

FROM No. 4.  
( See Rule 42 ).

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDER SHEET

1. original Application No. 124/2006
2. Misc Petition No. \_\_\_\_\_
3. Contempt Petition No. \_\_\_\_\_
4. Review Application No. \_\_\_\_\_

Applicant(s) Smili TH Meena Devi

Respondents U.O.I 2008

Advocate for the Applicant(s) Mr. B. Kalita, Smt. Advocate B.C. Pathak  
Mr. B. K. Talukdar  
Mr. G. Baishya

Advocate for the Respondant(s) Smt. LASC.....

Notes of the Registry	Date	Order of the Tribunal
	26.05.2006	Present : Hon'ble Sri K.V. Sachidanandar Vice-Chairman.

This application is in form  
is filed/Ch. No. Rs. 50/-  
deposited in the ED  
No. 266/22153  
Dated 25-5-06

*Naresh*  
25-5-06  
1/c Dy. Registrar

Steps Taken

*Rud  
D/26/5/06*

The applicant has challenged the transfer order dated 17.04.2006. Learned counsel for the applicant submitted that representation of the applicant has been rejected in a most irregular and arbitrary manner and without application of mind. Learned counsel for the applicant has brought to my notice to the following paragraph of the representation :-

"Hence, with the above genuine facts and circumstance I request your honour to kindly bestow your good wishes and cause to keep the order of transfer in abeyance till Jan. 2007 when the Education carrier of my children will over and my small infant baby will also get recovery from her illness. At the time of my transfer, it may kindly be considered to transfer my husband to a same station simultaneously so that the proper care of my children are not disturbed."

Learned counsel for the applicant further submitted that atleast the applicant may be permitted to remain at Imphal till mid academic ses-

Cont

OA 126/06

Contd/-

26.05.2006 is over since her children are studying.

Pl. issue a vacancy order dated 26.5.06.

NS  
26.5.06

Notice & order sent to D/section for issuing to resp. nos.

1 to 4 dep. regd. A/D post. D/No = 577 to 580

(Ans) 17/6/06. Dt = 7/6/06.

I have heard Mr. M.K. Majumdar, learned counsel for the applicant and Mr. G. Baishya, learned Sr. C.G.S.C. for the respondents.

Learned counsel for the respondents submitted that her only children is studying in Class- I and nowhere in the O.A. it is stated that mid academic session starts from ~~January~~ <sup>June</sup>. He further submitted that notice may be issued to the respondents.

Issue notice to the respondents. Post on 12.07.2006.

Considering the entire issue involved, as an interim measure, this Court directs that status quo as on today shall be maintained till the next date.

11-7-06

① Service report awaited.

*30*  
Vice-Chairman

mb

18.07.2006

Mr B.C. Pathak, learned counsel

for the applicant has filed statement as to the vacancy position of identical post at Imphal and according to him, there are 9 vacancies. Mr G. Baishya, learned Sr. C.G.S.C. for the respondents wanted to take instruction on the appoint.

Post on 25.07.2006. It is made clear that the respondents should get instruction on that point on the next date.

*17.7.06*

24.7.06  
An application regarding vacancy position submitted at flag 'A'

*DM*

mb

25.07.2006

Post on 27.07.2006.

31-7-06

Service report awaited.

*31*

mb

Vice-Chairman

01.08.2006 Mr G. Baishya, learned Sr. C.G. S.C. for the respondents submitted that he has received a letter from the respondents by fax sent by the Assistant Postmaster General (LC) for Chief Postmaster General, Shilling stating that "In continuation of this office letter of even No. dtd 29.06.2006, on the captioned subject, it is to inform you that there is no vacant post at Imphal, MPO or in Manipur State, in the cadre of Postal Asstt. SMCO, to which Smt. Meena Devi, the Applicant belongs, at present".

A copy of the <sup>said</sup> letter has been furnished to this Court which is kept on record.

Learned counsel for the applicant submitted that he will verify the position.

Post on 18.08.2006.

28.8.06

Correct

An affidavit has been submitted by the applicant.

mb

18.8.2006

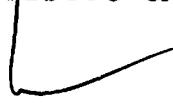
  
Member

  
Vice-Chairman

Mr. B.C. Pathak, learned counsel appearing for the applicant submits that the Affidavit sought to be filed have some defects and he wants to correct the same and therefore he sought for two weeks time to correct and file the same.

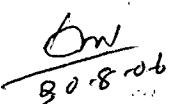
Mr. G. Baishya, learned Sr. C.G. S.C. wanted four weeks time to file reply statement. Let it be done. Post on 21.9.2006.

In the meantime applicant is at liberty to improve and correct the affidavit.

  
Vice-Chairman

30.8.06

This case is listed on the prayer of Mr. B.C. Pathak, Adv. on the petitioners tomorrow d. 31.8.06 it is ought to be fixed on 21.9.06.

  
bb

6.A.12A/2006

him by the Audit Party during the period from  
The claim for the Applicant is that certain  
financial irregularities has been shown against

05.09.2006 Present: Hon'ble Sri K.V. Sachidanandan  
Vice-Chairman.

Heard Mr. B.C. Pathak, learned  
Counsel for the Applicant and Mr. G.  
Baishya, learned Sr. C.G.S.C. for the  
Respondents. Hearing concluded.  
Reserved for orders.

Off

Vice-Chairman

/mb/

19.9.06  
19.9.06  
Affidavit in reply  
against the applicant  
is the Applicant.

05.09.2006 Present: Hon'ble Sri K.V. Sachidanandan  
Vice-Chairman.

Post on 18.09.2006.

Off

Vice-Chairman

mb

18.9.2006

Mr. G. Baishya, learned Sr. C.G.S.C.  
has filed reply statement. Counsel for  
the applicant is not present. However  
an opportunity is given to the applicant  
to file rejoinder, if any.  
Post on 20.10.2006.

1

Vice-Chairman

bb

14.11.2006 Present: Hon'ble Sri K.V. Sachidanandan  
Vice-Chairman.

No rejoinder has  
been filed.

29  
6.12.06.

Mr. G. Baishya, learned Sr. C.G.S.C.  
for the Respondents submitted that he  
has filed reply statement. Post on  
07.12.2006 for filing rejoinder.

Vice-Chairman

/mb/

Vice-Chairman

S/

O.A. 124/2006

07.12.2006 Present: Hon'ble Sri K.V. Sachidanandan  
Vice - Chairman.

Mr B.C. Pathak, learned Counsel for the Applicant submitted that he has not received copy of the reply statement. The registry is directed not to receive reply statement without endorsement/ acknowledgement of the other side. Post on 13.12.2006. In the meantime, the Respondents' counsel is directed to furnish a copy of the same.

① Wbs him been  
Used

21  
13.12.06

13.12.06

Vice-Chairman

~~Noted~~

~~N.Singh~~

13.12.06

/mb/

14.12.2006

Mr.B.C.Pathak, learned counsel for the applicant submitted that he has received the copy of the written statement today and would like to file rejoinder. Let it be done.

Post on 12.1.2007.

11.12.07  
no rejoinder filed.

bn

✓

Vice-Chairman

bb

12.1.07

When the matter came up the learned counsel for the applicant submitted a copy of the order passed in W.P(C) 6152/2006 wherein the Hon'ble High Court directed as under :

"In view of the above submission of the learned counsel, we set aside the order in so far it relates to shifting of the post from Imphal to Itanagar is concerned. Further, we observe that the applicant shall be allowed to move to Itanagar by the end of January, 2007 and till then, she should be allowed to continue at Imphal against any available vacancy.

L  
contd..

12.1.07

2  
124/06  
b-

The Writ Petition accordingly stands disposed of."

A copy of the said order submitted by learned counsel may be kept on record. Considering the submission made by the counsel for the parties post the matter on 9.2.07.

No rejoinder has been filed.

8.2.07

Vice Chairman

pg

9.2.2007

Learned counsel for the parties wanted to get instruction. Let it be done within three weeks.

Post the matter on 1.3.2007.

28.2.07  
DJS 2. Affidavit filed  
by the Respondents  
10.

/bb/

Vice-Chairman

1.3.07.

Aggrieved by the transfer order dated 17.4.06 (Annexure A-1) the applicant was transferred from Imphal to Itanagar. Being aggrieved the applicant has filed this O.A. seeking for the following reliefs:

- i) The transfer order issued viz. Memo No. Staff/584/SBCO/RT/2004 dated 17th April 2006 (Annexure A-1) may be quashed and
- (ii) The above Respondents may be directed to issue transfer orders, in accordance with the standing departmental instructions, so that applicant alongwith her husband may be transferred together to any station within the 'Region or the Postmaster General' in due course;
- (iii) The Respondents No.3 viz. The Post Master General, N.E. contd/-

1.3.07.

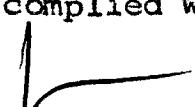
Region, Shillong may be called upon to explain as to why he should not be dealt with under 'Central Administrative Tribunal (Contempt of Courts) Rules 1992' for his willful commission and omissions in the disposal and rejection of applicant's representation dated 24.04.2006 addressed to the Respondent No.2 and upon receiving the explanation if any from the said Respondent No.2 take appropriate action as the Hon'ble Tribunal may deem proper under the circumstances of the case so as to prevent such ~~mis~~ misuse of powers by the administrative authorities;

iv) The applicant may be allowed the cost of this application."

I have heard learned counsel for the parties. When the matter came up for hearing the learned counsel for the applicant has submitted that the interim order directed the respondents to retain her in Imphal Division till academic session is over. The counsel for the respondents has also submitted that the applicant has already joined at Itanagar on 10.2.07. Accordingly, the order of the findings substantially complied with.

O.A. is dismissed as complied with

Co  
Member

  
Vice-Chairman

प्रतिलिपि के लिए अपेक्षित की तारीख Date of application for the copy	एप्पले और फॉलोसो की अपेक्षित उम्मीद सुचित करने की नियमित तारीख Date fixed for certifying the requisite number of stamps and folios.	अपेक्षित स्टाम्प और फॉलोसो देने की तारीख Date of delivery of the requisite stamps and folios.	तारीख, जबकि देने के लिए प्रतिलिपि तैयार थी Date as on which the copy was ready for delivery.	अपेक्षित को प्रतिलिपि देने की तारीख Date of making over the copy to the applicant.
21/12/06	21/12/06	21/12/06	22/12/06	22/12/06

IN THE GAUHATI HIGH COURT

(High Court of Assam, Nagaland, Meghalaya, Manipur, Tripura,

Mizoram & Arunachal Pradesh)

CIVIL APPELLATE SIDE

Appeal from  
Civil Rule

2006 B.C. No. 6152 of 2006

Appellant  
Petitioner

Union of India & Ors

versus

Smt. Th. Meena Devi

Respondent  
Opposite Party

Appellant  
For  
Petitioner

Mrs. Sitasibis Rahman  
Assistant Solicitor General of India

Respondent  
For  
Opposite Party

1/3-

IN THE MATTER OF :

1. Union of India, through the Director General (Posts), Dak Bhawan, Sansad Marg, New Delhi- 110 001.
2. The Chief Post Master General, North Eastern Postal Circle, Shillong-793001.
3. Shri Lalhuna, Post Master General, N.E. Region, Shillong- 793 001.
4. The Director, Postal Services, Manipur, Imphal -795 001.

... PETITIONERS- Versus -

✓ Smt. Th Meena Devi,  
 W/O Shri L. Priyokumar Singh,  
 Qtr. No.2 - Postal Colony,  
 Imphal HPO-Complex,  
 P.O. Imphal HPO,  
 Dist- Imphal West, State : Manipur.  
 Presently working as : Postal Assistant  
 (SBCO), Imphal H.P.O. - 795 001.

... RESPONDENT  
(APPLICANT).

Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
1	2	3	4

WP(C) No.6152/2006..

10  
 3  
 BEFORE  
 THE HON'BLE MR JUSTICE D. BISWAS  
 THE HON'BLE SMT. JUSTICE A. HAZARIKA  
 18.12.2006.

Heard Mr. H. Rahman, learned Asstt. Solicitor General of India for the writ petitioners and also Mr BC Pathak, learned counsel for the respondent.

This writ petition has been filed challenging the order dated 11.9.06 passed by the learned Central Administrative Tribunal, Guwahati Bench, Guwahati in Misc Petition No.50/06. By this judgment, the learned Tribunal has directed the respondent authority to shift the post now held by the applicant from Imphal to Itanagar.

Mr Rahman, learned ASGI submits that the learned Tribunal acted beyond jurisdiction in directing shifting of the post which is purely a policy matter exclusively within the domain of the administration and such a direction is not sustainable in law.

Mr. Pathak, learned counsel, on the other hand, submitted that the applicant is ready and willing to comply with the transfer order dated 17.4.06 whereby she has been transferred from Imphal to Itanagar. Presently she is not in a position to move because of the ongoing academic session of her children and also for the reason that she has a baby aged about 7 months. However, Mr Pathak, learned counsel submits that the applicant will move to Itanagar in compliance with the order of transfer in the last part of the month of January, 2007.

In view of above submission of the learned counsel, we set aside the order in so far it relates to shifting of the post from

(4)

Noting by Officer or Advocate	Serial No.	Date	Office notes, reports, orders or proceedings with signature
1	2	3	4
			<p>Imphal to Itanagar is concerned. Further, we observe that the applicant shall be allowed to move to Itanagar by the end of January, 2007 and till then, <u>she should be allowed to continue at Imphal against any available vacancy.</u></p> <p>The writ petition accordingly stands disposed of. No costs.</p>

Sd/- A. Hazarika  
Judge

Sd/- D. Biswas  
Judge

Sl. No. 66420  
21.12.06.

