

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A./T.A No....30/2005..

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

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

1. Orders Sheet.....Pg.....01.....to.....NIL.....
2. Judgment/Order dtd....09.02.2005.Pg.....01.....to.....02.....
3. Judgment & Order dtd.....Received from H.C/Supreme Court
4. O.A.....30/2005.....Pg.....01.....to.....20.....
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.)

31/4/17

FORM No. 4

(SEE RULE 42)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

Original Application No. 30/2005

Misc. Petition No. _____

Contempt Petition No. _____

Review Application No. _____

Applicants:- Shri V.G. Malagi

Respondents Wol & ans.

Advocates for the Applicant In person.

Advocates of the Respondents Case.

Notes of the Registry Date 09.02.2005 Order of the Tribunal

This application is in form
is filed/C. P. No. 30/2005
disposed vide P.O.
No. 20 G 117 989
Dated 1.2.05

N. S. S.
7.2.05
Jc Dy. Registrar

Steps taken

mb

Present : The Hon'ble Mr. M.K.
Gupta, Member (J).

Heard the applicant in person.
The application is disposed of in
terms of the order passed in separa-
te sheets.

N. S. S.
Member (J)

17.2.05
Copy of the order
alongwith application has
been sent to the Dy. Reg. for
issuing the same to the
responder not by post (Speed Post)
St

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

✓ O.A./R.A.No. 30/2005

DATE OF DECISION 09.02.2005.

Sri V.G. Malagi.....APPLICANT(S)

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

-VERSUS -

Union of India & Ors.....RESPONDENT(S)

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

THE HON'BLE MR. M.K. Gupta, Judicial Member.

THE HON'BLE MR.

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 J. Member (J).

27

4

CENTRAL ADMINISTRATIVE TRIBUNAL :::: GUWAHATI BENCH

Original Application No. 30/2005

Date of Order : This the 9th day of February, 2005.

THE HON'BLE MR. M.K. GUPTA, JUDICIAL MEMBER.

V.G. Malagi
Asst. Director Engineering.
O/O The Chief Engineer (NEZ)
AIR & TV, Dr. P. Katakya Building
Near Ganeshguri flyover
Dispur, Guwahati – 781 006.

In person.

- Versus -

The Union of India,
Represented by the Director of General
All India Radio, Akashvani Bhawan,
Sansad Marg, New Delhi – 110 001

... Respondent.

None present for the Respondent.

ORDER (ORAL)

M.K. Gupta, Member (J):

The applicant has sought permission to make certain correction in Annexure – 9 as some words did not appear in original representation sent to the authority, which is permitted and accordingly he is allowed to make necessary correction with due signature.

The applicant, who appeared in person argued in detailed that he has entitled to TA/DA on transfer from Visakhapatnam to Guwahati, as he had not given any undertaking as sought for vide communication dated 25.06.2003 to forego his claim of TA/DA in the event of transfer to Guwahati.

It is stated that the applicant was transferred to AIR Guwahati in the capacity of Assistant Station Engineer, and because of certain personal reasons he offered his willingness to be posted in the North East. Pursuant to his willingness and option he was transferred, vide order dated 06.08.2003, from Visakhapatnam to AIR Guwahati. In paragraph 2 of the said order it was specifically stated that he would not be entitled to TA/DA/joining time.

It is stated that he has made numerous representations prior to as well as subsequent to the transfer said order, which remain unconsidered despite various reminders made to the concerned authorities.

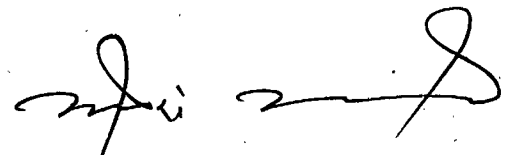
2

Since he did not submit any undertaking to forego TA/DA in response to the respondents communication dated 25th June 2003, he under the rules was entitled to TA/DA etc. It is contended that though he had accepted his transfer from Visakhapatnam to Guwahati but he cannot be allowed to suffer in terms of non-grant of TA/DA.

I have heard applicant in person and peruse the O.A.

No Rule or law has been pointed out or brought to my notice under which the applicant is entitled to TA/DA/Joining time, particularly when he offered his willingness to be posted to NE prior to the transfer order dated 06.08.2003. However, as the applicant's representations, followed by reminders, remain pending with the concerned authority, I am of the view that the ends of justice would be served if a direction is issued to respondent to pass reasoned, detailed and speaking order keeping in view the Rule position as well as law on the said subject regarding entitlement or otherwise of the TA/DA/Joining time. This exercise shall be completed within a period of three months from the date of receipt of the order.

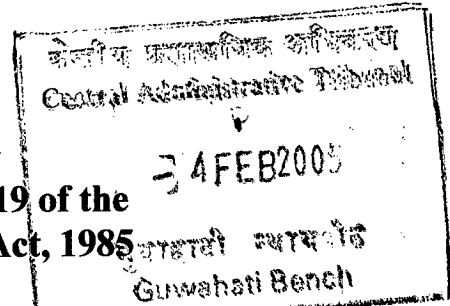
Accordingly the application is disposed of at the admission stage without issuing any notice to the respondent. No costs.


(M.K. GUPTA)
JUDICIAL MEMBER

APPENDIX-A

Form I

Application under section 19 of the
Administrative Tribunals Act, 1985



Title of the case Transfer incidentals on transfer to Guwahati North East station reg.

Index

Slno.	Description of documents	Page no.
1	Application	1 to 6
2	Postal order no. 20G 1217989	7
3	File size envelope Respondent addressed	8
4	Self addressed post card for information of hearing date	9

C.A. 30/05-

V. G. Malagi
Signature of the Applicant

For use in tribunals Office

Date of filing -----

Or

Date of receipt by post -----

Registration no. -----

Signature
For Registrar

IN THE CENTRAL ADMINISTRATIVE TRIBNAL
GUWAGATI BENCH.

