

50/100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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OA/T.A No. 89/2005

R.A/C.P No.

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SECTION OFFICER (Judl.)

FORM NO. 34
(SEE RULE 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDERSHEET

Original Application No. 89/2005
Misc. Petition No. _____
Contempt petition No. _____
Review Application No. _____
Applicant(s) Shri B. purkayastha
Respondents M. O. I. 2 Orgs
Advocate(s) for the Applicant(s) Mr. A. Deb Roy
Advocate(s) for the Respondents Addl. C. Cr. S. C. (Mr. M. H. Ahmed)

Notes of the Registry	Date	Order of the Tribunal
<p>This application is in form is filed/C. F. for Rs 10/- deposited vide IPC/BD No.....20 Cr 116124 Dated.....4/4/05.....</p> <p>1/e Dy. Registrar 6-4-05</p> <p>19.4.05</p> <p>Copy of the order has been sent to the Dy. Sec. for issuing the fine to the applicant as well as to the Addl. C.G.S.C.</p> <p>bb</p> <p>Recd on 27/4/05</p> <p>3/5</p>	<p>07.04.2005</p> <p>07.04.2005</p>	<p>present: The Hon'ble Mr. Justice G. Sivarajan, Vice-Chairman.</p> <p>Heard Mr. B. Pathak, learned counsel for the applicant</p> <p>present: The Hon'ble Mr. Justice G. Sivarajan, Vice-Chairman.</p> <p>Heard learned counsel for the parties. Order passed in open court, kept in separate sheets.</p> <p>The O.A. is disposed of at the admission stage itself in terms of the order. Issue urgent copy to</p> <p>Vaigajan Vice-Chairman</p>

CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH.

O.A. No.89 of 2005.

DATE OF DECISION : 7.04.2005

Shri Biswarup Purkayastha

APPLICANT(S)

Mr.A.Deb Roy

ADVOCATE FOR THE
APPLICANT(S)

- VERSUS -

U.O.I. & Ors.

RESPONDENT(S)

Mr.M.U.Ahmed, Addl.C.G.S.C.

ADVOCATE FOR THE
RESPONDENT(S)

THE HON'BLE MR. JUSTICE G. SIVARAJAN, VICE CHAIRMAN.

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 Vice-Chairman.

[Signature]

4

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 89 of 2005.

Date of Order: This, the 7th day of April, 2005.

THE HON'BLE MR. JUSTICE G. SIVARAJAN, VICE CHAIRMAN.

Shri Biswarup Purkayastha
Senior Accountant
Office of the Accountant General
(A&E), Assam, Maidamgaon
Beltola, Guwahati - 29.

... Applicant.

By Advocate Mr. A. Deb Roy.

- Versus -

1. 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. The Accountant General (A&E)
Assam, Maidamgaon, Beltola
Guwahati-29.
4. The Accountant General (A&E)
Meghalaya, Shillong-1.
5. The Sr. Accounts Officer (Admn.)
Office of the Accountant General (A&E)
Assam, Guwahati-29.

... Respondents.

By Mr. M. U. Ahmed, Addl.C.G.S.C.

ORDER (ORAL)

SIVARAJAN, J.(V.C.):

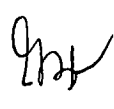
The applicant, Sr. Accountant in the office of the Accountant General, (A&E), Assam, Maidamgaon, Beltola, Guwahati was transferred

ms

on the expiry of his deputation period and was relieved of his duties from the said office in the afternoon of 31.3.2005. He was also directed to report to his parent department i.e. office of the Sr. DAG (A&E), Nagaland, Kohima vide order dated 21.3.2005 (Annexure-V). The applicant, in view of his personal difficulties, made a representation to the 2nd respondent requesting for extension of the deputation period at Guwahati or to give him a posting to the headquarters office in New Delhi on 16.3.2005 (Annexure-VI). His grievance is that even before the disposal of the representation the impugned order (Annexure-5) has been issued.

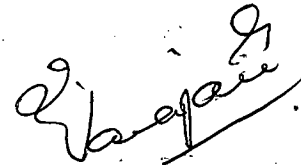
2. I have heard Mr.A.Deb Roy, learned counsel for the applicant. Counsel submits that the applicant has got personal difficulties which were specified in the request vide Annexure-VI for leaving Guwahati at present and that it is in the above circumstances he made the request for allowing him to continue in the present post at Guwahati or to give him a posting in the headquarters office in New Delhi. Counsel submits that if the applicant is sent out from the present posting, he will be put to untold miseries. Counsel accordingly submits that a direction be issued to the 2nd respondent to dispose of the representation dated 16.3.2005 (Annexure-VI) within a time frame and to allow the applicant to remain in the present post till then.