CERTIFIED TO BE TRUE COPY  
.....  
Date.....  
Superintendent(Copying Section)  
Gauhati High Court  
Authorised U/S 76, Act 1, 1872

Rs. 22/12/06

12

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

50 of 2006 (In O.A. 124 of 2006)

M.P. No. ....

11.09.2006

**DATE OF DECISION** .....

Smt. Th Meena Devi ..... **Applicant/s**

Mr B.C. Pathak and Mr B.K. Talukdar ..... **Advocate for the  
Applicant/s.**

- Versus -

Union of India & Others ..... **Respondent/s**

Mr G. Baishya, Sr. C.G.S.C. Counsel ..... **Advocate for the  
Respondents**

**CORAM**

THE HON'BLE SRI K.V. SACHIDANANDAN, VICE CHAIRMAN.  
THE HON'BLE

1.	Whether reporters of local newspapers may be allowed to see the Judgment ?	Yes/No
2.	Whether to be referred to the Reporter or not ?	Yes/No
3.	Whether to be forwarded for including in the Digest Being complied at Jodhpur Bench ?	Yes/No
4.	Whether their Lordships wish to see the fair copy of the Judgment ?	Yes/No

Vice-Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Misc. Petition No. 50 of 2006.

In

Original Application No. 124 of 2006.

Date of Order: This the 11th day of September 2006.

**The Hon'ble Sri K.V. Sachidanandan, Vice-Chairman.**

Smt. Th Meena Devi,  
W/o - Shri L Priyokumar Singh  
Qtr No. 2, Postal Colony,  
Imphal HPO Complex,  
P.O.: Imphal HPO  
Distt. : Imphal West, State: Manipur.

Presently working as: Postal Assistant (SBCO),  
Imphal H.P.O. - 795 001.

... Applicant

By Advocate Mr B.C. Pathak and Mr B.K. Talukdar.

- Versus -

1. Union of India,  
Through: -  
The Director General (Posts),  
Dak Bhawan, Sansad Marg,  
New Delhi - 110 001.
2. The Chief Post Master General,  
North Eastern Postal Circle,  
Shillong - 793 001.
3. Shri Lalhluna,  
Post Master General,  
N.E. Region, Shillong - 793 001.
4. The Director Postal Services,  
Manipur, Imphal - 795 001.

... Respondents.

By Advocate Mr G. Baishya, Sr. C.G.S.C.

**ORDER****K.V. SACHIDANANDAN (V.C.)**

This Misc. Petition has been filed by the Applicant praying for "*issue a specific direction to the Respondents that the transfer order dated 17/04/2006 (ANNEXURE - A/1 to the O.A.), as regards the transfer of the present applicant from Imphal to Itanagar, is kept in abeyance till such time as the Hon'ble Tribunal may deem proper. Otherwise, both the O.A., as well as the interim relief granted by the Hon'ble Tribunal in its order dated 26/05/2006 will remain as infructuous.*"

2. The fact of the case is that the Applicant has challenged the transfer order dated 17.04.2006. The Representation of the Applicant was rejected in a most irregular and arbitrary manner without Application of mind. In the representation, the Applicant has made the following passage: -

"Hence, with the above genuine facts and circumstances, I request your honour to kindly bestow your good wishes and Cause to keep the order of transfer in abeyance till Jan, 2007 when the Education carrier of my children will over and my small infant baby will also get recovery from her illness. At the time of my transfer, it may kindly be considered to transfer my husband to a same station simultaneously so that the proper care of my children are not disturbed."

It is borne out from the representation of the Applicant that she may not be disturbed till the mid academic session of the School till January 2007 since her first children is studying and the small infant baby will get recover from illness. This Court while hearing the O.A. on 26.05.2006 after considering various issues passed the following order:-

✓

"Considering the entire issue involved, as an interim measure, this Court directs that status quo as on today shall be maintained till the next date."

3. When the matter came up for hearing on a subsequent date, learned Counsel for the Respondents submitted that the Applicant is on leave and the status quo order is maintaining by permitting her to continue on leave. It is quite obvious from the orders of the Tribunal mentioned above that the purport of the said order was to permit her to continue in the said post. It is also reported by the learned Counsel for the Respondents that the new incumbent has joined in her place and she has no other way to go. While so, this Petition was filed by the Applicant with the above prayer. This Court directed the Applicant to find out the vacancy, if available. The Applicant has filed an affidavit contending that in the advertisement notice "1" One post of Postal Assistant under the disposal of the Chief Postmaster General Shillong and "2" Two posts of Postal Assistant in Manipur Postal Division, Imphal against O.C. categories were shown for the year 2003-04. The vacant post still unfilled. In the affidavit it is also stated that eleven (11) vacancies are available according to her information and requested that she may be accommodated in one of the vacancies till December 2006.

4. On 31.08.2006, learned Counsel for the Respondents produced a letter dated 28.07.2006, which was issued by the Assistant Postmaster General, stating that there is no vacant post at Imphal HPO or in Manipur State and the copy of the said letter was kept on record. However, considering the submission made by the learned Counsel for the Respondents, this Court passed the following order: -

"However, considering the submission of the learned counsel for the respondents this Court is not convinced by the said letter of the Asstt. Post Master General (LC) dated 28<sup>th</sup> July, 06. Therefore, the Court directs that the Asstt. Post Master General (LC) to be present personally before this Court on 5.9.06 to explain/Report whether there are vacancies which has been mentioned in the affidavit or not. Registry will also send a letter to the said authority forthwith."

Finally when the matter came up on 05.09.2006, one of the Officer Smt. Sampalika Bhattacharjee, Assistant Director, Office of the Chief Postmaster General, N.E. Circle, Shillong was present before the Tribunal and she has also filed an affidavit stating that 11 vacancies that have been pointed by the Applicant, 10 vacancies belong to Postal Assistant operative category, whereas the Applicant belongs to SBCO category and though one (1) vacancy belongs to SBCO category, the Applicant is neither eligible to be posted as in-charge, SBCO, as she has not acquired such seniority, nor she applied for posting at Agartala Head Post Office. Therefore, it is cannot be considered to suit the Applicant and reiterated that there is no vacancy as such. But in the affidavit in support of the reply to the Misc. Petition it is also stated that "*Regarding the one (1) post of Postal Assistant (SBCO) the respondents beg to state that the same is under the disposal of CPMG, was declared vacant. The said post of Postal Assistant (SBCO) is meant for N.E. circle and not only for Manipur alone and the said post is allotted to Itanagar and the same is at present lying vacant in Itanagar.*" It is further stated that the Applicant never raised the question of her deputation to elsewhere within the State of Manipur. She never applied for the same and her deputation to elsewhere is not a matter that has been agitated and pleaded and not a matter of issue before this Tribunal, but in the

Original Application the Applicant challenged the transfer order on the ground of academic mid session.

5. Two possibilities has come out in the affidavit, which are (i) the Respondents are empowered to keep the Applicant at Manipur on deputation basis and/or (ii) the vacancy said to be vacant at Itanagar under the disposal of Chief Postmaster General which is meant for N.E. Circle, not Manipur alone can also be shifted to Manipur at the discretion of the CPMG. It appears that the Chief Postmaster General can accommodate the Applicant at Manipur till December 2006. It is also ascertained from the Officer present in the Tribunal that Itanagar is being managed by one person at present.

6. Considering the entire issue involved in this Misc. Petition, this Tribunal is of the view that the real purport of the status quo order dated 26.05.2006 was to accommodate the Applicant in the present station, and the Respondents cannot read the same in between the lines. Probably the Respondents' Counsel submission may be technically right in requesting the Applicant to continue on medical leave, interpreting the order of the status quo to the wisdom of the Respondents. But this Court never feels it fair and just and that interpretation cannot in its true spirit and purport of the Court Order. Therefore, this Court is of the view that Chief Postmaster General can shift the post to Manipur, which is under his disposal at present lying vacant meant for Itanagar and will accommodate the Applicant in that post till December 2006 and if not, the Respondents shall consider the Applicant to be accommodated at Manipur on deputation basis for which immediate representation/request shall be filed by the Applicant to the concerned Respondent. In any case, the prayer of the

Misc. Petition that the transfer order dated 17.04.2006 (Annexure A1 to the O.A.) will be kept in abeyance so far the Applicant is concerned till the end of 2006 and the Applicant will be entitled for all consequential benefits.

The Misc. Petition stands allowed as above. In the circumstances, no order as to costs.



(K. V. SACHIDANANDAN)  
VICE-CHAIRMAN

/mb/

19  
Affection of Smt. Graham Daizy, No. C 682, CAT  
Guwahati. (12)

DEPARTMENT OF POSTS, INDIA  
OFFICE OF THE CHIEF POSTMASTER, CENTRAL  
NORTH EAST CIRCLE, SHILLONG, 793 001

VICD C.9/06 (CAT).

Dated at Shillong on the 24<sup>th</sup> day of 1966.

Smt. Graham Daizy,  
Guwahati.

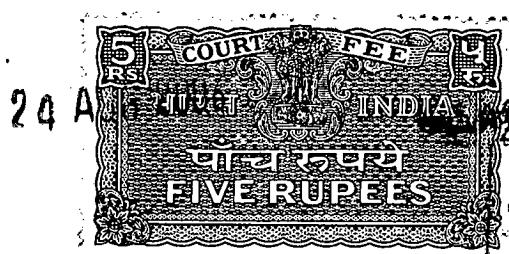
Subject: Re: Application QA No 2436, dated 28/1/66.

Reference: 12/1/66 with telephonic discussion dated 18/1/66.

Mr.

Subject: Re: Application QA No 2436, dated 28/1/66.  
Reference: 12/1/66 with telephonic discussion dated 18/1/66.

Mr. John



20  
23 APR  
28/8/06  
File No:-  
B.C. Purba  
Affidavit

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH  
AT GUWAHATI

O.A. No. 124 of 2006

Smti. Th. Meena Devi ... Applicant  
-versus-

Union of India & Others ... Respondents

In the matter of evidence on affidavit with regard to the vacancy position of Postal Assistant/SBCO as directed by the Hon'ble Tribunal in order dated 12-7-2006.

I, Smti. Th. Meena Devi, aged about 36 years wife of Shri L. Priyo kumar singh, Postal Assistant/SBCO a resident of Postal Colony, Qrt. No. II, Imphal west, P.O. & P.S. Imphal, Manipur do hereby solemnly affirm and state as under:

1. That, in the instant case and in support of the vacancy position I most respectfully encloses herewith Photostat copies of advertisement notice circulated by the Chief Post Master General N.E. Circle, Shillong marked Annexure A/I & Annexure -A/2.
2. That, I further respectfully beg to state that in the aforesaid advertisement notice "1" One Post of postal Assistant (in S.B.C.O.) under the disposal of Chief Post Master General Shillong and "2" Posts of Postal Assistant in Manipur Postal Division, Imphal against O.C. categories were shown for the year 2003-2004. The vacant posts are still unfilled due to pendency of a case in the Hon'ble Tribunal filed by a candidate of Imphal and an order has been passed only on 13-06-2006 by the Hon'ble Tribunal in respect of O.A.No.112/2005.
3. That, I also beg to state that in Manipur, Imphal is the only Head Office of HSG-1 cadre having largest number of establishment of posts and most of the vacant posts are in this Head Office only. Other Offices are mostly single handed and generally very seldom vacancy arises in these offices.

Cont'd... 2.

24/08/06  
n. b. v. m. d. g. h.  
Oath Commissioner (Judicial),  
Manipur.

4. That, I also state that besides the aforesaid advertised vacancies (annexure -A/1 & A/2) the following vacancies in the cadre of Postal Assistant as well as P.A. SBCO have occurred due to retirement of officials at Imphal Head Post Office during the year 2005-2006 and these posts are still unfilled as no recruitment process could be initiated due to "Stay" order passed by the Hon'ble Tribunal in connection with OA No. 112/2005. The details of vacancies are indicated in the tabular format hereunder:

Sl.No.	Name of officials who retired - during the year 2005-2006.	Date of Retirement.
(1)	Md. Haider Khan	31-01-2005 (A/N)
(2)	Shri S. Kalachand singh	28-02-2002 (A/N)
(3)	Shri L. Ibohal singh	01-04-2005 (A/N)
(4)	Shri A. Shyam Kishore singh	30-09-2005 (A/N)
(5)	Shri Brajamani Sharma	30-11-2005 (A/N)
(6)	Shri B. Lokeshwor singh	30-11-2005 (A/N)
(7)	Md. A. Basir	31-12-2005 (A/N)
(8)	Shri Ksh. Obitro singh	31-02-2006 (A/N)
(9)	Shri M. Iboobi singh	31-03-2006 (A/N)
(10)	Shri K.C. Deb Barman	31-07-2006 (A/N)
(11)	Shri Sudhindra Ch. Bhattacharjee P.A./SBCO	30-11-2005 (A/N)

A separate list showing the above noted vacancies are enclosed marked Annexure -A/3.

Cont'd...3

5. That, as regards vacancy of SBCO cadre under the disposal of Chief Post Master General, Shillong, it is calculated as per the vacancy of the posts concerning to the vacancy of circle as a whole and the post can be attached by the Chief Post Master General in any Head Post Office and even the post can be allowed on deputation against the post of Postal Assistant as per administrative convenience by the said Chief Post Master General at any time without any bar.

In this regard I state that under the provision of Departmental Rules, the Chief Post Master General, Shillong has ordered for deputation to one Mrs. Jaya Banik, Postal Assistant of SBCO as postal Assistant in Postal Assistant in Postal store Depot, Guwahati as evident from the copy of Gradation list of SBCO cadre published by the Chief Post Master General, Shillong which is marked Annexure-A/4. The name of said Mrs. Jaya Banik appears at Sl. No.20 of the Gradation list.