V.G.MALAGI
Asst. Director Engineering,
O/O The Chief Engineer (NEZ)
AIR & TV, Dr. P. Kakaty Building
Near Ganeshguri flyover
Dispur, Guwahti-781006

APPLICANT

Vs.

Union of India
Represented by
The Directorate General
All India Radio, Akashvani Bhavan,
Sansad Marg, New Delhi-110001

RESPONDENT

DETAILS OF APPLICATION

1. Particulars of the order against which the Application is made:

Transfer order No. 2/1/2003-S.III dated 06.08.2003. By The Directorate General, All India Radio, New Delhi. (Annexure 4)

2. Jurisdiction of the Tribunal:

I hereby declare that the subject- matter of the order against which I want redressal is within the jurisdiction of the Tribunal.

3. Limitation:

I further declare that the application is within the limitation period prescribed in Section 21 of the Administrative Tribunals Act 1985.

4. Facts of the case:

I :- I have opted for North East difficult station Guwahati, to get my transfer early so as to get rid of the Superintending Engineer AIR Visakhapatnam who was always creating problems under the continuous influence of intoxication with those who did not hand in gloves with him.

Annexure 1. Letter dtd-23-01-03 to the Superintending Engineer of AIR Visakhapatnam, about an incident that took place is enclosed herewith in support of the back ground for which I had applied for transfer form Visakhapatnam.

Annexure 1a. Transfer application dated 20.03.03 opting for North East difficult station Guwahati, by giving the reason as my daughter's higher education.

II: - The Directorate General, AIR, N.Delhi, through the Superintending Engineer AIR Visakhapatnam, asked me to furnish an undertaking to forgo the TA/DA (with out mentioning the reason why I was not eligible for TA/DA) before processing further about my transfer to Guwahati.

Annexure 2. Directorate letter no.2/2/2003-S.III/421 dated 25.06.2003 to furnish an undertaking to forgo the TA/DA.

III: - But, I did not furnish any undertaking to that effect. I rather represented with request for transfer with TA/DA.

Annexure 3. My representation dated. 07.07.2003. in which I have not at all given any under taking to forgo the transfer TA/DA incidentals.

Annexure 3a. Forwarding letter through AIR Visakhapatnam, letter No.VIS-21 (VGM)/2003-s/1123. dt. 09-07-03, also clearly states that, I have requested to allow TA/DA for transfer to North East Guwahati.

IV:- Transfer order without TA/DA & JT was issued by the Directorate General, AIR, N.Delhi, by the over sight / by neglecting or actually by not going through my representation dated. 07.07.2003 forwarded through the AIR Vishakhapatnam vide letter No.VIS-21(VGM)/2003-s/1123. Dt.09-07-03 as a replay to the query by the Directorate General letter

no.2/2/2003-S.III/421 dated 25.06.2003, in which I have not given any undertaking to forgo the TA/DA, only on which the Directorate General is suppose to have acted.

Annexure 4. Transfer order without TA/DA issued by the Directorate General, AIR, N.Delhi. Order No. 2/1/2003-S.III dated. 06.08.2003

V :- Requested for the grant of transfer TA/DA incidentals through repeated representations to the Directorate General, AIR, N.Delhi, which were duly forwarded with the recommendation by the O/O the Chief Engineer (NEZ), AIR & TV, Guwahati.

Annexure 5. Representation dt. 06-10-03

Annexure 6. Representation dt. 30-01-04

Annexure 7. Representation dt. 21-04-04

Annexure 8. Representation dt. 22-07-04

Annexure 9. Representation dt. 29-11-04,

Annexure 6a Forwarding letter No. CE (NEZ)/21(2)/2004-S/453 dt.30.01.04

Annexure 7a Forwarding letter No. CE (NEZ)/21(2)/2004-S/657 dt.07.05.04

Annexure 8a Forwarding letter No. CE (NEZ)/21(2)/2004-S/2640 dt.23.07.04

Annexure 9a Forwarding letter No. CE (NEZ)/21(2)/2004-S/5489-90 dt.03.12.04

VI:- A copy of the representation also sent through registered post to the Chief Engineer (D) Shri, D.K.Bandopadhyay, O/O the Directorate General, AIR, N.Delhi with request to consider sympathetically, with a personal request.

Annexure 10. Copy of personal request letter dated 06.02.04 to the Chief Engineer (D) Shri, D.K.Bandopadhyay, O/O the Directorate General, AIR, N.Delhi along with the posting document acknowledgment by the post office.

VII:- The door of the Honorable CAT is knocked for justice, as no response is heard from the O/O the Directorate General, AIR, N.Delhi for any of my six appeals.

5. Grounds for relief with legal provisions:

Transfer order No. 2/1/2003-S.III dated. 06.08.2003 with out TA/DA & JT was issued by the Directorate General, AIR, N.Delhi, by the over sight / by neglecting or by actually not going through my representation dated. 07.07.2003 forwarded through the AIR Vishakhapatnam letter No. VIS-21(VGM)/2003-s/1123. Dt.09-07-03 in which I have not given any under taking to forgo the TA/DA (rather I have requested the transfer to North East with TA/DA) as a replay to Directorate vide letter no.2/2/2003-S.III/421 dt. 25.06.2003 to furnish an undertaking to forgo the TA/DA, only on which the Directorate General suppose to have acted. Guwahati is not my hometown (nor it is a place of Ross. As such it is not understood as to why TA/DA & JT was disallowed when I have not at all given the under taking to forgo the transfer incidentals.