3. Mr. M. U. Ahmed, learned Addl.C.G.S.C. submits that the applicant has already been relieved on expiry of the deputation period and therefore he is not justified to say that he must be allowed to continue even thereafter.



4. I have considered the rival submissions. There is no dispute that the deputation period is already over and that the applicant had been relieved as per order dated 21.3.2005 (Annexure-V) with a direction to report to his parent office i.e. office of the Sr.DAG (A&E), Nagaland, Kohima. The case of the applicant is that he is on leave as on 31.3.2005. There is no doubt that the applicant has no right to get retention of his service on deputation basis at Guwahati after the expiry of the period of deputation. However, the applicant has made the request for retaining him in the office of the Accountant General (A&E), Assam, Guwahati on deputation basis or to give him a posting in the headquarters office in New Delhi. Since this request has not been considered so far by the 2nd respondent I direct the said respondent to consider the representation dated 16.3.2005 (Annexure-VI) and pass orders thereon as expeditiously as possible at any rate within a period of one month from the date of receipt of a copy of this order. Parties will produce furnished copy of this order to the 2nd respondent for compliance urgently.

5. The Original Application is disposed of as above.



(G. SIVARAJAN)
VICE CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH ::: GUWAHATI

O.A. NO. 89 OF 2005

Shri Biswarup Purkayastha.

..... Applicant.

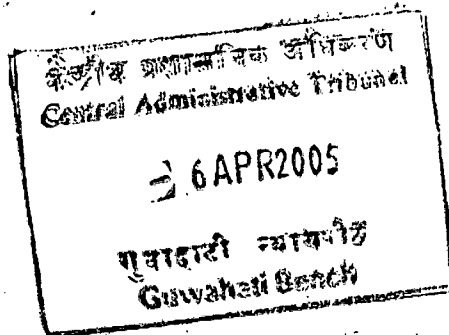
-Vs-

Union of India and Others.

..... Respondents.

SYNOPSIS

The applicant submitted representation dated 16.3.2005 to the Principal Director (Staff) O/O the Comptroller Auditor General of India, New Delhi, through proper channel praying for either to accommodate him in the Hqrs. Office in New Delhi or to allow him to continue in the O/O the Accountant General (A&E), Assam, Guwahati on deputation for better treatment of his ailing old mother and wife and also for the reasons that his wife is also a Central Govt. employee posted at Guwahati and their only son is of 5 years 6 months old and started schooling. His representation is under consideration and still pending. But the respondents No.4 and 5 issued repatriation order dated 21.3.2005 without issuing any notice and before disposal of the representation dated 16.3.2005. The humble submission of the applicant kindly to allow him to continue on deputation till disposal of his representation.



Filed by
Advocate
6/4/05

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH : : : : GUWAHATI

O.A. NO. 89 OF 2005

Shri Biswarup Purkayastha.

- Vs- Applicant.

Union of India and Others.

..... Respondents.

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Filed by

Advocate.
6/4/05

Biswarup Purkayastha

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH :: GUWAHATI

An application under Section 19
of the Central Administrative
Tribunal Act, 1985.

O.A. NO. 89 OF 2005

Shri Biswarup Purkayastha,
Senior Accountant,
Office of the Accountant General
(A & E), Assam, Maidangaon,
Beltola, Guwahati-29.

..... Applicant.

- Versus -

1. The Union of India,
represented by the Secretary
to the Govt. of India,
Ministry of Finance,
New Delhi.
2. The Controller and Auditor
General of India, New Delhi.
3. The Accountant General (A & E),
Assam, Maidangaon, Beltola,
Guwahati-29.

Biswarup Purkayastha

4. The Accountant General (A & E),
Meghalaya, Shillong -1.
5. The Sr. Accounts Officer (Admn)
Office of the Accountant -
General (A&E) Assam, Guwahati-29.

..... Respondents.