Hence I also may be attached against the indicated vacant posts in SBCO cadre at Imphal or even the applicant can be shown on deputation to Postal Assistant cadre at Imphal against the vacant posts shown at Paragraph No., 2 & 4 above at any time by the Chief Post Master General Shillong without affecting the administrative in conveniences in any manner.

6. That, I also beg to state that the above information furnished by me are identical as per the records and are correct/true to the best of my knowledge and belief.

Under the above facts and circumstances, I therefore most humbly pray that the Hon'ble Tribunal may kindly be pleased to issue necessary direction to the respondents so that I can be accommodated easily against any of those vacant posts or I may be allowed to continue at Imphal either against the post of P.A. in SBCO cadre or showing me against any such vacant post as on deputation to the post of postal Assistant at Imphal against the unfilled large number of vacant posts and allow me to continue me till January, 2007 ie, upto the end of Education Session of my two school going children so that I may overcome the present crises and problems being faced by me due to the impugned mid academic order of transfer from the Imphal to Itanagar.

Cont'd...3

7.

That, the statements made in para No.1 to 6 above in this affidavit are matter of records and therefore the same are true to my information derived there from and the rest are my humble submission before this Hon'ble court which I belief to be true and correct.

I have not suppressed or concealed any material fact.

And I sign this affidavit on this the 24th day of August, 2006 at Imphal.

Identified by me.

*S.C. Prasad*  
( S.C. Prasad, Advocate )

*Sh. Meena Devi*

Deponent

Solemnly affirmed and declared by the deponent, who is identified by Shri S.C. Prasad, Advocate and signed before me on this the 24th day of August, 2006 at Imphal.

*M. Iboyaima Singh*  
24/08/06  
Oath Commissioner (Judicial)  
Manipur.

**DEPARTMENT OF POSTS,  
NE POSTAL CIRCLE/MANIPUR DIVISION, IMPHAL.**

No. B-10/PA-DR/2003-2004 (Outsider) & 2002-2003 (GDS quota)  
Dated at Imphal the 04-03-05.

**ANNUAL RECRUITMENT OF POSTAL ASSISTANTS.**

**NE POSTAL CIRCLE**

Applications in the prescribed format are called for from candidates for the posts of Postal Assistant.

1. Prospectus containing eligibility conditions such as age, qualification etc., recruitment procedure, prescribed application form and details about the number of vacancies to be filled in, the officer to whom applications are to be addressed can be obtained from Imphal Head Post Office and from the following Sub Post Offices (i) Churachandpur MDG, (ii) Thoubal MDG, (iii) Senapati S.O., (iv) Ukhrul SO, (v) Kakching SO and (vi) Bishnupur SO, on payment of Rs. Re. 10/- (Rupees ten) only, by cash at the concerned post office counter.
2. Application duly completed along with attested copies of the certificates should be submitted to the office concerned on or before 10/4/2005 by Registered Post or Speed Post. Applications sent by other means will not be considered. Applications received after the due date will be rejected and no correspondence will be entertained.

Sd/-, Chief Postmaster General,  
N.E. Circle, Shillong - 793001.

**A. Vacancy Position for outsider (for the year 2003 & 2004)**

**IMPORTANT:** Last date of receipt of applications by the authorities shown in column 10 below is 10/4/2005. Applications received after this date will not be accepted.

Sl. No.	Name of the Division/ Unit	OC	SC	ST	OBSC	Phy/Hand	Ex/Sec	Total	Address of the office to which applications are to be sent.
1.	2	3	4	5	6	7	8	9	10
1.	Manipur	2	1	1	1	1	1	3 (three)	Supdt. of Post Office, Manipur Division, Imphal
2.	SBCO	1	1	1	1	1	1	1 (One)	Chief PMG (Bldg. Section), NE Circle, Shillong - 793001

**B. Vacancies for Direct Recruitment of Postal Assistants from GDS (Gramin Dak Sevaks)**

Sl. No.	Name of Division	UR	SC	ST	Ex/Sec	P/Hnd	Total
1.	Manipur 2002 2003	2	2	2	1	1	6 (four) 4 (four)

The above advertisement for Recruitment of Postal Assistant in NE Circle/Manipur Division is published in accordance with the guidelines issued by the Circle Office, Shillong.

The vacancies for GDS (Gramin Dak Sevaks) are exclusively for the candidates already working in the Dept. & fulfill the following eligibility criteria prescribed in the Dept. of Post Notification No. B-S.R. 18 (E) dt'd: 9/1/02 circulated yide Dir. Letter No. 00-29/98-SPB-I dt'd: 20/1/02:

- (a) They possess the minimum educational qualification of 10+2 standard (Senior Secondary) (excluding Vocational Stream) and have put in a minimum service of 3 years.
- (b) Only those Gramin Dak Sevaks shall be eligible for being considered who have secured marks, not below the marks secured by the last direct recruit of the relevant category selected as the case may be, of the Communities, Scheduled Castes, Scheduled Tribes or other Backward Classes of the same year.
- (c) They should be within 28 years of age (33 years of Scheduled Castes or Scheduled Tribes communities and 31 years for Other Backward Classes community) as on the crucial date fixed for the direct recruitment of the same year.

The GDS candidates should also apply similarly in the prescribed application forms through their respective Unit HEADS. Tests for the GDS candidates will be held similarly with the outsiders.

Sd/- Ksh. Tomba Singh, Supdt. of Post Offices  
Pw/109105, Manipur, Imphal - 785001.

- 6 -

ANNEXURE - IAnnexure - A/2**DEPARTMENT OF POSTS****N. E. POSTAL CIRCLE****ANNUAL RECRUITMENT OF POSTAL ASSISTANTS, IN N. E.  
POSTAL CIRCLE**

Applications in the prescribed format are called for from candidates for the posts of Postal Assistants.

2. Prospectus containing eligibility conditions such as age, qualifications, etc., recruitment procedure, prescribed application-form and details about the number of vacancies to be filled in, the officer to whom applications are to be addressed can be obtained from all the Head Post Offices, main Sub-Post Offices situated in Sub-Divisional Head quarters and other important Sub-Post Offices, on payment of Rs.10/- by cash at the concerned post office counter.
3. Application duly completed along with attested copies of the certificates should be submitted to the officer concerned on or before 10-4-2005 by Registered Post or Speed Post. Applications sent by other means will not be considered. Applications received after the due date will be rejected and no correspondence will be entertained.

Chief Postmaster General,  
North Eastern Circle,  
Shillong-793 001

## DEPARTMENT OF POSTS

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## N. E. POSTAL CIRCLE

ANNUAL RECRUITMENT OF POSTAL ASSISTANTS IN  
N. E. POSTAL CIRCLEVacancy Position  
(for the year 2003 & 2004)

**IMPORTANT:** Last date of receipt of applications by the authorities shown in column 10 below is 10-4-2005. Applications received after this date will not be accepted.

Sl. No.	Name of the Division/Unit	OC	SC	ST	OBC	Physical Handicap ped	Ex-Service-men	Total	Address of the office to which applications are to be sent.
1	2	3	4	5	6	7	8	9	10
1.	Agartala	2	-	1	-	-	-	3	Director Postal Services, Agartala Division, Agartala.
2.	Arunachal Pradesh	2	-	3	-	1	-	6	Director Postal Services, Arunachal Pradesh Manager.
3.	Manipur	2	-	-	1	Nil	-	3	Supd. of POs, Manipur Division, Imphal.
4.	Meghalaya	2	-	2	-	-	-	4	Sr. Supdt. POs, Meghalaya Division, Shillong.
5.	Mizoram	-	-	2	1	-	-	3	Director Postal Services, Mizoram Division, Aizawl.
6.	Nagaland	3	-	1	-	-	1	5	Director Postal Services, Nagaland Division, Kohima.
7.	SBCO	1	-	-	-	-	-	1	Chief Postmaster General, (Staff Section) N. E. Circle, Shillong-1.
Total		12	NIL	9	2	1	1	25	

7/10/01

8  
Vacancies for Direct Recruitment of PAs from G.D.S.

Name of Division	UR	SC	ST	E/acr	P/Han	Total
Arunachal Pradesh						
2002	2	1				3
2003	3	1	2			5
2. Mizoram						
2002	1	2	1			3
2003	3	1	1			4
3. Meghalaya						
2002	2	2				4
2003	3	1	2			6
4. Manipur						
2002	2	2	1			4
2003	2	2	1			4
5. Agartala						
2002	2	1	1			4
2003	4	1	1			4
6. Dhemannagar						
2002	2	1	1			4
2003	1	1	1			NIL
7. Nagaland						
2002	1	1	1			1
2003	2	1	2			5
Total	29	13	9			51

Sl.No.	Name of officials who retired - during the year 2005-2006.	Date of Retirement.
(1)	Md. Haider Khan	31-01-2005 (A/N)
(2)	Shri S. Kalachand singh	28-02-2002 (A/N)
(3)	Shri L. Ibohal singh	01-04-2005 (A/N)
(4)	Shri A. Shyam Kishore singh	30-09-2005 (A/N)
(5)	Shri Brajamani Sharma	30-11-2005 (A/N)
(6)	Shri B. Lokeshwor singh	30-11-2005 (A/N)
(7)	Md. A. Basir	31-12-2005 (A/N)
(8)	Shri Ksh. Obitro singh	31-02-2006 (A/N)
(9)	Shri M. Ibobi singh	31-03-2006 (A/N)
(10)	Shri K.C. Deb Barman	31-07-2006 (A/N)
(11)	Shri Sudhindra Ch. Bhattacharjee P.A./SBCO	30-11-2005 (A/N)

Staff

10  
2004  
2004

Annexure - A/31

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## DEPARTMENT OF POSTS: INDIA

OFFICE OF THE CHIEF POSTMASTER GENERAL N. E. CIRCLE: SHILLONG-793 001.

No. Staff/G.L./SBCO

30 Aug 2004

Dated at Shillong, the 20<sup>th</sup> August 2004.

To,

1. The Sr. Postmaster, Shillong-GPO.
2. The Postmaster, Tura H.O.
3. The Postmaster, Agartala H.O.
4. The Postmaster, Aizawl H.O.
5. The Postmaster, Itanagar H.O.
6. The Postmaster, Imphal H.O.
7. The Postmaster, Kohima H.O.
8. The Postmaster, Dharmanagar H.O.
9. The Postmaster, R. K. Pur H.O.
10. The A. O. ICO (SB), C.O., Shillong.

Sub:- Maintenance of gradation list of SBCO officials as on 1-7-2004.

A copy of fresh draft gradation list of SBCO officials in duplicate is sent herewith for circulation among the SBCO officials under your administrative jurisdiction and return of one copy after authentication and signature.

Enclo:- As above.

( B. R. Halder )  
Asstt. Director (Staff)  
For Chief Postmaster General,  
N. E. Circle, Shillong.

Copy to:- ✓

5) The D.P.S., Agartala/Aizawl/Itanagar/ }  
    Imphal/Kohima.                                   } for information & necessary  
6) The SSPOs, Shillong.                           } action.  
7) The SPOs, Dharmanagar.                       }

For Chief Postmaster General,  
N. E. Circle, Shillong.

II

Annexure - A/4

(1) Page-9

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Gradation list of SB co officials

As on 1.7.2004.

## 12 Annexure - II

## 3 Annex - A/4

HSL - I (Norm based) Rs 6500 - 10,500/-Sanctioned Posts = 33 + 3 ~~4~~ = 36.

Sl No	Name of the official	Commune - City	Date of Birth	D.O.E. in service / Deptt.	D.O.E. in LSC / PA Cadre	D.O.E. in U.S.C. Cadre	Date of promotion to LSC / TBC Cadre	Date of promotion to HSL - II / B.C.K. Cadre	Date of promotion to HSL - I (Norm based)	Remarks
1	2	3	4	5	6	7	8	9	10	11
1.	Sri Sudhindra Ch. Bhattacharya	OC	9.11.45	12.4.65	12.4.65	29.8.72	28.12.90	1.10.91	20.2.04	

HSL - II (Norm based) Rs 5000 - 8000

Sl No.	Name of the official	Commune - City	Date of Birth	D.O.E. in service / Deptt.	D.O.E. in LSC / PA Cadre	D.O.E. in U.S.C. Cadre	Date of promotion to LSC / TBC Cadre	Date of promotion to HSL - II / B.C.K. Cadre	Date of promotion to HSL - II (Norm based)	Remarks
1	2	3	4	5	6	7	8	9	10	11
1.	Sri Sharipada Sethna	OC	25.4.48	27.10.68	27.10.68	1.7.75	1.7.92	1.1.95	30.4.04 A.M.	