9

6. Details of remedies exhausted:

I hereby declare that I have availed of all the remedies available to me under the relevant rules, etc.

Five representations made through proper channel and one through personal request letter to grant the transfer incidentals by giving all the above said facts.

Representations made ref. Annexure 5,6,7,8,9, forwarded by the O/O the Chief Engineer (NEZ), AIR & TV, Guwahati ref. Annexure 6a, 7a, 8a, and 9a and personal request letter ref. Annexure 10. But no response heard so far from the Directorate General, AIR, N.Delhi .

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

I hereby declares that I have 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. Relief(s) sought:

No Relief(s) sought

9. Interim order, if any, prayed for:

No Interim order, prayed for:

10. In the event of application being sent by Registered Post:

Application is handed over at the Honorable CAT in person. I desire to have oral hearing at the admission stage and a self-addressed inland card is attached herewith so that the date of hearing could be intimated to me.

11. Particulars of Bank Draft/ Postal Order filed in respect of the application fee:

Postal order no.20G 117989, dated. 01-02-05 for Rs- 50 /- drawn in favor of CAT Guwahati Bench.

12. List of enclosures:

1	Letter dt-23-01-03 to the Superintending Engineer of AIR Visakhapatnam	Annexure 1
2	Transfer application dt.20.03.03 opting for North East difficult station Guwahati	Annexure 1a.
3	Directorates vide letter no.2/2/2003-S.III/421 dated 25.06.2003 to furnish an undertaking to forgo the TA/DA.	Annexure 2.
4	My representation dated. 07.07.2003. in which I have not at all given the any under taking to for go the transfer TA/DA incidentals	Annexure 3.
5	Forwarding letter of my representation dated. 07.07.2003 through AIR Visakhapatnam, letter No.VIS-21 (VGM)/2003-s/1123. dt.09-07-03.	Annexure 3a.
6	Transfer order No. 2/1/2003-S.III dated 06.08.2003. Which was issued by over sighting the Directorate General letter no.2/2/2003-S.III/421 dated 25.06.2003, My representation dated. 07.07.2003 And forwarding letter.by AIR Visakhapatnam	Annexure 4
7	Representation dt. 06-10-03	Annexure 5.
8	Representation dt. 30-01-04	Annexure 6.
9	Forwarding letter No. CE (NEZ)/21(2)/2004-S/453 dt.30.01.04	Annexure 6a
10	Representation dt.21-04-04	Annexure 7.
11	Forwarding letter No. CE (NEZ)/21(2)/2004-S/657 dt.07.05.04	Annexure 7a
12	Representation dt. 22-07-04	Annexure 8.
13	Forwarding letter No. CE (NEZ)/21(2)/2004-S/2640 dt.23.07.04	Annexure 8a
14	Representation dt. 29-11-04,	Annexure 9.
15	Forwarding letter No. CE (NEZ)/21(2)/2004-S/5489-90 dt.03.12.04	Annexure 9a
16	Personal request letter dated 06.02.04 to the Chief Engineer (D), Shri, D.K.Bandopadhyay, O/O the Directorate General, AIR, N.Delhi along with the acknowledgment by the post office.	Annexure 10

VERIFICATION

I, V.G.Malagi S/o, Late. Gopalacharya, age 42 years working as Asst. Director Engineering, in the O/O The Chief Engineer (NEZ) resident of (presently) Guwahati do hereby verify that the contents of paras 1 to 12 are true to my personal knowledge and Para 1 to 12 believed to be true on legal advice and I have not suppressed any material facts.

Date: 04-02-05
Place: Guwahati

V. G. Malagi
Signature of the applicant

To,
The registrar,
Central Administrative Tribunal
Guwahati Bench
Guwahati

FORM II

Receipt Slip

Receipt of the application filed in the Central Administrative Tribunal Guwahati Bench by Shri, V.G.Malagi working as Asst. Director Engineering in the Ministry/departament/Office of The Chief Engineer (NEZ) residing at Guwahati is hereby acknowledged.

Date:
Seal:

For Registrar
Central Administrative Tribunal
Guwahati Bench

To,
The Superintending Engineer,
All India Radio
VISAKHAPATNAM.

Sir,

At, around 2000 hrs yesterday on 22/1/2003, Phone call of Superintending Engineer Sri K.S.Sharma received at my residence. In a state of intoxication at high pitch in singular he started abusing me stating why you have not come to my residence to settle the bills inspite of repeated telling ? and also today when you came in morning and afternoon to my residence. I had told you to come at evening.

When I pleased him that, sir, you have not called me today nor I had come to your residence either in morning or afternoon today, that too, I had been to 100 KW transmitter ~~at 1000 hrs~~ by shift vehicle at 1000 hrs and returned at 1900 hrs by the shift vehicle; in that case, I could not be able to come to your residence in afternoon or morning. Again, as a reply"he said"have not come today afternoon ? have you come morning or have you come yesterday" in totally confused mood by twisting the matter, after attending to Ignor fault you have not come to my residence and repeated" like that.

At this juncture I am very sorry to mention here that, the Supdt.Engineer is always in a state of intaxication also it is very difficult to meet him at office as most of the time he will not be available if available also no frontful reply and no reply is being received if contacted overphone to his residence and also Iam very sorry to mention that, I am ashamed that I am working under such an officer who dosnot know day or night, yesterday or today.

I am constanlly being harrassed by him through one or the other way and I am unable to deal/discuss the official matters with him as he is always in the state of intoxication. With the yesterdays insident I am totally distrubed, sleepless feeling tense and unable to discharge my duties both at office and my residence. If the same situation cintinuous I may need the medical assistance.