PARTICULARS FOR WHICH THE APPLICATION IS MADE :

1. That this application is filed for quashing the impugned order No. 338 dated 21.03.2005 issued by the Sr. Accounts Officer (Admn), Office of the Accountant General (A & E) Assam, Guwahati, repatriating the applicant to his parent office at Kohima having been relieved with effect from 31.03.2005 afternoon.

2. That the said repatriation order dated 21.03.2005 has been issued without affording any notice of reasonable opportunity as required under Appendix-5 (F.R. 9(25) 5, Clause 11 of the F.Rs & S.Rs.

3. LIMITATION:

That the instant application is filed within the prescribed period of limitation as provided under Section 21 of the Administrative Tribunal Act, 1985.

Contd.....

Biswanup Purkayastha

3. JURISDICTION OF THE TRIBUNAL :

That this application is well within the jurisdiction of this Hon'ble Tribunal as required under Section 14 of the Administrative Tribunal Act, 1985.

4. FACTS OF THE CASE :

4.1. That the applicant is a Citizen of India. He has been serving as a Senior Accountant in the office of the Accountant General (A&E), Nagaland, Kohima.

4.2. That the applicant was selected for deputation service under usual terms and conditions initially for a period of 1(one) year from the date of joining in the office of the Accountant General (A&E), Assam, Maidangaon, Beltola, Guwahati-29 vide order No. 179 dated 01.11.2000, and he joined accordingly in the month of November, 2000.

A copy of the order dated 01.11.2000 is annexed herewith and is marked as Annexure-I.

4.3 That the terms of deputation service of the applicant was extended for a further period of 1(one) year with effect from 02.11.2001 to 01.11.2002 vide order No. 119 dated 03.10.2001.

A copy of the order dated 03.10.2001 is annexed herewith and marked as Annexure-II.

Binwarup Pankajastha

4.4. That the term of deputation services of the applicant was extended for a further period of 1(one) year with effect from 06.11.2002 to 05.11.2005 vide order No. 145 dated 25.11.2002.

A copy of the order dated 25.11.2005 is annexed herewith and marked as Annexure-III.

4.5 That the term of deputation service of the applicant was extended for a further period of 1(one) year (4th year) with effect from 06.11.2003 to 05.1.2004 vide order dated 23.12.2003 being No. 261.

A copy of the order dated 23.12.2003 is annexed herewith and marked as Annexure-IV.

4.6 That the Sr. Accounts Officer (Admn), Office of the Accountant General (A&E), Assam, Guwahati has abruptly, repatriated the petitioner to his parent office of the Accountant General (A&E), Nagaland, Kohima vide his impugned order No. 338 dated 21.03.2005.

A copy of the impugned order dated 21.03.2005 is annexed herewith and marked as Annexure-V.

4.7 That vide the impugned order dated 21.3.2005 (Annexure-V) the applicant has been shown relieved of his duties in the office of the Accountant General (A&E), Assam with effect from 31.03.2005 afternoon. He is on medical leave now.

4.8 That the respondents have issued the repatriation order dated 21.03.2005 (Annexure-V) without giving

Binwanup Purkayastha

any notice to the petitioner as provided under (F.R. 9(25) appendix-5, Clause 11 of the FRs & SRs . Thus the aforesaid order is not tenable in law and is violative of the principles of natural justice.

4.9 That your humble applicant begs to state that on 16th March, 2005 he had submitted a representation to the Principal Director (Staff) O/O the Controller and Auditor General of India, New Delhi ^{through proper channel} requesting him to accommodate the applicant either in the Hrs. Office in New Delhi or in the O/O the Accountant General (A&E), Assam, Guwahati on deputation basis for getting best medical facilities for his ailing mother and wife and the said representation is still under consideration and pending.

A copy of the representation dated 16.3.2005 is annexed hereto and marked as Annexure-VI.

4.10 That the wife of the applicant is a Central Govt. employee posted at Guwahati and they have a son of 5 years 6 months old and has just started his schooling. According to O.M. No. 28034/7/86-Estt(A) dated 03.04.1986 and further clarified by the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training) vide O.M. No. 28034/2/97-Estt(A) dated 12th June, 1997 it has been recommended that the husband and wife may invariably be posted together specially till the children are 10 years of age.

Biswanup Purkayastha

A copy of O.M. dated 12.06.1997 is annexed hereto and marked as Annexure-VII.