H.S.B - II / B.C.R = Rs 5000 - 150 - 8000  
 L.S.B / T.B.O.P = Rs 4500 - 125 - 7000  
 P.A. = Rs 4000 - 100 - 6000

(1)

Sl No.	Name of the official	Community	Date of Birth	Date of Entry in Service/Dept.	D.O.E. in LAC / PA Cadre	D.O.E. in N.D.C Cadre	Date of Promotion to L.S.B / T.B.O.P Cadre	Date of Promotion to H.S.B - II / B.C.R Cadre	Remarks
1	Smti I. Y. Dwi	OC	1.12.48	14.6.71	—	14.6.71	1.8.91	1.7.97	Promotion given to H.S.B - II (non-busy) but declined
2	Sri I. N. Singh	OC	1.1.50	30.12.69	30.12.69	3.6.81	1.8.91	1.1.96	
3	Smti Purabi Sikdar	OC	30.9.55	12.7.75	12.7.75	9-2-82	1.8.91	1.1.02	
4	Sri Harendra Ch. Jyoti	OC	3.3.46	23.8.65	23.8.65	12.8.82	1.8.91	1.1.92	
5	" Debendra Ch Ray	OC	2.7.49	8.5.70	8.5.70	16.7.84	1.8.91	1.7.96	
6	Smti Maiantha Dora Tiwari	ST	31.3.59	13.6.79	13.6.79	3.7.87	13.6.95	1.7.97	
7	Sri Chandan set	OC	21.5.53	13.12.77	13.12.77	20.7.87	13.12.93	1.1.04	
8	" L. Jugol Singh	OC	1.3.53	14.2.78	14.2.78	18.9.87	1.5.95	—	
9	" Hangshadhar Boro	ST	27.10.58	19.2.81	19.2.81	15.3.89	19.2.97	—	

Annexure - A/4

(2)

14

	2	3	4	5	6	7	8	9	10
10	Smt. Dipika Shar	OC	26.1.60	5.8.82	5.8.82	11.12.89	5.8.98		<del>hr</del>
11	Shri W. Manglam Singh	OC	1.3.53	13.12.77	13.12.77	-	13.12.93		
12	" Tapan Chandra Bal	OC	17.3.56	15.4.81	15.4.81	-	15.4.97		
13	" Haripada Adhikari	OC	17.1.56	5.5.81	5.5.81	-	5.5.97		
14	" A. Lothe	ST	1.12.58	29.5.81	29.5.81	-	1.6.99		<del>hr</del>
15	" Ganesh Rudra Paul	OC	28.7.58	13.8.82	13.8.82	-	13.8.98		
16	" Ashok Kar Pukayartha	OC	10.12.62	26.3.84	26.3.84	-	26.3.2000		Ex-service
17	" Basaraj Ghosh	OC	6.3.47	14.8.87	14.8.87	-	14.8.03		
18	" Swarup Chakraborty	OC	19.11.63	18.8.87	18.8.87	-	18.8.03		
19	Smt. Liangnuli Pantu	ST	28.2.63	5.3.89	5-3-89	-	-		
20	" Jaya Banik	OC	15.4.69	18.7.91	18.7.91	-			on deputation to PSC/PSU
21	Sri Pranab Kr. Barman	OC	15.11.68	20.7.91	20.7.91				

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## Annexeure - A/4

15

3

	2	3	4	5	6	7	8	9	10
22	Sri Sujit Chakraborty	OC	18.1.69	30.6.92	30.6.92				
23	Smt. Th. Neena Devi	OC	1.3.68	6.10.93	6.10.93				
24	Smti C. Hongengpui	ST	1.3.67	9.10.93	9.10.93				
25	Sri Arish Chakraborty	OC	7.1.77	6.5.95	6.5.95				
26	Smti Lynda Kipgen	ST	24.2.72	12.7.95	12.7.95				
27	" Yopha Saha	OC	26.6.74	7.9.95	7.9.95				
28	Md. Salauddin	OC	1.2.69	15.11.88	15.11.88				
29	Sri Mrinal Haldar	SC	1.11.74	31.7.97	31.7.97				
30	Sri L. Priyo Kr. Singh	ST	31.12.66	1.8.97	1.8.97				
31	Sri Anjaní Rayjan	OC	1.1.77	4.8.97	4.8.97				
32	Smti R. K. Sanjita Devi	OC	12.9.75	6.9.03	6.9.03				

In the Central Administrative Tribunal  
AT GUWAHATI

OA NO. 124/06

Smti. Th. Meena Devi - Applicant

- 13 -

Vol 80s - Respondents

10

The Sr. CGSC  
CAT GUWAHATI.

Sir

Please find enclosed herewith a copy of the  
Affidavit filed in the above-mentioned case.

Please acknowledge the receipt.

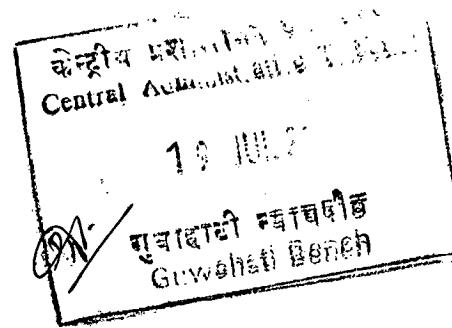
Encl: - as stated

Yours sincerely  
B. S. Bhatia

Received the copy

Feb 15th 1906  
28.8.06

St. C. S. C.  
CAT, Grunthal



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI

"O.A. NO. 124/2006"

Smti. THIMEENA DEVI, aged about 36 years  
W/O.L.PRIYOKUMAR SINGH,  
Postal Assistant/S.B.CO.  
Presently on Medical Leave at Imphal

..... Applicant

- Versus -

Union of India & Others

..... Respondents

In the matter of direction given by the Hon'ble Tribunal in the order dated 12.07.06 in the above noted case in regard to the vacancy position at Imphal.

The above named applicant begs to submit the vacancy position of the identical post held by the applicant at Imphal as follows :-

(1) In the instant case and in support of the vacancy position the applicant most respectfully encloses herewith photostat copies of advertisement notice circulated by the Chief Post Master General, N.E. Circle, Shillong marked Annexure A/1 & Annexure A/2.

(2) The applicant further respectfully begs to state that in the aforesaid advertisement notice "1" One Post of Postal Assistant (in S.B.C.O) under the disposal of Chief Post Master General, Shillong and "2" Posts of Postal Assistant in Manipur Postal Division against O.C. categories were shown for the year 2003-2004. The vacant posts are still unfilled, due to pendency of a case in the Hon'ble TRIBUNAL, filed by a candidate of Imphal and an order has been passed only on 13-06-06 by the Hon'ble Tribunal in respect of O.A No. 112/2005

Dr. Meena Devi = Appeal  
B.K. Talukdar, Advocate  
7-7-2006

(3) The applicant further begs to state that in Manipur, Imphal is the only Head Post Office of HSG-I cadre having largest number of establishment of posts and most of the vacant posts are in this Head office only. Other Officers are mostly single handed and no vacancy arises in these offices.

(4) The applicant further respectfully begs to state that besides the aforesaid advertised vacancies (Annexure - A/1 & A/2). The following further vacancies in the cadre of Postal Asstt. have occurred due to retirement of officials at Imphal Head post office during the year 2005-2006 and these posts are still unfilled as no recruitment processes could have been initiated due to "Stay" order passed by the Hon'ble Tribunal in connection with above O.A. No. 112/2005.

<b>Name of officials who retired during the year 2005-2006</b>	<b>Date of Retirement</b>
(1) Md. Haider Khan	31-01-2005 (A/N)
(2) Shri S. Kalachand Singh	28-02-2005 (A/N)
(3) Shri L. Ibohal Singh	01-04-2005 (F/N)
(4) Shri A. Shyam Kishore Singh	30-09-2005 (A/N)
(5) Shri A. Brajamani Sharma	30-11-2005 (A/N)
(6) Shri B. Lokeshwor Singh	30-11-2005 (A/N)
(7) Md. A. Bashir	31-12-2005 (A/N)
(8) Shri Ksh. Obitro Singh	31-01-2006 (A/N)
(9) Shri M. Ibobi Singh	31-03-2006 (A/N)

A separate list showing the above noted vacancies is enclosed marked Annexure - A/3.

(5) The applicant further respectfully begs to state that besides the advertised vacancy (Annexure - A/1 & A/2). One Post of Postal Asstt. in SBCO has further occurred due to retirement of Shri Sudhindra Ch. Bhattacharjee on 30-11-2005 (A/N). The vacant post is also similarly remains unfilled due to reason furnished at Sl. No. 4 above.

(6) As regards vacancy of SBCO cadre under the disposal of Chief Post Master General, Shillong, it is calculated as per the vacancy of the posts concerning to the vacancy of circle as a whole and the post can be attached by the Chief Post Master General in any Head Post Office and even the post can be allowed on deputation against the post of Postal Assistant as per administrative convenience by the said Chief Post Master General at any time without any bar.

In this regards the applicant respectfully begs to state that under the provision of Department Rules, the Chief Post Master General, Shillong has ordered for deputation to one Mrs. Jaya Banik, Postal Asstt. of SBCO as Postal Asstt. in Postal Store Depot, Guwahati as evident from the copy of Gradation list of SBCO cadre published by the Chief Post Master General, Shillong which is marked Annexure - A/4. The name of said Mrs. Jaya Banik appears at Sl. No. 20 of Gradation list.

Hence the applicant can very easily be attached against the vacant posts in SBCO cadre at Imphal or even the applicant can be shown on deputation to Postal Assistant cadre at Imphal against the vacant posts shown at Sl. No. 2 & 4 above at any time by the Chief Post Master General without any administrative difficulties.

"The applicant further begs to state that the above information furnished by her are identical as per records and are correct/true to the best of her knowledge and belief".

The applicant, therefore most humbly prays that the Hon'ble Tribunal may kindly be pleased to issue necessary direction to the Respondents that her continuation at Imphal either against the post of P.A. in SBCO cadre or showing deputation to the Postal Assistant at Imphal against the unfilled large number of vacant posts and allowed to continue her until January, 2007 i.e. upto the end of Education Session of her two School going children so that the humble applicant can over come from the present crisis and problems being faced by her due to irregular and untimely order of transfer from Imphal to Itanagar in most arbitrary manner by in competent authority viz P.M.G, Shillong, by violating in instructions of Govt. of India as well as law.

*Th. Meena Devi*  
**Th. Meena Devi**  
Applicant.

**DEPARTMENT OF POSTS**  
**NE POSTAL CIRCLE/MANIPUR DIVISION, IMPHAL**

No. B-10/PA-DR/2003-2004 (Outsider) & 2002-2003 (GDS quota)

Dated at Imphal the 04-03-05.

**ANNUAL RECRUITMENT OF POSTAL ASSISTANTS**  
**NE POSTAL CIRCLE**

Applications in the prescribed format are called for from candidates for the posts of Postal Assistants.

2. Prospectus containing eligibility conditions such as age, qualifications etc., recruitment procedure, prescribed application form and details about the number of vacancies to be filled in, the officer to whom applications are to be addressed can be obtained from Imphal Head Post Office and from the following Sub Post Offices (i) Churachandpur MDG, (ii) Thoubal MDG, (iii) Senapati S.O., (iv) Ukhrul SO, (v) Kakching SO and (vi) Bishnupur SO, on payment of Rs. Rs. 10/- (Rupees ten) only, by cash at the concerned post office counter.

3. Application duly completed along with attested copies of the certificates should be submitted to the office concerned on or before 10/4/2005 by Registered Post or Speed Post. Applications sent by other means will not be considered. Applications received after the due date will be rejected and no correspondence will be entertained.

Sd/- Chief Postmaster General  
 N.E. Circle, Shillong - 793001.

**A. Vacancy Position for outsider (for the year 2003 & 2004)**

**IMPORTANT** Last date of receipt of applications by the authorities shown in column 10 below is 10/4/2005. Applications received after this date will not be accepted.

Sl. No.	Name of the Division/ Unit	OC	SC	ST	OBSC	P/Han	Ex/Ser	Total	Address of the office to which applications are to be sent.
1	2	3	4	5	6	7	8	9	10
1.	Manipur	2	1	1				3 (three)	Supdt. of Post Offices, Manipur Division, Imphal
2.	SBCO	1						1 (One)	Chief PMQ (Staff. Section), NE Circle, Shillong - 793001

**B. Vacancies for Direct Recruitment of Postal Assistants from GDS (Gramin Dak Sevaks)**

Sl. No.	Name of Division	UR	SC	ST	Ex/Ser	P/Han	Total
1.	Manipur 2002-2003	2	2	2			4 (four)

The above advertisement for Recruitment of Postal Assistants in NE Circle/Manipur Division is published in accordance with the guidelines issued by the Circle Office Shillong.

The vacancies for GDS (Gramin Dak Sevaks) are exclusively for the candidates already working in the Dept. & fulfill the following eligibility criteria prescribed in the Dept. of Post Notification No. G.S.R. 18 (E) dttd. 9/1/02 circulated yide Dir. Letter No. 60-29/98-SPB-I dttd. 20/1/02.

- (a) They possess the minimum educational qualification of 10+2 standard (Senior Secondary) (excluding Vocational Streams) and have put in a minimum service of 3 years.
- (b) Only those Gramin Dak Sevaks shall be eligible for being considered who have secured marks, not below the marks secured by the last direct recruit of the relevant category selected as the case may be of Other Communities, Scheduled Castes, Scheduled Tribes or other Backward Classes of the same year.
- (c) They should be within 28 years of age (33 years of Scheduled Castes or Scheduled Tribes communities and 31 years for Other Backward Classes community) as on the crucial date fixed for the direct recruitment of the same year.

The GDS candidates should also apply similarly in the prescribed application forms through their respective Unit HEADS. Tests for the GDS candidates will be held similarly with the outsiders.

Sd/- Ksh. Tomba Singh, Supdt. of Post Offices  
 P/109/109, Manipur, Imphal - 795001.

DEPARTMENT OF POSTS

N. E. POSTAL CIRCLE

ANNUAL RECRUITMENT OF POSTAL ASSISTANTS, IN N. E.  
POSTAL CIRCLE

Applications in the prescribed format are called for from candidates for the posts of Postal Assistants.

2. Prospectus containing eligibility conditions such as age, qualifications, etc., recruitment procedure, prescribed application-form and details about the number of vacancies to be filled in, the officer to whom applications are to be addressed can be obtained from all the Head Post Offices, main Sub-Post Offices situated in Sub-Divisional Head quarters and other important Sub-Post Offices, on payment of Rs.10/- by cash at the concerned post office counter.
3. Application duly completed along with attested copies of the certificates should be submitted to the officer concerned on or before 10-4-2005 by Registered Post or Speed Post. Applications sent by other means will not be considered. Applications received after the due date will be rejected and no correspondence will be entertained.