Thanking you,

Yours faithuflly,

V. G. Malagi 23/1/3
(V.G. MALAGI)

Asst. Station Engineer
AIR, Visakhapatnam.

Copy to the Station Director kind information.

Self attested
V. G. Malagi
V. G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

From,

V.G. MALAGI
Assistant Station Engineer
All India Radio, Visakhapatnam

To,

The Director General
Kind: Atten. Chief Engineer (Development)
All India Radio, Akashvani Bhavan,
Sansad Marg, New Delhi-110001

(Through Proper Channel)

Sub: Request for transfer to Zonal Office North East (Guwahati NE)

Sir,

With due respect I request your honor that I may please be transferred to the zonal office Guwahati (NE).

I would like to avail the NE quota for my daughter's higher education as she has studied in different states who is just finishing here 10th examination.

At Mysore, during the 10 KW FM (Harries) transmitter installation, almost all the installation works including augmentation of power supply, tower and antenna erection, PDP & AC plants, multifunction switching console erection, transmitter & AVR erection, along with the correspondences pertaining to installation were carried out by me as the I.O was not regularly posted.

At HPT(TV) Shimoga the design fault of 'U' link panel was rectified (copy enclosed) which was appreciated by the Station Engineer and recommended to incorporate in all the mark III TV Transmitters.

While I was at DDK Guwahati , I was volunteer to go to Mokokchung to attend the Breakdown. After attend the Breakdown , many more equipments were made through and also 130W operation, 1KW operation and 1 KW by pass operations were introduced.

I have under gone the training course s a) Doordarshan 9 months training course at IIT Kanpur b) Training on FM Transmitter course at STI(T) Delhi

I shall be thankful for the act of kindness.

Visakhapatnam
Dt: 20.03.2003

Self attested
V. G. Malagi
V. G. MALAGI
Asstt. Director (Engg.)
OJO-CE (NEZ) AIR & TV
Guwahati-781006

Yours faithfully

V. G. Malagi
(V.G.MALAGI)

Copy to: The Chief Engineer (NE) AIR & TV, Radha Bhavan, R.G. Baruah Road, Saujjali Path, Guwahati-781003 for kind information and perusal please

FAX

PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
DIRECTORATE GENERAL: ALL INDIA RADIO
AKASHVANI BHAWAN, NEW DELHI.

No. 2/1/2003-S.III/431

Dated the 25th June, 2003.

Subject:- Request of Shri V.G. Malagi, Assistant Station Engineer for transfer to O/o CE (NEZ), Guwahati.

...

The Supdt. Engineer, AIR, Visakhapatnam, may please refer to his letter No. VIS-21(VGM)/2003-S/8811 dated 31.3.2003 on the above subject.

2. Before the request of Shri Malagi is considered further, he may be asked to give an undertaking that he will not claim TA/DA/Joining Time in the event of his transfer to O/o CE (NEZ), Guwahati.

Ram Bilas
(Ram Bilas)

Deputy Director of Administration
for Director General

To: The Superintending Engineer,
All India Radio,
Visakhapatnam.

AS/ECM
20/6/03

Self attested
V. G. Malagi

V. G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

From,

V.G. MALAGI
Assistant Station Engineer
All India Radio, Visakhapatnam

(To,

The Director General
Kind: Atten Sri Rambilas, DDA(E)
All India Radio, Akashvani Bhavan,
Sansad Marg, New Delhi-110001

(Through Proper Channel)

Sub: Request for transfer to Zonal Office North East (Guwahati NE)
and TA, DA - reg.

Ref: No. 2/1/2003-S III dt 25.06.20303

Sir,

In continuation to the above cited reference, it may please be recalled that, I came transfer from AIR Mysore to AIR Visakhapatnam in October 2002 without TA, DA and transfer TA & DA drawn in May 99 (while on transfer from DDK Guwahati to Mysore). I have completed 4 years after drawing the transfer grant. I am requesting transfer to Guwahati, not only on self interest but also on public interest (because I am asked to transfer to NE where no one is interested to go and also many posts are vacant). If I have to go without TA & DA to Guwahati, that is more than 2000 km, I shall have to incur a huge financial loss. The directorate may please be kind enough to consider sympathetically transfer with TA & DA as I have completed the period of 4 years after drawing transfer incidentals and I am requesting to NE.

The case may please be considered favorably.

I shall be thankful for the act of kindness.

Thanking you,

Yours faithfully

V. G. Malagi
(V.G.MALAGI)

Visakhapatnam
Dt: 07-07-03

Self attested
V. G. Malagi
V. G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
ALL INDIA RADIO: : VISAKHAPATNAM
* * * *

No. VIS-21 (VMG) / 2003-S / 1123

Dated : 09.07.2003.

The Director General
(Shri Ram Bilas,
Dy Dir Admn (Engg) - by mail
All India Radio,
Akashvani Bhawan,
Parliament street,
NEW DELHI - 110 001.

Sub :- Request of Shri V. G. Malagi, Assistant
Station Engineer for transfer to o/o
Chief Engineer (NEZ), Guwahati.

Ref :- Directorate's letter No. 2/1/2003-S.III,
dated 25.06.2003.

* * *

Sir,

With reference to the Directorate's letter referred to
above, please find enclosed a representation submitted by Shri V.
G. Malagi, Assistant Station Engineer, All India Radio, Visakha-
patnam who has requested to allow T/DA for his transfer to North
East (Guwahati as he has completed 4 years from the last date he
has drawn the transfer grant.

It is requested that further necessary action may be
taken on the above matter at an early date.