5. GROUND OF RELIEFS :

5.i For that the respondents have ~~guaranteed~~ noted illegally in issuing the impugned order of repatriation dated 21.03.2005 (Annexure-V) to the applicant without giving prior notice as required under F.Rs & S.Rs.

5.ii For that the aged mother of the applicant has to undergo frequent medical check-up. It would not be possible for the applicant to render necessary services to his sick aged mother if at this stage he is repatriated.

5.iii For that his wife is serving at Guwahati and his son is of about 5 years 6 months old and has started schooling and no administrative problems are expected to result as a consequence of continuation of deputation/posting at Guwahati where his wife is posted.

5iv For that the applicant submitted a representation dated 16.03.2005 and till consideration and disposal of the said representation he may not be repatriated.

6. DETAILS OF REMEDY EXHAUSTED:

That the petitioner has exhausted the departmental remedy which is available to him.

Biswanup Purkayastha

7. MATTERS PREVIOUSLY FILED OR PENDING IN OTHER COURT:

No matter is pending in other Court. Previously O.A. filed on the same matter was disposed of as infructuous.

8. RELIEF SOUGHT:

In view of the facts and circumstances stated above, the petitioner prays for the following reliefs :-

- a) That the impugned repatriation order dated 21.3.2005 (Annexure-V) being bad in law and the same being violative of the principles of natural justice, the said order be quashed /set aside.
- b) That the petitioner be allowed to stay at Guwahati till the disposal of the representation dated 16.03.2005.

9. INTERIM RELIEF PRAYED FOR :

Pending disposal of this O.A., the humble petitioner prays that Your Lordships would be pleased to pass necessary order/orders staying the operation of the impugned order No. 338 dated 21.3.2005. (Annexure-V).

10. PARTICULARS OF THE I.P.O.

1. I.P.O. No. : 20 G.116/24
2. Date : 04/04/2005
3. Payable at : Disput, Guwahati - 5

11. LIST OF ENCLOSURES :

As stated in the Index.

Verification.....

Biswanup Purkayastha

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

I, Shri Biswarup Purkayastha, aged about 41 years, son of Late Basanta Kumar Purkayastha, resident of Barthakur Mill Road, Ulubari, Guwahati, District-Kamrup Assam, do hereby verify that the contents mentioned in foregoing paragraphs 4.1, 4.7, 4.8, 5,6,7, 8 and 9 are true to my knowledge and belief in paras 4.2, 4.3, 4.4, 4.5, 4.6 and 10 are true to my information and I have not suppressed any material facts.

And I sign this verification on this the 4th day of April, 2005 at Guwahati.

Biswarup Purkayastha
Signature of the Applicant.

(9)

17

ANNEXURE - I

**OFFICE OF THE SR. DY. ACCOUNTANT GENERAL, (A&E),
NAGALAND :: KOHIMA.**

Admn/A&E/Order No.179

Date : 01-11-2000.

Sri Biswarup Purkayastha, Sr. Acctt. on being selected for deputation under usual terms and conditions initially for a period of 1(One) year from the date of joining on deputation, stands released on the 1st November, 2000 (A/N).

The official is directed to report for duty in the O/o. the Accountant General, (A&E), Assam, Guwahati.

The official has been granted 2 (Two) days' E. L. for 2nd and 3rd November, 2000. After expiry of his leave he will join his new assignment.

(Authority : Orders of the Accountant General dated 24-10-2000 in at page/108n of file No. Admn/A&E/2-8/98-99/Vol. II)

sd/-
ACCOUNTS OFFICER (A)

Date : 01-11-2000.

He is directed to report for duty in the O/o. Accountant General, (A&E), Assam, Guwahati on expiry of his sanctioned E. L. on for 2nd and 3rd November, 2000

For information please.

For information please with reference to the letter No. ESTT.-I/8-11/87-88/2705, dated 15-9-2000

Attested
my 4/4/05
Advocate
No. Admn/A&E/PF/BP/89-90/4176-83
Copy to:

1. Sri Biswarup Purkayastha, Sr. Acctt.
2. The Accountant General, (A&E), Assam, Maidamgaon, Beltola, Guwahati - 781 029.
3. The Accountant General, (A&E), Meghalaya, Shillong - 793 001.
4. The P. A. O. (Local).
5. The Advance Table (Admn.), (Local).
6. The Bill Table (Admn.), (Local).
7. The Service Book/Personnel File Table (Admn.), (Local).
8. The Cashier (Local).