Chief Postmaster General,  
North Eastern Circle,  
Shillong-783 001

# DEPARTMENT OF POSTS

Page - 6

## N. E. POSTAL CIRCLE

### ANNUAL RECRUITMENT OF POSTAL ASSISTANTS IN N. E. POSTAL CIRCLE

#### Vacancy Position (for the year 2003 & 2004)

**IMPORTANT:** Last date of receipt of applications by the authorities shown in column 10 below is 10-4-2005. Applications received after this date will not be accepted.

Sl. No.	Name of the Division/Unit	OC	SC	ST	OBC	Physical Handicapped	Ex-Service-men	Total	Address of the office to which applications are to be sent.
1.	Agartala	3	4	6	8	7	8	9	10
2.	Arunachal Pradesh	2	-	1	-	-	-	3	Director Postal Services, Agartala Division, Agartala.
3.	Manipur	2	-	-	1	Nil	-	3	Supdt. of POs, Manipur Division, Imphal.
4.	Meghalaya	2	-	2	-	-	-	4	Sr. Supdt. POs, Meghalaya Division, Shillong.
5.	Mizoram	-	-	2	1	-	-	3	Director Postal Services, Mizoram Division, Aizawl.
6.	Nagaland	3	-	1	-	-	1	5	Director Postal Services, Nagaland Division, Kohima.
7.	SBCO	1	-	-	-	-	-	1	Chief Postmaster General, (Staff Section) N. E. Circle, Shillong-1.
Total		12	NIL	9	2	1	1	25	

7/8/04

16 Page - 7

Vacancies for Direct Recruitment of PAs from G.D.S.

	Name of Division	UR	SC	ST	E/scr	P/Han	Total
1.	Arunachal Pradesh						
	2002	2	1				3
	2003	3	-	2			5
2.	Mizoram						
	2002	1	2	-			3
	2003	3	-	1			4
3.	Meghalaya						
	2002	2	2				4
	2003	3	1	2			6
4.	Manipur						
	2002	2	2	-			4
	2003	2	2	-			4
5.	Assam						
	2002	2	1	1			4
	2003	4	-	-			4
6.	Dharmapuri						
	2002	2	1	1			4
	2003	-	-	-			NIL
7.	Nagaland						
	2002	1	-	-			1
	2003	2	1	2			5
	Total	29	13	9	-	-	51

N

**Annexure - A/3**

Details of vacancies subsequently occurred during the year 2005-2006 due to retirement in addition to advertised vacancies i.e. furnished in Annexure -A/1 & A/2

<b>Name of officials who retired during the year 2005-2006</b>	<b>Date of Retirement</b>
(1) Md. Haider Khan	31-01-2005 (A/N)
(2) Shri S. Kalachand Singh	28-02-2005 (A/N)
(3) Shri L. Ibohal Singh	01-04-2005 (F/N)
(4) Shri A. Shyam Kishore Singh	30-09-2005 (A/N)
(5) Shri A. Brajamani Sharma	30-11-2005 (A/N)
(6) Shri B. Lokeshwor Singh	30-11-2005 (A/N)
(7) Md. A. Bashir	31-12-2005 (A/N)
(8) Shri Ksh. Obitro Singh	31-01-2006 (A/N)
(9) Shri M. Ibobi Singh	31-03-2006 (A/N)
(10) Shri Sudhindra Ch. Bhattacharjee	30-11-2005 (A/N)

Certified that the information furnished above showing vacancy position are true/correct.

Th. Meena Devi,  
Th. Meena Devi.

Staff  
V.P.P  
27/8

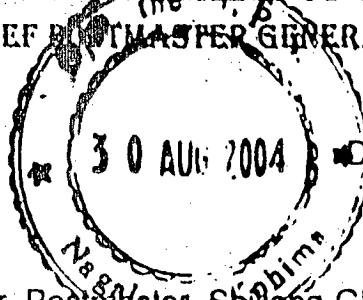
Annexure - A/24

Page 3

DEPARTMENT OF POSTS: INDIA

OFFICE OF THE CHIEF POSTMASTER GENERAL N. E. CIRCLE: SHILLONG-793 001.

No. Staff/G.L./SBCO



Dated at Shillong, the 20<sup>th</sup> August 2004.

To,

1. The Sr. Postmaster, Shillong-GPO.
2. The Postmaster, Tura H.O.
3. The Postmaster, Agartala H.O.
4. The Postmaster, Aizawl H.O.
5. The Postmaster, Itanagar H.O.
6. The Postmaster, Imphal H.O.
7. The Postmaster, Kohima H.O.
8. The Postmaster, Dharmanagar H.O.
9. The Postmaster, R. K. Pur H.O.
10. The A. O. ICO (SB), C.O., Shillong.

Sub:- Maintenance of gradation list of SBCO officials as on 1-7-2004.

A copy of fresh draft gradation list of SBCO officials in duplicate is sent herewith for circulation among the SBCO officials under your administrative jurisdiction and return of one copy after authentication and signature.

Enclo:- As above.

( B. R. Halder )  
Asstt. Director (Staff)  
For Chief Postmaster General,  
N. E. Circle, Shillong.

Copy to:-

✓-5) The D.P.S., Agartala/Aizawl/Itanagar/ Imphal/Kohima. } for information & necessary  
6) The SSPOs, Shillong. } action.  
7) The SPOs, Dharmanagar. }

For Chief Postmaster General,  
N. E. Circle, Shillong.

Gradation list of SB co Officials

As on 1.7.2004.

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Annexure - IIHSL - I (Norm based) Rs 6500 - 10,500/-Sanctioned Posts = 33 + 3 ~~100~~ = 36

Sl No	Name of the official	Common -ity	Date of Birth	S.O.E. in service/ Dept.	S.O.E. in Loc/PA Cadre	S.O.E. in U.S.C. Cadre	Date of promotion to LSL/ T.B.O.F Cadre	Date of promotion to HSL - II/ B.C.R. Cadre	Date of promotion to HSL - I (Norm based) B.C.R. Cadre	Remarks
1	2	3	4	5	6	7	8	9	10	11
1.	Sri Sudhindra Ch. Bhattacharya	OC	9.11.45	12.4.65	12.4.65	29.8.72	28.12.90	1.10.91	20.2.04	

HSL - II (Norm based) Rs 5000 - 8000/-

Sl No.	Name of the official	Common -ity	Date of Birth	S.O.E. in service/ Dept.	S.O.E. in Loc/PA Cadre	S.O.E. in U.S.C. Cadre	Date of promotion to LSL/T.B.O.F Cadre	Date of promotion to HSL - II/ B.C.R. Cadre	Date of promotion to HSL - I (Norm based) B.C.R. Cadre	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Sri Haripada Debath	OC	25.4.48	27.10.68	27.10.68	1.7.75	1.7.92	1.1.95	30.4.04 N/A	

Annexure E -III

H.Sb - II / BCLR = Rs 5000 - 150 - 8000  
 L.Sb / TBOP = Rs 4500 - 125 - 7000  
 P.A. = Rs 4000 - 100 - 6000

①

Sl No.	Name of the official community	Date of Birth	Date of Entry in Service/septt.	D.O.E in LAC / PA Cadre	D.O.E in UDC Cadre	Date of Promotion to L.Sb/TBOP Cadre	Date of Promotion to H.Sb-II / BCL Cadre	Remarks
1	Smti I.Y. Dwi	OC	1.12.48	14.6.71	—	14.6.71	1-8-91	1.7.97
2	Sri I. N. Singh	OC	1.1.50	30.12.69	30.12.69	3.6.81	1.8.91	1.1.96
3	Smti Purabi Sikdar	OC	30.9.55	12.7.75	12.7.75	9-2-82	1.8.91	1.1.02
4	Sri Harendra Ch. Jyush	OC	3.3.46	23.8.65	23.8.65	12.8.82	1.8.91	1.1.92
5	" Debendra Ch Ray	OC	2.7.49	8.5.70	8.5.70	16.7.84	1.8.91	1.7.96
6	Smti Mainantha Dora Tiwari	ST	31.3.59	13.6.79	13.6.79	3.7.87	13.6.95	1.7.97
7	Sri Chanderi set	OC	21.5.53	13.12.77	13.12.77	20.7.87 <i>Ad</i>	13.12.93	1.1.04
8	" L. Jugol Singh	OC	1.3.53	14.2.78	14.2.78	18.9.87	1.5.95	—
9	" Hangshadhar Boro	ST	27.10.58	19.2.81	19.2.81	15.3.89	19.2.97	—

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(2)

	2	3	4	5	6	7	8	9	10
10	Smt. Dipika Shar	OC	26.1.60	5.8.82	5.8.82	11.12.89	5.8.98		
11	Sri W. Manglem Singh	OC	1.3.53	13.12.77	13.12.77	-	13.12.93		
12	ii Tapan Chandra Basu	OC	17.3.56	15.4.81	15.4.81	-	15.4.97		
13	ii Haripada Adhikari	OC	17.1.56	5.5.81	5.5.81	-	5.5.97		
14	ii A. Lothe	ST	1.12.58	29.5.81	29.5.81	-	1.6.99		
15	ii Jayesh Rudra Paul	OC	28.7.58	13.8.82	13.8.82	-	13.8.98		
16	ii Ashok Kari Punkeyartha	OC	10.12.62	26.3.84	26.3.84	-	26.3.2000		
17	ii Resary Ghosh	OC	6.3.47	14.8.87	14.8.87	-	14.8.03		Ex-service
18	ii Swarup Chakraborty	OC	19.11.63	18.8.87	18.8.87	-	18.8.03		
19	Smt. Liangxuli Pantu	ST	28.2.63	5.3.89	5-3-89	-	-		
20	ii Jaya Banik	OC	15.4.69	18.7.91	18.7.91	-			on deputation To PSSB
21	Sri Pranab Kr. Barman	OC	15.11.68	20.7.91	20.7.91				

3

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CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORIGINAL APPELATION NO.

124/06

1. a) Name of the Applicat :- Shri Th Meem Devi  
b) Respondants :- Union of India & Ors  
c) No. of Applicant(S) :- one
2. Is the application in the proper form :- Yes/No.
3. Whether name & description and address of the all papers been furnished in cause title :- Yes/ No.
4. Has the application been duly signed and verified :- Yes/No.
5. Have the Copies duly signed :- Yes / No.
6. Have sufficient number of copies of the application been filed :- Yes/No.
7. Whether all the annexure parties are impleaded :- Yes/No.
8. Whether English translation of documents in the Language : Yes/No.
9. Is the application in time :- Yes/No.
10. Has the Vakalatnama/Memo of appearance/Authorisation is filed :- Yes/No.
11. Is the application by IFO/DD/For Rs: 5/- 269. 32153 dtl 25.5.06
12. Has the application is maintainable :- Yes/No.
13. Has the Impugned order original duly attested been filed : Yes/No.
14. Has the legible copies of the annexures duly attested filed:- Yes/No.
15. Has the Index of documents been filed all available:- Yes/No.
16. Has the required number of enveloped bearing full address of the respondents been filed:- Yes/ No.
17. Has the declaration as required by item 17 of the form:- Yes/No.
18. Whether the relief sought for arises out of the single :- Yes/No.
19. Whether the interim relief is prayed for :- Yes/ No.
20. In case of condonation of delay is filed is it supported :- Yes/No.
21. Whether this Case can be heard by Single Bench/Division Bench:
22. Any other point:-
23. Result of the Scrutiny with initial of the Scrutiny clerk the application is in order:-  
*This application is in form.*

*N. J. D.*  
25.5.06.  
SECTION OFFICER(J)

DEPUTY REGISTRAR

केन्द्रीय प्रशासनीय अधिकारी  
Central Admin. Officer, G.A.T.

25-5-06

APPENDIX - A *গুৱাহাটী বায়পীঠ*  
[FORM - I] *১২৩*  
[See Rule 4]

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH

ORIGINAL APPLICATION No: 123 of 2006.

APPLICATION UNDER SECTION-19 OF THE A.T ACT 1985

Smti Th Meena Devi

..... Applicant.

- Versus -

Union of India & Others.

..... Respondents.

I N D E X

Sl No	Description of documents relied upon	ANNEXURE	Page number
	SYNOPSIS		1-4
1	Application		01-25
2	TRUE COPY of order No. Staff/584/SBCO/ RT/ 2004 dated 17 <sup>th</sup> April 2006	ANNEXURE-A/1	26
3	TRUE COPY of order No. Staff/584/SBCO/ RT/ 2004 dated 22 <sup>nd</sup> May 2006	ANNEXURE-A/2	27
4	TRUE COPY of O.A.No.113 of 2006	ANNEXURE-A/3	28-44
5	TRUE COPY of the order of the Hon'ble Tribunal dated 15 <sup>th</sup> May 2006 in O.A-113/06	ANNEXURE-A/4	45-48
6	TRUE COPY of the School Reading Certificate of 'first daughter of the applicant' [namely, Baby Longjam Milina Devi]	ANNEXURE-A/5	49
7	TRUE COPY of the School Reading Certificate of the son of the applicant [namely, Master Longjam Nirish Singh]	ANNEXURE-A/6	50
8	TRUE COPY of the 'Discharge Certificate' showing the birth particulars of 'applicant's second daughter' [born on 27-09-2005].	ANNEXURE-A/7	51
9	TRUE COPIES of the documents related to the continuous medical treatment of the second daughter of the applicant from 01/10/2005 to 07/04/2006	ANNEXURE-A/8 [Colly]	52-65
10	Extract of G.I., Dept of Posts, Letter No. 141-4/97-SPB.II dated 19-02-1997	ANNEXURE-A/9	66-68
11	Extract of G.I., Dept of Posts, Letter No. 141-1/99-SPB.II dated 23-03-1999	ANNEXURE-A/10	69
12	Extract of G.I., Dept of Posts, Letter No. 141-35/2001-SPB.II dated 11-04-2001	ANNEXURE-A/11	70
13	TRUE COPY of applicant's representation dated 24/04/2006	ANNEXURE-A/12	71-72
14	TRUE COPY FAX Transmission Report dated 15/05/2006	ANNEXURE-A/13	73
15	TRUE COPY of Notice dated 15/05/2006	ANNEXURE-A/14	74
16	Extract of G.I., Dept of Posts, Letter No. 141-77/2000-SPB.II dated 02-03-2000	ANNEXURE-A/15	75

Date :

*Th. Meena Devi*  
Signature of the applicant

Place:

For use in Tribunal's office

Date of filing : ..... 25.5.56 .....