Yours faithfully,

P. Nageswara Rao

(P. Nageswara Rao)
Drawing & Disbursing Office
For Station Director

Encls : as above

Self attested
V. G. Malagi
V. G. MALAGI
Asst. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

ah/02 ok EL

<input checked="" type="checkbox"/> Airnet		
<input checked="" type="checkbox"/> Home		<input checked="" type="checkbox"/> Back

Transfer/Promotion etc

Section : S-III

PRASAR BHARTI
BROADCASTING CORPORATION OF INDIA
DIRECTORATE GENERAL: ALL INDIA RADIO

No.2/1/2003-S.III

New Delhi, 6.8.2003ORDER NO.38/2003-S.III

Shri V.G. Malagi (IRLA No.14942), Assistant Station Engineer, All India Radio, Visakhapatnam is hereby transferred in the same capacity to O/o CE(North East Zone), All India Radio, Guwahati with immediate effect.

2. He will not be entitled to TA/DA/joining time etc. ✓

To

(RAMBILAS)
Dy.Dir. of Admn.(E)
for Director General

1. PS to CEO, Prasar Bharati.
2. PS to E-in-C(AIR).
3. PS to E-in-C(DDN)/CE(TV)/Dir.(E)(Sh.D.K.Gupta), DG: Doordarshan, New Delhi.
4. Head of Office, AIR, Visakhapatnam/O/o CE(NEZ), AIR, Guwahati.
5. CE(P&A)/CE(AVM)/CE(DDM), O/o CE(NZ), AIR & DDN, New Delhi - 3 copies.
6. CE(P&A)/CE(AVM)/CE(DDM), O/o CE(EZ), AIR & DDN, Kolkata - 3 copies
7. CE(P&A)/CE(AVM)/CE(DDM), O/o CE(SZ), AIR & DDN, Chennai - 3 copies.
8. CE(P&A)/CE(AVM)/CE(DDM), O/o CE(WZ), AIR & DDN, Mumbai - 3 copies.
9. CE STI(T)/CE(R&D), AIR, New Delhi.
10. Pay & Accounts Office, IRLA-Min. of I&B, AGCR Building, New Delhi.
11. Ministry of I&B, US BA(E) Section, Shastri Bhawan, New Delhi.
12. Persons concerned through their respective Offices.

Copy to:

1. PS to CE(D)/PS to CE(M)/PS to CE(P)/PS to CE(MR)/DE(P)/DE(Coordination)/DE(HQ)/DE(Estimates)/Dir.(IT Division)/Dir.(EPM)/CVO/DDA(FAC)/DDA(E).
2. A&G/Vig. Section/Scor Section.
3. The General Secretary, AIR & Doordarshan Engineers' Association, P&D Unit, AIR, New Delhi.
4. The President, Association of Radio & Television Engineering Employees Post Box No. 422, Gole Market, New Delhi.
5. The General Secretary, All India Akashvani and Doordarshan SC/ST Employees Welfare Association, 2579/2580, Bagichi Raghunath, Sadar Thana Raod, Delhi-6.
6. The General Secretary, AIR & Doordarshan Technical Employees Association, Post Box No.736, New Delhi.
7. The General Secretary, Graduate Engg. Association AIR/Doordarshan, Post Box No.319, New Delhi-110001.
8. The President, Programme Staff Welfare Association of AIR & DDN.(Regd.), 11, Annexe, Broadcasting House, All India Radio, New Delhi.

self attested
V. G. Malagi
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

(V.G. MALAGI)
Assistant Director (Engineering),
O/o the Chief Engineer (NEZ),

From,

DT. 06-10-2003

V.G. MALAGIAssistant Director Engineering,
O/O the Chief Engineer (NEZ),
Guwahati.

To,

The Director General,[Kind atten : Sri Ram Bilas, DDA(E)],
All India Radio, Akashvani Bhavan,
Sansad Marg, New Delhi-110 001.*(Through Proper Channel)*

Sub : Request for grant of TA/DA/JT on transfer to Zonal Office North East (Guwahati) – reg.

Ref : i) Directorate letter No.2/2/2003-S.III/421 dated 25.06.2003
ii) My representation dated 07.07.2003
iii) Forwarding letter dated 09.07.2003
iv) Transfer order No. 2/1/2003-S.III dated 06.08.2003.

Sir,

With due respect I may please be permitted to bring the following few lines for your kind consideration for grant of TA/DA etc on transfer to Zonal office (NE), Guwahati.

After submission of my application for transfer/posting to o/o CE(NEZ), AIR & TV, Guwahati I was asked to submit one undertaking for not claiming the TA/DA/Joining Time vide Dte. Letter under reference at (i) before issue of my transfer order from the Directorate. As a reply to this Directorate, I did not submit any such undertaking. I requested through representation dated 07.07.2003 (copy enclosed) for grant of TA/DA/JT on transfer on the following grounds that :

- i) this was the transfer 4 years after drawing the TA/DA.
- ii) it was a transfer to NEZ where usually staff is not interested to take transfer it being difficult & 2000 km away &
- iii) it would be big loss if I was forced to take transfer without TA/DA etc. Since my earlier transfer from AIR, Mysore to AIR, Visakhapatnam was also without TA/DA/JT.

It is not understood as to how I was transferred to this office without TA/DA etc inspite of my specific request for the same.

I requested for transfer to NEZ as an option for the purpose of next transfer/posting after completion of normal period of stay at a particular station. Therefore, I request you to kindly reconsider my request for grant of TA/DA etc on transfer to the O/o the CE (NEZ), AIR & TV, Guwahati (which is 2000 km away and is a disturbed place and not my home town or place of special advantage).

Self attested
V.G. Malagi
V. G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

Enclo : As above.