Copy
27-02-04
G. Pathekar Advocate
ACCOUNTS OFFICER (A)

10

ANNEXURE - II

OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029.

Admin-1 Order No. 119

Date: 03.10.2001

In pursuance of O/O the Sri Deputy Accountant General (A&E) Nagaland's letter No. Admin-1/A&E/2-8/2000-20001/744 dt. 07.09.2001, the term of deputation of Sri Biswarup Purkayastha, Sr. Accountant in the O/O Accountant General (A&E) Assam Guwahati is hereby extended for a further period of one year w.e. from 02.11.2001 to 01.11.2002.

Sd/-
Deputy Accountant General (A&E)

No. Admin-1/Deptn./6-1/201-2002/1931-1942

Date: 03.10.2001

Copy forwarded to:

- 1) The Principal Director of Audit, NF Rly. Maligaon, Guwahati - 11.
- 2) The Accountant General (A&E) Meghalaya etc. Shillong.
- 3) The Accounts Officer (A), O/O the Sr. Deputy Accountant General (A&E) Nagaland, Kohima for information with reference to his letter No. Admin-1/A&E/2-8/2000-2001/744 dt. 07.09.2001.
- 4) The Establishment Officer (M), O/O the Accountant General (A&E), Meghalaya, etc. Shillong.
- 5) The PAO Local.
- 6) The SO i/c Admin - II Section.
- 7) The AAO i/c confidential Cell.
- 8) The Private Secretary to AG (A&E) Assam, Guwahati.
- 9) The Service Book Group.
- 10) Sri Biswarup Purkayastha, Sr. Accountant.
- 11) The Hindi Officer i/c Hindi Cell. He is requested to issue Hindi version of this order from his end.
- 12) Admin-1 Order Book.

*Attested
my 4/4/05
Advocate*

[Signature]

Sr. Accounts Officer (Admn)

*certified to be true copy
[Signature]
27-02-02
(B. Patra)
Advocate*

B. Pur

11

ANNEXURE - III

OFFICE OF THE ACCOUNTANT GENERAL (A&E), ASSAM, BELTOLA, GUWAHATI

Admin. Order No. 145

Dated 25.11.2002-1

In pursuance of the Sr. DAG(A&E), Nagaland's letter No: Admn./A&E/2-8/2000-01/312 dated 8.11.2002, the term of deputation of Sri Biswarup Purkayastha, Sr. Acctt. in the O/o the A.G(A&E), Assam, Guwahati is hereby extended for a further period of one year w.e.f. from 6.11.2002 to 5.11.2003.

Deputy Accountant General(A & VLC)

No. Admn. I/Depn/6-1/2001-02/2826-2837

Dated 25.11.2002-

Copy forwarded to :-

1. The Principal Director of Audit, N.E. Railway, Maligaon, Guwahati-11.
2. The A.G(A&E), Meghalaya, etc Shillong.
3. The A.O. O/o the Sr. DAG(A&E), Nagaland, Kohima for information with ref to his letter No. Admn/A&E/2-8/2000-01/312 dated 8.11.2-002. It may be mentioned here that 2nd year term of of Sri Purkayastha, Sr. Acctt. was extended from 2.11.2001 to 1.11.2002 vide your letter no. Admn/A&E.2-8 2000-01/744 dated 7.9.2001. Now 3rd year term of deputation of Sri Purkayastha, Sr. Accountant has been extended from 6.11.2002 to 5.11.2003. There is a discrepancy of 4 days i.e. from 2.11.2002 to 5.11. 2002. This may kindly be clarified. On receipt of reply the same may be regularised.
4. The Establishment Officer (M), O/o the A.G(A&E), Meghalaya, etc. Shillong.
5. The PAO local.
6. The A.A.O, i.e confidential cell.
7. The S.O. LC Admn. 2
8. The P.S. to the A.G(A&E), Assam, Guwahati.
9. S.B. Group.
10. Sri Biswarup Purkayastha, Sr. Accountant.
11. Sr. Hindi Translator, i.e Hindi Cell. He is requested to issue Hindi version of the order from his end.
12. Admn. I. Order book.