Or

Date of Receipt by post : ..... 25.5.56 .....

Registration No. : ..... OA 124/06 .....

Signature

For Registrar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

ORIGINAL APPLICATION No: 124 of 2006.

SYNOPSIS

Smt Th Meena Devi

- Versus -

Union of India & Others.

The O.A has been filed against the arbitrary and mala-fide transfer of the applicant in the middle of the academic session of her children, in violation of standing instructions for the rotational transfer of staff in the Department of Posts.

**Instructions violated:**

- (i) Instruction No.10, 11 & 20 of G.L, Dept of Posts, Letter No.141-4/97-SPB.II dated 19-02-1997 [ANNEXURE-A/9 to the O.A]
- (ii) G.L, Dept of Posts, Letter No.141-77/2000-SPB.II dated 02/03/2000 [ANNEXURE-A/15 to the O.A].

The O.A has also been filed against the arbitrary rejection of applicant's representation dated 24-04-2006 [ANNEXURE-A/12 to the O.A], addressed to the Chief Post Master General, N.E-Circle, Shillong [Respondent No.2], irregularly by the Respondent No.3, without any application of mind and without any heed to the rule of law laid down by the Hon'ble Supreme Court in 'Director of School Education, Madras Vs. O. Karuppa Thevan [1994 Supp.(2) SCC 666]'

The O.A has also been filed against the arbitrary and irregular rejection of applicant's representation dated 24-04-2006 [ANNEXURE-A/12] vide order dated 22<sup>nd</sup> May 2006, by undermining the order/direction of the Hon'ble Tribunal dated 15<sup>th</sup> May 2006 in O.A No.113 of 2006.

The applicant is an employee of Department of Posts; and she is presently working as Postal Assistant(SBCO) at Imphal Head Post Office in Manipur State. [It is submitted here for the kind information of the Hon'ble Tribunal that 'SBCO' stands for Savings Bank Control Organization.]

Sh. Meena Devi

2. The applicant's husband is also a Postal Assistant (SBCO); and he is also presently working as Postal Assistant (SBCO) at Imphal Head Post Office.

3. The applicant has 3(Three) children. Her first daughter is studying in Class-I; and her son is studying in K.G-II; and her second daughter is a 7(Seven) months old breast-fed infant.

- ANNEXURE-A/5 [at Page-49] & ANNEXURE-A/6 [at Page-50] are the documents in proof of continuing education of the applicant's children; and the ANNEXURE-A/7 [at Page-51] is the age proof document of the applicant's second daughter who is only 7(Seven) months old.

4. Academic session in Manipur is from January to December, and hence, the applicant's first two children are in the middle of their academic session.

5. The applicant's 7(Seven) months old infant daughter is under the constant medical care due to serious ailments right from her birth to till-date.

- ANNEXURE-A/8 (Collectively) are the documents in proof of medical treatment of applicant's infant daughter.

6. As per the standing instructions [ANNEXURE-A/9], transfer of officials should not be effected in the middle of the academic session; and, the crucial date for computing the tenure of an official in a station is 30<sup>th</sup> September of the year depending upon the academic session. In this instant case, the applicant's tenure at Imphal will be completed only on 30<sup>th</sup> Sept 2006 since the academic session of her children will be over only in December-2006.

6.1. But, the present applicant has been transferred in the middle of the academic session of her children; and, in addition, the transfer has forced the applicant to go to a far station [i.e. Itanagar] alone, with her very small [7-months old] breast-fed, ailing infant daughter; and the authorities concerned have not considered the posting of both the husband and wife in the same station, in spite of administrative possibilities; and has transferred out the applicant outside the Region without any specific administrative ground. The transfer of the applicant has obviously been ordered only to accommodate one Miss. R.K.Sanjeeta Devi at Imphal, whose name has been shown at Sl-6 of the transfer order dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1 to the O.A]. The said Miss. R.K.Sanjeeta Devi, who is presently working as Postal Assistant(SBCO) at Dharmanagar joined the Department only in June-July 2003; and hence, her tenure at Dharmanagar will be completed only in September-2007.

Therefore, the present transfer of the applicant vide ANNEXURE-A/1 is the mala-fide exercise of powers by the authorities concerned; and as such, the applicant has approached the Hon'ble Tribunal for justice vide O.A No.113 of 2006.

6.2. The Hon'ble Tribunal was kind enough to dispose the O.A No.113 of 2006 on 15<sup>th</sup> May 2006, at the admission stage itself, with the following observation and order/direction that:-

The Supreme Court in the case of Director of School Education, Madras and Others Vs. O.Karuppa Thevan and another, reported in 1994 Supp.(2) SCC 666 held that "transfer during the mid academic term – in the absence of urgency such transfer restrained from being effected till the end of the academic year". Therefore, this Tribunal directs the respondents to consider the representation of the applicant with due application of mind and pass appropriate speaking order and communicate the same to the applicant within a time frame of one month from the date of receipt of this order.

6.3. The order/direction of the Hon'ble Tribunal dated 15<sup>th</sup> May 2006 was conveyed to the Respondents on 15<sup>th</sup> May 2006 itself vide ANNEXURE-A/13 & ANNEXURE-A/14. The order of transfer dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] was issued by the Post Master General, N.E-Region, Shillong [Respondent No.3]; and the applicant submitted her representation against the said transfer order to the next higher authority viz. The Chief Post Master General, N.E-Circle, Shillong [Respondent No.2]. Therefore, on receipt of the order of the Hon'ble Tribunal dated 15<sup>th</sup> May 2006 [ANNEXURE-A/4], the Respondent No.2 [ie. The Chief Post Master General, N.E-Circle, Shillong] was duty bound to dispose of the representation of the applicant dated 24/04/2006 [ANNEXURE-A/12] with an appropriate speaking order, with due application of mind. But instead of the said required action, the representation of the applicant dated 24/04/2006 [ANNEXURE-A/12] has been rejected by the Respondent No.3 [ie. Post Master General, N.E-Region, Shillong] who issued the transfer order.

6.4. To dispose of the applicant's representation dated 24/04/2006 [ANNEXURE-A/12], the Respondent No.3 has acted beyond his jurisdiction as because the applicant's representation dated 24/04/2006 was addressed to the Chief Post Master General, N.E-Circle, Shillong [ANNEXURE-A/2]. Further, disposal and rejection of applicant's representation dated 24/04/2006 by the Respondent No.3 vide order dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2] is only an eye-wash as because the Respondent No.3 has not at all considered the issue regarding the 'middle of the academic session of the applicant's children' in the order dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2]. Further, the Respondent No.3 has also confirmed the

assertion of the applicant in the O.A that the transfer of the applicant was not effected due to any urgency or administrative exigency but because some other official opted to be posted at Imphal. Thus, the order dated 22<sup>nd</sup> May 2006 itself proves that the applicant has been transferred out in the middle of the academic session of her children for making place to accommodate some other official who got favour from the authorities concerned. Therefore, the present transfer of the applicant is a proven 'mala-fide exercise of administrative powers' by the authorities concerned; and, in addition, the Respondent No.3 has willfully overstepped to dispose of the representation of the applicant dated 24/04/2006, which was required to be disposed of by the Respondent No 2. The Respondent No.3, while disposing of the representation dated 24/04/2006, has also willfully disregarded the direction of the Hon'ble Tribunal in O.A No.113 of 2006 [order dated 15<sup>th</sup> May 2006] as because the applicant's representation has been disposed of without any application of mind. For his willful commissions and omissions, the Respondent No.3 is liable for action by the Hon'ble Tribunal under C.A T(Contempt of Courts)Rules, 1992.

7. The specific facts that show that the transfer of the applicant is totally against the standing instructions have been given in Para-4.2.6 to Para-4.2.10; and the detailed grounds on which the order of transfer has been shown to be mala-fide are given in Para-5.1 to Para-5.8 of the O.A.

8. The applicant, in this O.A, has prayed for quashing the transfer order dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1]; and has also prayed the Hon'ble Tribunal to direct the Respondents to issue the transfer of the official in due time [ie. December-2006/January 2007] in accordance with relevant departmental instructions. The applicant has also prayed for appropriate action against the Respondent No.3 for his willful commissions and omissions as the Hon'ble Tribunal may deem proper. The circumstances of the case also justify that the applicant is entitled to cost of litigation.

9. In the interim, the applicant has prayed the Hon'ble Tribunal to stay the operation of the transfer order dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] and the order of the Respondent No.3 dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2], on the specific submission that in case the transfer order is not stayed then the O.A will become infuctious.

Jh. Meena Devi.  
Signature of the counsel for the a

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

ORIGINAL APPLICATION No: 124 of 2006

Smt Th Meena Devi, Aged about 36-years  
W/o Shri L Priyokumar Singh,  
Qtr No.2-Postal Colony,  
Imphal HPO-Complex,  
PO : Imphal HPO  
Distt: Imphal West State: Manipur

Presently working as: Postal Assistant (SBCO),  
Imphal H.P.O – 795 001

..... Applicant.

- Versus -

1. Union of India  
Through: -  
The Director General (Posts),  
Dak Bhawan, Sansad Marg,  
New Delhi – 110 001.
2. The Chief Post Master General,  
North Eastern Postal Circle,  
Shillong – 793 001.
3. Shri. Lalhluna,  
Post Master General,  
N.E-Region, Shillong – 793 001.
4. The Director Postal Services,  
Manipur, Imphal – 795 001.

..... Respondents.

In the matter of:

Arbitrary and mala-fide transfer of the applicant  
in the middle of the academic session of her  
children, in violation of standing instructions for  
the rotational transfer of staff in the Department  
of Posts.

-AND-

In the matter of:

Irregular disposal of applicant's representation  
dated 24-04-2006 by the Post Master General,  
N.E-Region, Shillong in total disobedience of

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Smt. Meena Devi  
Postal Assistant  
Dak Bhawan  
Shillong  
24-04-2006  
B. K. Sankar  
24-04-2006

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Hon'ble Tribunal's order dated 15-05-2006 in  
O.A No.113 of 2006.

- AND -

**In the matter of:**

Arbitrary disposal of applicant's representation dated 24-04-2006, against the order of transfer issued by the Post Master General, N.E-Region, Shillong, by the same authority viz. The Post Master General, N.E-Region, Shillong.

- AND -

**In the matter of:**

Arbitrary rejection of applicant's representation dated 24-04-2006 by the Post Master General, N.E-Region, Shillong without applying his mind; and in violation of the rule of law laid down by the Hon'ble Supreme Court in "Director of School Education, Madras Vs O.Karuppa Thevan [1994 Supp.(2) SCC 666]" and non-application of mind by the authority concerned while in total disobedience of Hon'ble Tribunal's order dated 15-05-2006 in O.A No.113 of 2006.

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

The application is made against the arbitrary transfer of the applicant in the middle of the academic session of her children by the above Respondent No.3 vide order No.Staff/584/SBCO/RT/2004 dated 17<sup>th</sup> April 2006, in violation of the rule of law laid down by the Hon'ble Supreme Court in "Director of School Education, Madras Vs O.Karuppa Thevan [1994 Supp.(2) SCC 666]", and the standing instructions for the rotational transfer of staff in the Department of Posts; as well as, against the irregular and arbitrary disposal of the applicant's representation dated 24-04-2006

addressed to the Chief Post Master General, N.E-Circle, Shillong [Viz. The Respondent No.2] by the Post Master General, N.E-Region, Shillong [Viz. The Respondent No.3] vide order No.Staff/584/SBCO/RT/2004 dated 22<sup>nd</sup> May 2006.

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- ANNEXURE-A/1 is the TRUE COPY of order No.Staff/584/SBCO/RT/2004 dated 17<sup>th</sup> April 2006.

- AND -

- ANNEXURE-A/2 is the TRUE COPY of order No.Staff/584/SBCO/RT/2004 dated 22<sup>nd</sup> May 2006.

It is most respectfully submitted before the Hon'ble Tribunal that the above Respondent No.3 has acted independently, at his own individual capacity, to dispose of and reject the applicant's representation dated 24.04.2006, which was addressed to the Chief Post Master General, N.E-Circle, Shillong [i.e. Respondent No.2] by undermining the authority of the Hon'ble Tribunal's order dated 15<sup>th</sup> May 2006 in O.A No.113 of 2006. Therefore, the said Respondent No.3 has been impleaded by name with his official capacity, for his commissions and omissions, as regards the implementation of the Hon'ble Tribunal's order dated 15<sup>th</sup> May 2006 in O.A.No.113 of 2006.

## 2. JURISDICTION OF THE TRIBUNAL:

The applicant declares that the subject-matter of the application in which the applicant wants redressal is within the jurisdiction of the Hon'ble Tribunal.

**3. LIMITATION:**

The applicant further declares that the application is within the limitation period prescribed in Section-21 of the Administrative Tribunals Act, 1985.