Yours faithfully,

V. G. Malagi
(V.G. MALAGI)
Assistant Director (Engineering),
O/o the Chief Engineer (NEZ),

REMAINDER
DT. 30-01-04

From,

V.G. MALAGI
Assistant Director Engineering,
O/O the Chief Engineer (NEZ),
Guwahati.-06

To,

The Director General,
[Kind atten : Sri Ram Bilas, DDA(E)],
All India Radio, Akashvani Bhavan,
Sansad Marg, New Delhi-110 001.

(Through Proper Channel)

Sub : Request for grant of TA/DA/JT on transfer to Zonal Office North East (Guwahati) – reg.

- Ref : i) Directorate letter No.2/2/2003-S.III/421 dated 25.06.2003
ii) My representation dated 07.07.2003
iii) Forwarding letter dated 09.07.2003
iv) Transfer order No. 2/1/2003-S.III dated 06.08.2003.

Sir,

With due respect I may please be permitted to bring the following few lines for your kind consideration for grant of TA/DA etc on transfer to Zonal office (NE) Guwahati.

This is in continuation to my representation Dt-06-10-03 for grant of TA& DA in respect of my transfer to the Zonal office Guwahati (Difficult station), This is to inform again that, I did not furnish any undertaking to forego my TA/DA on transfer from Vishakhapatnam to Zonal office Guwahati, rather I requested to allow TA/DA wide my letter dt-07-07-03, forwarded by AIR Vishakhapatnam wide letter dt 09-07-03 in response to the Directorate letter No.2/2/2003-S.III/421 Dated 25.06.2003.

In this continuation it may be added that, I was transferred from AIR Mysore to AIR Vishakhapatnam where I joined on 16-10-2002. That time also I was not granted TA/DA although I was transferred after completing almost 3 ½ years. Now while on transfer from Vishakhapatnam to Guwahati if I am forced to forego TA/DA it will be heavy financial harassment to me for serving in North East after traveling for. May I again request you to kindly to grant TA/DA in respect of this transfer to Guwahati.

I shall be grateful if my request is granted early without any more hesitation.

Thanking you,

self attested
V. G. Malagi
V. G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

Yours faithfully,

V. G. Malagi
(V.G. MALAGI)
Assistant Director (Engineering),
O/o the Chief Engineer (NEZ),
AIR & TV : Guwahati.

Annexure - 6a

By speed post

20

20

**PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
OFFICE OF THE CHIEF ENGINEER (NEZ)
AIR & TV : GUWAHATI**

NO. CE (NEZ)/21(2)/2004-S / 453/

3rd floor, Dr. P. Kakati's building,
Near Ganeshguri flyover,
G. S. Road, Guwahati-781 006.
Dated January 30, 2004.
(Mahadev Sarmah)
Dy. Director (Admn)
for Chief Engineer (NEZ).

To,

The Director General,
[Kind atten : Sri Ram Bilas, DDA(E)],
All India Radio, Akashvani Bhavan,
Sansad Marg, New Delhi-110 001.

Sir,

A representation received from Sh.V.G.Malagi is forwarded herewith. It is requested that he may kindly be allowed the TA/DA in view of the fact that, he has been transferred to this office after a span of almost 4 ½ years service at AIR Mysore and AIR Vishakhapatnam. It is seen from records that he had opted for transfer to North East with TA/DA. He specifically requested for TA/DA vide a representation which was duly forwarded by the AIR Visakhapatnam.

Yours faithfully

(Mahadev Sarmah)
Dy. Director (Admn)
for Chief Engineer (NEZ).

0/c

Self attested
V.G. Malagi

V. G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

From,

V.G. MALAGI

Assistant Director Engineering,
O/O the Chief Engineer (NEZ),
Guwahati. - 06.

To,

The Director General,

[Kind atten: Sri K.M.Paul, E.in.C],
All India Radio, Akashvani Bhavan,
Sansad Marg, New Delhi-110 001.

(Through Proper Channel)

Sub: Request for grant of TA/DA/JT on transfer to Zonal Office North East (Guwahati)
Ref: Transfer order No. 2/1/2003-S.III dated 06.08.2003.

Sir,

With due respect I beg to bring the following few lines for your kind perusal and sympathetic consideration for grant of TA/DA etc on my transfer to Zonal office (NE) Guwahati.

That Sir, I was transferred vide Directorate order no.2/1/2003-S.III dated 06.08.2003 to o/o the CE (NEZ) Guwahati, but it is regretted to state that I have not been granted the TA /DA on transfer though I did not furnish any under taking to forgo TA/DA in the event of my transfer to North East Zone. When I opted for transfer from AIR Vishakhapatnam to Zonal CE's office at Guwahati, I was asked before the processing / issue of transfer order by the Directorate vide letter no.2/2/2003-S.III/421 dated 25.06.2003 to furnish an undertaking to forgo the TA/DA (with out mentioning the reason why I was not eligible for TA/DA). But I did not furnish any undertaking to this effect. I rather represented for transfer with TA/DA vide my letter dated. 07.07.2003 forwarded through AIR Visakhapatnam, covering letter No.VIS-21(VGM)/2003-s/1123. dt.09-07-03. As such it is not understood as to why TA/DA & JT was disallowed when I have not at all given the under taking to forgo the same.

That Sir, I have served at DDK Guwahati for the period from Jan 1997 to May 1999 (two and half years). Thereafter I was transferred to AIR Mysore where I joined on 02-06-99. After 3 ¼ years service at AIR Mysore, I was transferred to AIR Vishakhapatnam with out TA/DA on the plea that I did not complete 4 years stay at AIR Mysore to, which I did not object. But this time my transfer from AIR Vishakhapatnam to the o/o the CE (NEZ) Guwahati with out TA/DA & JT is very painful. I should get the transfer incidentals when I opted for this transfer after total 4 years 4 months after drawing the transfer incidentals and that too I was transferred against my willing to forgo the transfer incidentals.