[Signature]
Sr. Accounts Officer(A)

*Attested
by 4/4/05
Advocate*

*Accepted to be the copy
[Signature]
27-02-04
(B. Patra) Advocate*

12

ANNEXURE - IV

OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM, MAIDAMGAON, BELTOLA, GUWAHATI - 781 029:

Admn-I Order No. 261

Dated: 23.12.2003

In pursuance of O/O the Sr. DAG (A&E) Nagaland's letter No. Admn/A&E/2-8/98-99/939 dt. 15.12.2003 the term of deputation of Sri Biswarup Purkayastha, Sr. Acctt. in the O/O the AG (A&E) Assam, Guwahati is hereby extended for a further period of one year (4th year) w.e. from 06.11.2003 to 05.11.2004.

Sd/-
Deputy Accountant General (Admn & VLC)

No. Admn-I/Deptn./6-1/2003-04/7548-59

Dated: 23.12.2003

Copy forwarded to:

- 1) The Principal Director of Audit, NE Rly. Maligaon, Guwahati - 11.
- 2) The AG (A&E) Meghalaya etc., Shillong.
- 3) The Establishment Officer (M), O/O the AG (A&E) Megh. etc., Shillong.
- 4) Sr. A.O. (A), O/O the Sr. DAG (A&E) Nagaland, Kohima for information with reference to his letter No. Admn. A&E/2-8/98-99/939 dt. 15.12.2003.
- 5) The AAO i/c. PAO Local.
- 6) AAO i/c. Admn-II.
- 7) Service Group/Budget Group.
- 8) AAO i/c. Confidential Cell.
- 9) Hindi Cell. He is requested to issue Hindi version of this order from his end.
- 10) Sri Biswarup Purkayastha, Sr. Acctt.
- 11) Private Secretary to the AG (A&E) Assam, Guwahati.
- 12) Admn-I Order Book.

Attested
by 4/4/05
Advocate

Sr. Accounts Officer (Admn)

certified to be true copy
27-02-04
(E. P. ...)
Advocate

**OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM,
MAIDAMGAON, BELTOLA, GUWAHATI - 781 029.**

Admn-1 Order No. 338

Dated: 21.03.2005

In pursuance of O/O the AG (A&E) Megh's Order No. 274 dt. 02.002.05 issued vide memo No. Estt.1/8-11/Ds - Misc./2004-05/5698-5702 dt. 02.2.2005, Sri Biswarup Purkayastha, Sr. Acctt. stands relieved of his duties from this office in the afternoon of 31.03.05. He is directed to report to his parent office i.e. O/O the Sr. DAG (A&E) Nagaland, Kohima.

[Authority: DAG(A)'s order dt. 15.03.05 at P/32Ninfile No. Admn-1/Depn./6-1/2003-04/vol. II]

Sd/-

Sr. Accounts Officer (Admn)

No. Admn-1/Depn./6-1/2003-04/Vol. I/5573-85

Dated: 21.03.2005

Copy forwarded to:

- 1) The Principal Director of Audit, NF Rly. Maligaon, Guwahati - 11.
- 2) The Sr. DAG(A), O/o the AG (A&E) Meghalaya etc., Shillong for information with reference to his Memo letter No. Estt. 1/8-11/Ds-Misc./2004-05/5698 -5702 dt. 02.02.05.
- 3) The Establishment Officer (M), O/O the AG (A&E) Megh. etc., Shillong.
- 4) The Sr. DAG (A&E), O/o the Sr. DAG (A&E) Nagaland, Kohima for information. 4th year term of deputation of Sri Biswarup Purkayastha, Sr. Acctt. in this office expired on 05.11.04. It is therefore, requested to regularise the above period (i.e from 06.11.04 to 31.03.05) the extension of the tenure of deputation of Sri Purkayastha, Sr. Acctt. from 06.11.04 to 31.03.05 may kindly be communicated to this office early for further necessary action at this end.
- 5) P.A. to AG (A&E) Assam, Guwahati.
- 6) The AAO i/c. PAO Local.
- 7) AAO i/c. Admn-II.
- 8) Service Group/Budget Group.
- 9) AAO i/c. Confidential Cell.
- 10) Hindi Cell. He is requested to issue Hindi version of this order from his end.
- 11) Sri Biswarup Purkayastha, Sr. Acctt.
- 12) P.C. of Sri Biswarup Purkayastha, Sr. Acctt.
- 13) Admn-1 Order Book.

