sarkar, Sr.D.A.O o/o the E.E. I & F.C. division, Itanagar to intimate the date of joining in the new place of posting at an earliest.
5. E.O. file
6. P.C. file
7. S.C. file

[Signature]
Sr.Accounts Officer
i/c D.A. Cell.

Approved
Suryat Choudhary
Advocate
on 8-8-2004.

SPEED POST

(Through proper channel)

Dtd. 3/12/03

To

The Sr. Deputy Accountant General (Admn)
Office of the A.G. (A&E)
Meghalaya etc. Shillong.

Sub:-

Representation for reconsideration of Transfer.

Ref:-

Your memo No.DA. all /1-14/2001-02 Vol-III/1168-73, Dtd. 24/11/03

Sir,

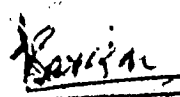
With due respect, I beg to state as follows.

1. That Sir, I am suffering from Diabetic mellitus since last 15 years followed by hyper tension and I have to consult with my physician at Guwahati normally at an interval of two months regularly. The condition of my health is very weak and I have been advised to my physician not to perform long journey.
2. That Sir, I am due for retirement in April'2007 and this will may be my last tenure of posting.

Considering all above I requested you to reconsider my posting to any division in capital complex of Arunachal Pradesh vide my letter dtd. 19/11/03 which was not considered by mentioning that "retention in the same division is not agreed to", as communicated vide your memo no. as mentioned above. In this connection it is stated that I requested you to post me in any division in capital complex, but I never request you for retention in the same division.

Under the circumstances. I fervently again request you for reconsideration of my transfer to any division in capital complex for this last tenure and to save my life from agony.

Yours faithfully,


(U.N. Sarkar) Sr. DAO,
I&FC Division: Itanagar.

Advance copy to:-

1. The Sr. DAG (Admn), O/O the AG (A&E) Meghalaya, Shillong for early action.

(U.N. Sarkar) Sr. DAO,
I&FC Division: Itanagar.

*Alfred
Jangit Choudhary
Advocate
on 8.4.2004*

GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE EXECUTIVE ENGINEER: I&FC, DRILLING DIVISION
::: PASIGHAT :::

NO. IFC/Drilling/IF-83/2004-05/
Date: Pasg, the 31th/1/2004.

To

The Accountant General (A & E)
Meghalaya Arunachal Pradesh
DA Cell.
S. H. L. L. O. N. G.

Sub:- Joining Report of Sri U.N. Sarkar, Sr. DAO
Ref:- Yr. Order No. DA Cell/85 dtd. 5th/Nov'2003.

Sir,

It is to inform you that Sri U.N. Sarkar, Sr. DAO
has joined under the establishment of the Executive Engineer
I&FC, Drilling Division Pasighat on dtd. 28/1/2004 (F/N)
Vide Order NO. under reference.

This is for favour of your information and
necessary action please.

Yours faithfully,

(Er. V. N. PANDEY)
Executive Engineer
I&FC, Drilling Division
:: Pasighat ::

Memo NO. IFC/Drilling/IF-83/2004-05/ 48688 dtd: 31/1/2004.
Copy to:-

1. The Chief Engineer I&FC, Ex Deptt, Itanagar for
favour of information please.
2. The Superintending Engineer, I&FC, Circle Itanagar
for favour of information please.
3. Office Copy.

403 31/1-04
Executive Engineer
I&FC, Drilling Division
:: Pasighat ::

*Advised
Pangit-Chandley
Advocate
04.8.4.2004*

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

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

Dated:- 8-3-2004

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 working 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.	

Approved
Suryit Choudhary
Advocate
ON 8.9.2004.

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 Choudhury
11.	A.Kanungoe, DAO-I	O/o The Ex.Engineer Pasighat 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.Shamjai Singa, 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 Rong 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.Eurman 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/oTheEx.Engineer Northern Divn PWDDharmanagar	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.	Swapn Kr. Chakraborty, DAO-I	O/o The Ex.Engineer Hayuliang Electrical Divn A.P.	O/o The Ex.Engineer Electrical Divn PWD Imphal	
28.	Sajal Kanti Choudhury, DAO-I	O/o The Ex.Engineer Along RWD, A.P.	O/o The Ex.Engineer Building Divn Imphal	
29.	Ashim Kr. Bhattacharjee, DAO-I	O/o The Ex.Engineer Khonsa PWD A.P.	O/o The Ex.Engineer Road Task Force Division No.I PW 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, AP	Chura and PHE, 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) Lamphelpet, Imphal	
33.	Abhijit Kr. Das, DAO-I	O/o The Ex.Engineer Elect Divn No.I, Agartala	O/o The Ex.Engineer Bomdila, PHE, Arunachal Pradesh	
34.	A.Roy Choudhury, DAO-I	O/o The Ex. Engineer Naharlagun PWD, A.P.	O/o The Ex. Engineer Imphal West PHE vice H.Yaishkul Singh	
35.	H.Yaishkul Singh, DAO-I	O/o The Ex.Engineer Imphat 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 PWD, Imphal	✓

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

Sd/-
Sr. Accountant General (Admn).

4

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 Pr. Accountants General/Accountant General
Dealing with the cadre of Divisional Accountants.

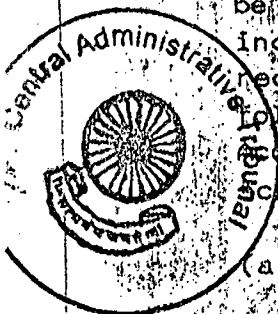
Sir/Madam,

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 some time. 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 prescribe 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 too 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
Sujit Shosh
Advocate

Adheated
Sujit Choudhary
Advocate
on 8.9.2004



- (e) a transfer Committee comprising the Group Officer in charge 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
প্রমাণিত প্রকৃত

Section Officer (J)

T. GUIYAHATI BANCH

Guwahati-781003

15/4/04