That Sir, after joining at the Zonal office Guwahati, I represented through proper channel again vide letter dt-06-10-03. A remainder was also issued to the Directorate vide letter dt-30-01-04 but till date nothing is heard from the Directorate about the grant of TA /DA.

That Sir, I wish to clarify, in this connection, that Guwahati is neither my hometown nor it is a place of Roses, It is still a difficult place. I opted for Guwahati the difficult station to get my transfer early and to get rid of the Superintending Engineer AIR Vishakhapatnam who is always creating problems under the continues state of intoxication for those who did not move wit him in hand in glove. A copy of my letter dt-23-01-03 to the Superintending Engineer and The Station Director of AIR Vishakhapatnam on incident that took place during my stay at Vishakhapatnam is enclosed here with in support of the background for which actually I applied for transfer form Vishakhapatnam.

Under the above circumstances it is requested to kindly look in to the matter and order for the grant of transfer TA /DA & JT at an early date.

Thanking you,

Dated: - 21-04-04

Place: - Guwahati

Encl: - As above

Your s faithfully,

V.G. Malagi
V.G.MALAGI

Self attested
V.G. Malagi
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

NO. CE (NEZ)/21(2)/VGM/2004-S/657

PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
OFFICE OF THE CHIEF ENGINEER (NEZ)
AIR & TV : GUWAHATI

3rd Floor, Dr. P. Kakati's Building,
Near Ganeshguri Flyover,
G. S. Road, Guwahati - 781 006.
Dated the May 7, 2004.

The Director General,
[By Name : Sri Ram Bilas, DDA(E)],
All India Radio,
Akashvani Bhavan,
Parliament Street,
New Delhi-110 001.

Sub : Request for grant of TA/DA etc on transfer from AIR,
Visakhapatnam to Sri V. G. Malagi, Asstt. Director (Engg.).

Sir,

A representation dated 21/04/2004 submitted by Sri V. G. Malagi, ADE of this office for grant of TA/DA & Joining time on transfer from AIR, Visakhapatnam is forwarded herewith for kind consideration.

Mr. Malagi, ADE while opting for transfer to the North East after about 4½ years stay in AIR, Mysore & Visakhapatnam did not furnish any undertaking to forgo TA/DA in response to the DG's Memo No.2/1/200-3-S.III dated 25/6/03. As such he is entitled to TA/DA etc on his transfer to this office.

It is requested that Directorate approval for payment of TA/DA etc to Mr. Malagi, ADE may please be communicated at an early date.

Yours faithfully,

Enclo : As above.

Self attested

V. G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

(R. K. Sinha)
Director (Engineering)
for Chief Engineer (NEZ).

7/5

Annexure - 8a

23

PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
OFFICE OF THE CHIEF ENGINEER (NEZ).
AIR & TV : GUWAHATI

No. CE (NEZ)/21(2)/2004 -S /2640

3rd Floor, Dr. P. Kakati's Building,
Near Ganeshguri Flyover,
G. S. Road, Guwahati-781006,
Dated the 23rd July, 2004.

To,
The Directorate General,
(Kind attention Shri O. P. Guliani, DDA,S-IV(B),
All India Radio,
Akashvani Bhavan, Parliament Street,
New Delhi - 110001.

Sub : Request for grant of TA/DA/ JT Mr. Malagi, ADE on
transfer from AIR, Vishakhapatnam to CE (NEZ),AIR& TV,
Guwahati.

Ref : This office letter of even no. dt.30/01/04 & 07/05/2004.

Sir,

Mr. V. G. Malagi, ADE at this office has submitted one more
representation for grant of TA DA etc. on transfer and the same is forwarded herewith.

His case for grant of TA DA & JT on transfer from AIR Vishakhapatnam
to this office has been examined in details at this office and found that he took this
transfer after more than 4 yrs. stay both at AIR, Mysore & AIR, Vishakhapatnam and he
did not furnish any undertaking to forgo TA DA etc. Hence his request for grant of TA
DA & JTetc. was recommended from this office vide letters of even Nos dt.30/01/04 and
dt. 07/05/2004 under reference but nothing is heard from Dtc. till date.

It is, therefore, requested that Directorate approval or otherwise in the
matter may please be conveyed at an early date for onward information to Mr. Malagi,
ADE.

Yours faithfully,

Enclo: As above

sd/-
(Mahadev Sarmah)
Dy. Director (Admn.)
for **Chief Engineer (NEZ)**

✓ Copy to : Shri V. G. Malagi, ADE, O/o the CE (NEZ), AIR & TV, Guwahati - 6.

Self attested
V. G. Malagi
V. G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

for **Chief Engineer (NEZ)**

From.

V.G. MALAGI
Assistant Director Engineering,
O/O the Chief Engineer (NEZ),
Guwahati - 06.

Annexure - 9 24

To,

The Director General.
[Kind atten: DE (EA)],
All India Radio, Akashvani Bhavan.
Sansad Marg, New Delhi-110 001.

(Through Proper Channel)

Sub: Request for grant of TA/DA/JT on transfer to Zonal Office North East (Guwahati)
Ref: Transfer order No. 2/1/2003-S.III dated 06.08.2003.

Sir,

With due respect I beg to bring the following few lines for your kind perusal and sympathetic consideration for grant of TA/DA etc on my transfer to Zonal office (NE) Guwahati.