**4. FACTS OF THE CASE:**

4.1. That, it is most respectfully submitted before the Hon'ble Tribunal that the present applicant was the applicant of the O.A No.113 of 2006; and the applicant had filed the said Original Application No.113 of 2006 before the Hon'ble Tribunal for the same cause of action. The Hon'ble Tribunal, while disposing of the said O.A No.113 of 2006 at admission stage itself on 15<sup>th</sup> May 2006, observed and directed that: -

The Supreme Court in the case of "Director of School Education, Madras and Others Vs O. Karuppa Thevan and another, reported in 1994 Supp.(2) SCC 666" held that "transfer during the mid academic term – in the absence of urgency such transfer restrained from being effected till the end of that academic year". Therefore, the Tribunal directs the respondents to consider the representation of the applicant with due application of mind and pass appropriate speaking order and communicate the same to the applicant within a time frame of one month from the date of receipt of this order".

Therefore, it is needless to say that the Respondents [especially the Respondent No.2 to whom the applicant submitted her representation dated 24-04-2006] were duty bound to consider the fact of 'transfer of the applicant in the middle of the academic

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session of her children' with due regard to the Hon'ble Supreme Court's judgment in "Director of School Education, Madras Vs O.Karuppa Thevan [1994 Supp.(2) SCC 666]" . But, instead of considering the representation of the applicant dated 24-04-2006 by the Respondent No.2 viz: The Chief Post Master General, N.E-Circle, Shillong, the representation dated 24-04-2006 has been disposed of by a lower authority viz: The Post Master General, N.E-Circle, Shillong with an 'order of rejection of representation', without any application of mind and without any heed to the Hon'ble Apex Court's observation in "Director of School Education, Madras Vs O.Karuppa Thevan [1994 Supp.(2) SCC 666]" . Thus, the direction of the Hon'ble Tribunal in its order dated 15<sup>th</sup> May 2006 in O.A No.113 of 2006 has been complied for the name-sake by the above Respondents as because the order disposing the applicant's representation dated 24-04-2006 has been passed by the same authority who issued the order of transfer and not by the next higher authority to whom the representation had been addressed. The applicant has, therefore, filed the present O.A basically on the same facts and grounds on which the O.A No.113 of 2006 was filed before the Hon'ble Tribunal.

- ANNEXURE-A/3 is the TRUE COPY of O.A No.113 of 2006.

- AND -

- ANNEXURE-A/4 is the TRUE COPY of the order of the Hon'ble Tribunal dated 15<sup>th</sup> May 2006 in O.A No.113 of 2006.

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4.2. That, for the ready reference of the Hon'ble Tribunal, the relevant facts, as submitted in Para-4.1 to R-4.10 of O.A No.113 of 2006 have been re-produced below for the kind perusal of the Hon'ble Tribunal: -

4.2.1. The applicant is a 'Postal Assistant' in the 'Savings Bank Control Organization' in the Department of Posts; and the applicant is presently working as Postal Assistant (SBCO) at Imphal Head Post Office.

4.2.2. The applicant is a woman employee whose husband is also employed as Postal Assistant(SBCO) at Imphal Head Post Office. The applicant is also a mother of 3(Three) very small minor children. The applicant's first daughter, aged about 5(Five) years, is studying in Class-I in a local school at Imphal; and the applicant's son, aged about 4(Four) years, is studying in K.G-II in a local school at Imphal. The second daughter of the applicant, born on 27-09-2005, is only 7(Seven) months old; and the said infant daughter is under the constant medical care, right from the date of birth to till-date, due to various ailments.

It is also submitted that the said 7(Seven) months old infant daughter is a breast fed child.

- ANNEXURE-A/5 is the TRUE COPY of the School Reading Certificate of the first daughter of the applicant [namely, Baby Longjam Milina Devi], issued by the Principal of Modern English High School, Keishampat, Imphal.

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- ANNEXURE-A/6 is the TRUE COPY of the School Reading Certificate of the son of the applicant [namely, Master Longjam Nirish Singh], issued by the Principal of Modern English High School, Keishampat, Imphal.

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- ANNEXURE-A/7 is the TRUE COPY of the 'Discharge Certificate' showing the birth particulars of the applicant's second daughter who born on 27-09-2005 at Raj Polyclinic, North AOC, Imphal.

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- ANNEXURE-A/8(Colly) are the TRUE COPIES of the documents related to the continuous medical treatment of the second daughter of the applicant from 01-10-2005 to 07-04-2006.

4.2.3. The applicant has been serving as Postal Assistant (SBCO) in the Department of Posts since 06.10.1993; and the applicant has been rendering a highly devoted and most satisfactory service, right from the date of her entry in the Department. Due to her sincere and devoted service, the applicant maintains a very good, unblemished service record at her credit. The applicant, who is a native of Imphal Town in Manipur State, was initially appointed as Postal Assistant(SBCO) in the year 1993 and was posted at Imphal HPO during the period from 06.10.1993 to Aug-1998. Thereafter, the applicant was transferred and posted as Postal Assistant(SBCO) at Kohima HPO during the period from August/1998 to April/2002. After completing the prescribed tenure at Kohima HPO, the applicant has since been posted as Postal Assistant (SBCO), Imphal HPO with effect from

04.04.2002; and the applicant is rendering a highly satisfactory service in her present posting at Imphal HPO.

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4.2.4. The applicant most respectfully submits before the Hon'ble Tribunal that the applicant is very much willing to obey any order of transfer issued by the competent authority provided that the order transferring the applicant is issued before the commencement of the academic session, in accordance with the standing instructions on rotational transfer of staff in the Department of Posts, so that the education of her children are not disturbed by her transfer.

4.2.5. The applicant also most humbly submits before the Hon'ble Tribunal that the applicant is not averse to any transfer to any station, provided the transfer order is issued in accordance with the relevant standing instructions of 'transfer of SBCO-staff in the Department of Posts within the grouped HPOs located in a Region' read-with Govt of India's instructions regarding 'posting of husband and wife at the same station'. Because, the husband of the applicant is also an employee of the Department of Posts, presently working as Postal Assistant (SBCO) at Imphal HPO along-with the applicant.

4.2.6. That the standing executive instructions on the Rotational Transfer of staff in the Department of Posts, issued vide G.I., Dept of Posts., Lr No.141-4/97-SPB.II dated 19-02-1997, invariably state that: -

“Transfers may not be effected save in exceptional circumstances (which will include administrative necessity) in the middle of the academic session”.

[Instruction No.10]

“Transfers will be effected sufficiently in advance of the commencement of the academic year. Officials who are due to complete their tenure by 30<sup>th</sup> September in any year should be transferred in the preceding April-June period or the following December-January period depending upon the academic session. Those who are completing the tenure after the 30<sup>th</sup> September should be considered in December of the year or in April-June of the following year depending upon the starting date of the academic session.

[Instruction No. 11]

“As regards posting of working couples at the same station, the same should be allowed if it is administratively convenient.”

[Instruction No. 20]

The above executive instructions, although issued under the caption, “Guidelines for Rotational Transfer in Department of Post for 1997-98”, actually supplements the relevant transfer rulings in the Chapter-II of P&T Manual Volume-IV, as expressly provided in the Para-21 of the said instructions, which reads-

“The aforesaid instructions may please be read in conjunction with the relevant rules contained in the Chapter-II of P& T Manual Volume-IV.”

Therefore, it is very clear that, as per the existing departmental instructions, the transfer of staff in the middle of the academic session is expressly restricted; and, the transfer of officials, whose children follow the December-January academic session, will be effected only in the following December-January period, after the

completion of tenure computed on the basis of crucial date fixed as 'the 30<sup>th</sup> September of the corresponding year'.

In this instant case, it is well known to the Respondents that the schools in Manipur State follow the 'December-January academic session; and, the applicant will complete her tenure at Imphal on the basis of crucial date taken as the 30<sup>th</sup> September 2006. Therefore, the transfer of the applicant can be ordered only in the following December-January [ie. December-2006/January-2007]. Therefore, the transfer of the applicant, in the middle of the academic session of her children, is not only unwarranted but totally against the standing departmental instructions.

- ANNEXURE-A/9 is the Extract of G.I., Dept of Posts,  
Letter No. 141-4/97-SPB.II dated 19-02-1997.

4.2.7. That the above facts submitted in Para-4.6 are fully confirmed by the G.I., Dept of Posts, Letters No.141-1/99-SPB.II dated 23-03-1999 and No. 141-35/2001-SPB.II dated 11-04-2001; and a simple reading of the aforementioned letters/instructions will satisfy the Hon'ble Tribunal that the 'transfer policy instructions' issued vide ANNEXURE-A/9 are continuous and current, having application in all the transfers issued in the Department of Posts since 19-02-1997. Therefore, the extracts of the aforesaid letters have also been submitted as ANNEXURE-A/10 & ANNEXURE-A/11 for the kind perusal of the Hon'ble Tribunal.

- ANNEXURE-A/10 is the Extract of G.I., Dept of Posts, Letter No. 141-1/99-SPB.II dated 23-03-1999.

- AND -

- ANNEXURE-A/11 is the Extract of G.I., Dept of Posts, Letter No. 141-35/2001-SPB.II dated 11-04-2001.

It is submitted before the Hon'ble Tribunal that it has been stated in Para-2 of ANNEXURE-A/10 that 'there is no deviation in the policy to be adopted for the rotational transfer' in the subsequent financial year; and, it has been expressly stated in Para-4 of ANNEXURE-A/11 that the 'annual issue of rotational transfer guidelines is being discontinued in view of the well-defined principles of rotational transfers in this Department'. Therefore, there is no doubt that the instructions issued vide ANNEXURE-A/9 are current and continuous as regards the rotational transfers issued in the Department of Posts.

4.2.8. The applicant was, therefore, taken aback by the transfer order dated 17/04/2006 [ANNEXURE-A/1], which transferred the applicant from Imphal HPO to Itanagar HPO, in the middle of the academic session of her children.

4.2.9. The applicant was also surprised on her untimely transfer vide ANNEXURE-A/1, as because, in accordance with Instructions-9 to 11 of G.I., Dept of Posts, Letter No.141-4/97-SPB.II dated 19-02-1997, the applicant is transferable only in the forthcoming 'December/2006-January/2007 period' after the 30<sup>th</sup> September 2006, since the children of the applicant are in the middle of the current academic session which commenced in January-2006 and will end in December-2006.

4.2.10. That, in addition, the husband of the applicant, who is also a Postal Assistant(SBCO) in North Eastern Postal Circle is due to complete his tenure in the next January/February-2007. Therefore, there is no problem for the authorities concerned to transfer both the

husband and wife [ie. The applicant and her husband] to a same station in the ensuing December-2006/January-2007 so that the applicant can lead a normal family life even after transfer; and her children education will also not disturbed by the transfer. But, the transfer order dated 17/04/2006 has been issued, not in accordance with the standing instructions on the rotational transfer of staff in the Department of Posts; and the transfers of officials therein have been ordered only to serve the personal interest of a few selected individuals.

4.3. That the applicant, soon after the receipt of the order of transfer submitted a representation dated 24/04/2006 to the Respondent No.2 [ie. The Chief Post Master General, N.E-Circle, Shillong], in which the applicant had high-lighted her problems such as 'her transfer in the middle of academic session of her children', 'disruption of her family life due to non-transfer of husband and wife together after completing the tenure', etc; and requested the authority concerned to keep in abeyance the transfer order till the current academic session of her children are over. But, the said representation of the applicant, dated 24/04/2006, was not attended by the authority concerned for more than a fortnight and the Respondents were preparing to relieve the applicant from the present place of posting without disposing of her representation dated 24-04-2006 in an arbitrary manner. The applicant, therefore, approached the Hon'ble Tribunal with O.A No.113 of 2006 [ANNEXURE-A/3] and the Hon'ble Tribunal was also kind enough to issue the order dated 15<sup>th</sup> May 2006 [ANNEXURE-A/4], directing the Respondents to consider the representation of

the applicant with due application of mind and pass appropriate speaking orders within a time frame of one month from the date of receipt of order. The said order of the Hon'ble Tribunal dated 15<sup>th</sup> May 2006 in O.A No.113 of 2006 was transmitted to the Respondents-2 & 3 by FAX on 15<sup>th</sup> May 2006 itself before 15:30 Hours [ie. 3.30 P.M], and was also served on the Respondent No.4 vide notice dated 15<sup>th</sup> May 2006. But, most unfortunately, the applicant's representation dated 4-04-2006 has since been disposed of by the Respondent No.3, vide order No.Staff/584/RT/SBCO dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2] in a most irregular and highly arbitrary manner on a single ground that the applicant's tenure at Imphal has already been completed and many others have applied for posting at Imphal. The afore-mentioned order of the Respondent No.3, dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2], has been received by the applicant vide Respondent No.4's letter dated 22/05/2006.

- ANNEXURE-A/12 is the TRUE COPY of applicant's representation dated 24/04/2006 addressed to the Chief Post Master General, N.E-Circle, Shillong [ie. Respondent No.2].

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- ANNEXURE-A/13 is the TRUE COPY of 'FAX TRANSMISSION REPORT' dated 15/05/2006 in proof of transmission of Hon'ble Tribunal's order dated 15/05/2006 in O.A No.113 of 2006 to the office of the Respondent No.2 at Shillong [Fax No.0364-2223034].

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ANNEXURE-A/14 is the TRUE COPY of notice dated 15<sup>th</sup> May 2006 by which the order of the Hon'ble Tribunal dated 15<sup>th</sup> May 2006 was served upon the Respondents at the office of the Respondent No.4.

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4.4. The applicant, therefore, has filed the present O.A before the Hon'ble Tribunal for immediate redressal and justice.