*Attested
my 4/4/05
Advocate*

[Signature]
Sr. Accounts Officer (Admn)

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ANNEXURE - VI

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To

The Principal Director (Staff).
O/o. the Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi - 110 002.

(Through Proper Channel)

Subject : Request for deputation in the Hqrs. Office or retention on deputation in the O/o. the Accountant General, (A&E), Assam, Guwahati.

Sir,

With due regards and humble submission with much hopes and aspiration I am submitting the following facts for the kind and sympathetic consideration by your kind and benign honour.

Sir, I am on deputation service in the O/o. the Accountant General, (A&E), Assam, Guwahati since the 6th November, 2000 from the O/o. the Sr. Dy. Accountant General, (A&E), Nagaland, Kohima. Since then I am discharging all my assigned duties to the full satisfaction of my superiors in this office.

That Sir, the grounds on which my request for a place in the O/o. the Accountant General, (A&E), Assam either by unilateral transfer or on deputation basis had been granted by the concerned authorities with concurrence by the Hqrs. Office, which are still persist.

Sir, my old aged (about 68 years) widow mother is sick with Spondalitis and Sciatica along with other old age health complications every now and then requiring medical attention. The multiple physical sickness of my mother even often make her completely bed ridden. My absence away from her and from Guwahati puts her in much mental agony and depression.

My wife is an employee in the BSNL and posted in Guwahati. The state of health of my wife is also very much poor. My only son has just began his schooling.

That Sir, in consideration of the above mentioned facts, being the only male member of the family I am not in a position to move to Kohima leaving my old aged mother and my family altogether without the care of any male member in the family and also I am not in a position to take my family to Kohima due to its hilly and climatic condition which is detrimental to the prevailing health conditions of my mother and my wife.

Sir, in consideration of the above mentioned facts I would request your kind honour to be kind enough to accommodate me either in the **Hqrs. Office in New Delhi** or in the O/o. the Accountant General, (A&E), Assam, Guwahati on deputation basis.

✓ Sir, I will also prefer to be posted in New Delhi where I will be able to find the best medical facilities for my mother and my wife and also the best educational institute for my only son.

Yours faithfully,

Sd/-
(Biswarup Purkayastha)
Sr. Accountant

Guwahati, the 16th March, 2005.

Attended
my 4/4/05
Advocate

ANNEXURE-VII

(Extract)

No. 28034/2/97-Estt.(A)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 12th June 1997

OFFICE MEMORANDUM

Sub: Posting of husband and wife at the same Station.

The undersigned is directed to say that on the subject mentioned above, Government has issued detailed guidelines vide O.M. No. 28034/7/86-Estt.(A) dated 3.4.1986. The Fifth Central Pay Commission has now recommended that not only the existing instructions regarding the need to post husband and wife at the same station need to be reiterated, it has also recommended that the scope of these instructions should be widened to include the provision that where posts at the appropriate level exist in the organization at the same station, the husband and wife may invariably be posted together in order to enable them to lead a normal family life and look after the welfare of the children, especially till the children are 10 years of age.

2. The Government after considering the matter, has decided to accept this recommendation of the Fifth Central Pay Commission. Accordingly, it is reiterated that all Ministries/Departments should strictly adhere to the guidelines laid down in O.M. No. 28034/7/86-Estt.(A) dated 3.4.86 while deciding on the requests for posting of husband and wife at the same station and should ensure that such posting is invariably done, especially till their children are 10 years of age, if posts at the appropriate level exist in the organisation at the same station and if no adminis-

*Attended
4/4/05
Advocate*

administrative problems are expected to result as a consequence.

3. It is further clarified that even cases where only the wife is a government servant, the concession elaborated in para 2 of this F O.M. would be admissible to the government servant.

4. These instructions would be applicable only to ~~para~~ posts within the same department and would not apply on appointment under the Central Statting Scheme.

5. A copy of this Department's OM No. 28034/7/86-Estt.(A) dated 3.4.86 is enclosed for ready reference and guidance.

6. Hindi version of the OM is enclosed.

Sd/- Illegible

(Harinder Singh)
Joint Secretary to the Govt. of India
Tel. No. 301 1276

*Attested
By 4/4/05
Advocate*

To

1. All Ministries/Departments of the Govt. of India.
2. Department of Women & Child Development.
3. The National Commission for Women, 4, Deendayal Upadhyay Marg, ITO, New Delhi.