That Sir, I was transferred vide Directorate order no.2/1/2003-S.III dated 06.08.2003 to o/o the CE (NEZ) Guwahati, but it is regretted to state that I have not been granted the TA /DA on transfer though I did not furnish any under taking to forgo TA/DA in the event of my transfer to North East Zone. When I opted for transfer from AIR Vishakhapatnam to Zonal CE's office at Guwahati, I was asked before the processing / issue of transfer order by the Directorate vide letter no.2/2/2003-S.III/421 dated 25.06.2003 to furnish an undertaking to forgo the TA/DA (with out mentioning the reason why I was not eligible for TA/DA). But I did not furnish any undertaking to this effect. I rather represented for transfer with TA/DA vide my letter dated. 07.07.2003 forwarded through AIR Visakhapatnam, covering letter No.VIS-21(VGM)/2003-s/1123. dt.09-07-03. As such it is not understood as to why TA/DA & JT was disallowed when I have not at all given the under taking to forgo the same.

That Sir, I have served at DDK Guwahati for the period from Jan 1997 to May 1999 (two and half years). Thereafter I was transferred to AIR Mysore where I joined on 02-06-99. After 3 ¼ years service at AIR Mysore, I was transferred to AIR Vishakhapatnam with out TA/DA on the plea that I did not complete 4 years stay at AIR Mysore to, which I did not object. But this time my transfer from AIR Vishakhapatnam to the o/o the CE (NEZ) Guwahati with out TA/DA & JT is very painful. I should get the transfer incidentals when I opted for this transfer after total 4 years 4 months after drawing the transfer incidentals and that too I was transferred against my willing to forgo the transfer incidentals.

That Sir, after joining at the Zonal office Guwahati, I represented through proper channel again vide letter dt-06-10-03. A remainder was also issued to the Directorate vide letter dt-30-01-04. represented on 21-04-04 and again on 22-07-04. but till date nothing is heard from the Directorate about the grant of TA /DA.

That Sir, I wish to clarify, in this connection, that Guwahati is neither my hometown nor it is a place of Roses; It is still a difficult place. I opted for Guwahati the difficult station to get my transfer early and to get rid of the Superintending Engineer AIR Vishakhapatnam who is always creating problems under the continues state of intoxication for those who did not move with him in hand in glove. A copy of my letter dt-23-01-03 to the Superintending Engineer and The Station Director of AIR Vishakhapatnam on incident that took place during my stay at Vishakhapatnam is enclosed here with in support of the background for which actually I applied for transfer form Vishakhapatnam.

Under the above circumstances it is requested to kindly look in to the matter and order for the grant of transfer TA /DA & JT at an early date within 30 days of receipt of this representation, failing which I am forced to knock the door of the Hon. C.A.T. for the justice.

Thanking you,

Your s faithfully,

Dated: - 29-11-04
Place: - Guwahati

self attested
V.G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

V.G. MALAGI
V.G. MALAGI

Annexure - 9a

25

No. CE(NEZ)/21(2)/2004-S/ 5489-90

PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
O/O CHIEF ENGINEER (NEZ) AIR & TV, GUWAHATI

2nd & 3rd Floor, Dr. P. Kakati's
Building,

Near Ganeshguri Flyover,
G.S. Road, Guwahati-6.

Dated the 3rd December, 2004.

To

The Director General,

(Kind atten: By name- Shri Ranveer Singh, DE(EA),

All India Radio, Akashvani Bhavan,

Sansad Marg, New Delhi-110001.

- Sub:-Representation from Shri V.G. Malagi, ADE for grant of TADA/JT
- On transfer from AIR, Vishakhapatnam to the office of the CE(NEZ),
- AIR & TV, Guwahati.

Sir,

Kind reference is invited to this office letter of even No. dated 23rd July, 04
7th May, 04 & 30th June, 04. In this connection Shri V.G. Malagi, ADE has submitted
one more representation dated 29/11/2004 for grant of TADA and joining time. The
same is forwarded herewith for your kind consideration.

Yours faithfully

Encl:-As above

3d/-
(Mahadev Sarmal
Dy. Director (Admin)
for Chief Engineer (NE)

Copy to :- Shri V.G. Malagi, ADE, O/O the CE(NEZ), AIR & TV, Guwahati-6.

Self attested
V.G. Malagi

V. G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781006

जारी दिनांक Issued

for Chief Engineer (NE)

V.G.MALAGI
ADE, O/O The CE (NEZ)
GUWAHATI-06

Dear Shri, D.K.Bandyopadhyay sahab,

I may please be permitted to divert your kind and precious time and attention towards the grant of TA/DA/JT in view of my transfer to the Zonal office Guwahati.

This is in continuation to my previous representation Dt-06-10-03 for grant of TA& DA in respect of my transfer to the Zonal office Guwahati (Difficult station), It is requested by your honor to please verify again that, I did not furnish any undertaking to forego my TA/DA on transfer from Vishakhapatnam to Zonal office Guwahati, rather I requested to allow TA/DA vide my letter dt-07-07-03, forwarded by AIR Vishakhapatnam vide letter dt 09-07-03 in response to the Directorate letter No.2/2/2003-S.III/421 Dated 25.06.2003. It is requested by your kind self to allow the TA/DA/JT in respect of my transfer to the Zonal office Guwahati from AIR Vishakhapatnam.

I shall be grateful if my request is granted early without any more hesitation.

Thanking you with regards,

Dt-06-02-04
Pl-Guwahati

V.G. Malagi
V.G.MALAGI



(ASSAM SACHIBALAYA) Cntr.2
RFG 8020
NAME: D K BASUGOPADHYAY
CITY: N DELHI. 1 000

INS FOR RS. 0 / P-STAMP RS. 0
AMT: 22.00/ Gms. 20M / 06/02/2004 10:54

Self attested
V.G. Malagi
V. G. MALAGI
Asstt. Director (Engg.)
O/O CE (NEZ) AIR & TV
Guwahati-781003