**5. GROUNDS FOR RELIEF(S) WITH LEGAL PROVISIONS:**

5.1. That in accordance with the order/direction of the Hon'ble Tribunal dated 15<sup>th</sup> May 2006 in O.A No.113 of 2006, the Respondents should, consider the applicant's representation dated 24-04-2006 with due application of mind and, pass appropriate speaking order within a time frame of one month from the date of receipt of order. But, instead of passing a speaking order with due application of mind by the Respondent No.2 [viz. the Chief Post Master General, N.E-Circle, Shillong]; the representation of the applicant dated 24-04-2006, against the transfer order dated 17<sup>th</sup> April 2006 issued by the Respondent No.3 [Viz: The Post Master General, N.E-Region, Shillong], has been disposed of by the Respondent No.3 himself in a most irregular and arbitrary manner. Because, the applicant's representation dated 24-04-2006 [ANNEXURE-A/12] was addressed to the Chief Post Master General, N.E-Circle, Shillong and hence, the Chief Post Master General, N.E-Circle, Shillong or any other appropriate authority can only pass appropriate orders. But, undermining the directions given by the Hon'ble Tribunal in the order dated 15<sup>th</sup> May 2006 in O.A No.113 of 2006, the Post Master General,

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N.E-Region, Shillong, who irregularly issued the order of transfers in violation of G.I., Dept of Posts., letter No.141-77/2000-SPB.II dated 02-03-2000, has himself disposed of and rejected the applicant's representation dated 24-04-2006 vide order dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2]. In other words, the applicant's representation dated 24-04-2006 has been disposed of and rejected by the Post Master General, N.E-Region, Shillong, irregularly and arbitrarily, vide order dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2], without any application of mind and without any regard to the rule of law laid down by the Hon'ble Supreme Court in "Director of School Education, Madras Vs O.Karuppa Thevan [1994 Supp.(2) SCC 666]", while the Post Master General, N.E-Region, Shillong neither has any authority nor has any locus-standi to dispose of the representation of the applicant dated 24-04-2006. In his order dated 22<sup>nd</sup> May 2006, the Post Master General, N.E-Region, Shillong has neither considered the fact that the applicant has been transferred in the middle of the academic session of her children nor has stated any urgency or exigency involved in the transfer of the applicant in the middle of the academic session of her children. The sole and only reason given by the Post Master General, N.E-Region, Shillong is that the applicant has completed her tenure at Imphal, and many others have requested for their posting at Imphal. Thus, it is very clear that neither any urgency nor any administrative exigency is involved in the transfer of the applicant at the present point of time. It is, therefore, evident that the order of transfer dated 17<sup>th</sup> April 2006 was issued only to accommodate a particular individual who opted to be posted at Imphal; and to

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satisfy similar other individuals involved in the transfer order, at the cost of difficulty of the humble applicant, whose children are in the middle of the current academic session. Therefore, it is very clear that the order of transfer dated 17<sup>th</sup> April 2006 is a mala-fide exercise of powers by the Respondent No.3, who without paying any regard to the observation of the Hon'ble Tribunal in order dated 15<sup>th</sup> May 2006 [in O.A No.113 of 2006] has arbitrarily rejected the applicant's representation dated 24-04-2006 [addressed to the Respondent No.2] vide order dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2].

Therefore, the order of transfer dated 17<sup>th</sup> April 2006 is required to be quashed and set-aside in the interest of justice without any other reservation. In addition, the omissions and commissions by the above Respondent No.3, as regards the disposal and rejection of the applicant's representation dated 24-04-2006 addressed to the Respondent No.2, are to be taken cognizance of by the Hon'ble Tribunal, as the Hon'ble Tribunal may deem proper.

5.2. That, in accordance with G.I., Dept of Posts., letter No.141-77/2000-SPB.II dated 02-03-2000, the transfer of SBCO-staff in the Department of Posts should be made only within the HPOs [Head Post Offices] grouped together within a Division or within a Region. As per the said policy guidelines, transfer of SBCO-staff outside the Region should be done only with the concurrence of the Head of the Circle and on specific administrative grounds only. But, in this instant case, the order of transfer dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] has been issued by the Postmaster General,

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N.E-Region, Shillong, who is only a Regional Head; and the specific administrative reason which required the transfer of the officials outside the regions have not been shown in the transfer order. It may also kindly be seen that the present applicant has been transferred to a far place [ie. Itanagar HPO], which is outside the region of the Postmaster General, N.E-Region, Shillong. This clearly proves that the transfer order dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] is the outcome of colourful and malafide exercise of power by the authorities concerned to favour a few officials for the reasons best known only to the authorities concerned.

**ANNEXURE-A/15 is the Extract of G.I., Dept of Posts, Letter No. 141-77/2000-SPB.II dated 02-03-2000.**

It is submitted for the kind information of the Hon'ble Tribunal that in the North Eastern Postal Circle, there are 2(Two) regions, as stated below:

- (i) **The Region under the Chief Post Master General comprising of the states of 'Meghalaya', 'Arunachal Pradesh' and 'Tripura'; and**
- (ii) **The Region under the Post Master General, comprising of the states of 'Manipur', 'Nagaland' and 'Mizoram'.**

Therefore, as per the departmental instructions in ANNEXURE-A/15, the applicant can be transferred only within the 'Postmaster General's Region' which consists of 'Manipur, Nagaland and Mizoram'.

Hence, the present transfer of the applicant, in the middle of the academic session of her children, to a station outside the Region of Postmaster General/Shillong is not only irregular, but a mala-fide exercise of power by the authorities concerned. The order of transfer dated 17/04/2006, is therefore deserved to be quashed without any reservation.

5.3. That, the official namely Miss. R.K.Sanjeeta Devi, Postal Assistant(SBCO), Dharmanagar HPO who has been transferred and posted as Postal Assistant(SBCO), Imphal HPO against the present applicant, was recruited and appointed in the cadre of Postal Assistant(SBCO) in the Department of Posts only in June-July/2003; and hence, the said official has not yet completed her fixed tenure of 4(Four) years at Dharmanagar HPO till-date or on the crucial date of 30<sup>th</sup> September 2006 [as per instruction-9 of ANNEXURE-A/9]. It is also reliably learnt that the said official, who is also a native of Imphal Town has requested for her transfer to Imphal; and only to accommodate the said official at Imphal, the present applicant has been ordered to be transferred out from Imphal, in the middle of the academic session of her children. Therefore, the present order of transfer [ie. ANNEXURE-A/1] is issued certainly not in the interest of service, but purely to favour a particular official, who could gain the favour of the authorities concerned.

Therefore, the order of transfer dated 17/04/2006 [ANNEXURE-A/1] is deserved to quashed, without any reservation, to render justice to the humble applicant.

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5.4. That in an earlier transfer order issued in the last rotational transfer, Smt. I. Y. Devi, Postal Assistant(SBCO), Kohima HPO was transferred and posted as Postal Assistant(SBCO), Aizawl HPO vice Smti. Lianzuali Pautu, Postal Assistant(SBCO), Aizawl HPO. But, both the officials requested for their retention at their respective place of posting for 1(One) more year; and their request was favourably considered by the competent authority. So, naturally after the completion of their permitted 1(One) year retention at their respective place of postings, Smt. I. Y. Devi, Postal Assistant(SBCO), Kohima HPO ought to have joined as Postal Assistant(SBCO), Aizawl HPO vice Smti. Lianzuali Pautu, Postal Assistant(SBCO), Aizawl HPO; and the said Smti. Lianzuali Pautu, Postal Assistant(SBCO), Aizawl HPO ought to have joined at Kohima HPO. But, in the present transfer order dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1], Smt. I. Y. Devi, Postal Assistant (SBCO), Kohima HPO has been transferred and posted as Postal Assistant(SBCO) at Imphal HPO vice Shri. I. N. Singh [Sl.No. 1 of the order] and Smti. Lianzuali Pautu, Postal Assistant(SBCO), Aizawl HPO has been transferred and posted as Postal Assistant (SBCO), Dharmanagar HPO. Thus, it is evident that the order of transfer dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] has not been issued on any service interest, but has been issued with the hidden motive to favour few officials.

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5.5. That, it is also submitted to the kind notice of the Hon'ble Tribunal that in the transfer order dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1], one Shri. Chandan Deb, Postal Assistant (SBCO) at ICO(SB)-CO [ie. Circle Office, Shillong] has been transferred and posted as Postal Assistant(SBCO), Shillong GPO vice Smti. Dipika Dhar, Postal Assistant(SBCO), Shillong GPO; and the distance between the Circle Office, Shillong and the Shillong GPO is hardly 1(One) furlong. Similarly, one Smti. Rongjengpuii, Postal Assistant(SBCO), Tura HPO has been transferred and posted as Postal Assistnat(SBCO), Aizawal HPO at her home state. So, it is obvious that out of 9(Nine) officials transferred vide order dated 17/04/2006 [ANNEXURE-A/1], 6(Six) officials have been favoured with plum/convenient postings. Hence, it is abundantly clear that the transfers of officials vide order dated 17/04/2006 [ANNEXURE-A/1] have been ordered only to serve the personal needs of majority of individuals involved in the said transfer order and certainly not in the interest of service.

Therefore, the order of transfer dated 17/04/2006 [ANNEXURE-A/1] is deserved to be quashed to prevent colourable and mala-fide exercise of power by the authorities concerned to harass innocent employees such as the present applicant.

5.6. That in accordance with the standing executive instructions on the Rotational Transfer of staff in the Department of Posts, issued vide G.I., Dept of Posts., Lr No.141-4/97-SPB.II dated 19-02-1997 [ANNEXURE-A/9] and in accordance with G.I., Dept of Posts.,

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letter No.141-77/2000-SPB.II dated 02-03-2000 [ANNEXURE-A/15], the applicant can be transferred only in the forth-coming December-2006/January-2007; and the transfer of the applicant can be made only to any of the Head Post Offices, amongst the grouped Head Post Offices, within the Region of the Postmaster General that consists of the states of 'Manipur, Nagaland and Mizoram'. Therefore, on the basis facts already submitted in the Para-4.6 to Para-4.10 above, the transfer of the applicant can be ordered only in the forth-coming December-2006/January-2007, after the completion of the current academic session of her children.

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Hence, the order of the transfer dated 17/04/2006 [ANNEXURE-A/1] is required to be quashed and set-aside to comply the requirements of departmental instructions and render justice to the humble applicant.

- 5.7. That the second daughter of the applicant is a breast-fed infant of 7(Seven) months old; and the applicant will not be able to look after her child alone at the new station [Itanagar] if she is compelled to obey the transfer order at this juncture. In addition, the movement of the infant child along with the applicant to a new station alone, when the said 07(Seven) months old infant child is under the constant medical care during the past 7(Seven) months, will also further deteriorate the health condition of the already ailing infant child. Therefore, even on humanitarian grounds, the transfer of the applicant is required to be stayed to save the life and well-being of the 07(Seven) months old infant child.

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*M. Meeme Devi*

5.8. That, the Respondent No.2 viz: The Chief Post Master General, N.E-Circle, Shillong, who ought to have considered the representation of the applicant dated 24/04/2006, has intentionally failed to consider the representation. Further, by undermining the authority of the order of the Hon'ble Tribunal dated 15<sup>th</sup> May 2006 in O.A No.113 of 2005, the Chief Post Master General, N.E-Circle, Shillong also allowed the Post Master General, N.E-Region, Shillong to dispose of and reject the applicant's representation dated 24/04/2006 by any arbitrary and irregular order dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2], without any heed to the rule of law laid down by the Hon'ble Supreme Court in "Director of School Education, Madras Vs O.Karuppa Thevan [1994 Supp.(2) SCC 666]". The attitude of the Respondents are very clear that they can utilize the administrative powers in any manner which they wish, without bothering the outcomes and repercussions and without any regard to the principles of natural justice, fairness in administrative action and the rule of law laid down by the Hon'ble judicial forums including the Hon'ble Apex Court of the land. It is therefore, necessary that the Hon'ble Tribunal intervenes immediately both for rendering justice to applicant as well as to prevent such misuse of powers by authorities by taking appropriate action against the Respondent No.3 for his willful omissions and commissions, as the Hon'ble Tribunal may deem proper.

#### 6. DETAILS OF THE REMEDIES EXHAUSTED:

The applicant declares that the applicant has no statutory remedy to be availed from the departmental authorities of Postal Department. The

applicant submitted a representation dated 24/04/2006 [ANNEXURE-A/12] to the Chief Post Master General, N.E-Circle, Shillong [Respondent No2]. But, the said representation dated 24-04-2006, addressed to the Respondent No.2 has since been disposed of and rejected, irregularly and arbitrarily, by the Respondent No.3 by the order dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2].

**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 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:**

In view of the facts and grounds submitted in Para-4 & 5 above, the applicant respectfully prays the Hon'ble Tribunal that:

- (i) The transfer order issued vide Memo No.Staff/584/SBCO/RT/2004 dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] may be quashed; and
- (ii) The above Respondents may be directed to issue 'transfer orders' in accordance with the standing departmental instructions, so that the applicant along-with her husband may be transferred together to any station within the 'Region of the Postmaster General' in due course;
- (iii) The Respondent No.3 viz: The Post Master General, N.E-Region, Shillong may be called upon to explain as to why he should not be dealt with under "Central Administrative Tribunal (Contempt of Courts) Rules 1992" for his willful commissions and omissions in the disposal and rejection of applicant's representation dated 24-04-2006 addressed to the Respondent No.2; and upon receiving the

explanation if any from the said Respondent No.2, take appropriate action, as the Hon'ble Tribunal may deem proper under the circumstances of the case so as to prevent such misuse of powers by the administrative authorities;

- (iv) The applicant may be allowed the cost of this application; and
- (v) The applicant may be allowed any other benefit(s), which the Hon'ble Tribunal may deem proper to render justice.

**9. INTEIM ORDER, IF ANY PRAYED FOR:**

Pending final decision on the application, the applicant, most submissively prays before the Hon'ble Tribunal that-

The operation of transfer order, vide Memo No.Staff/584/SBCO/RT/2004 dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] and order No.Staff/584/SBCO/RT/2004 dated 22<sup>nd</sup> May 2006 [ANNEXURE-A/2] may kindly be stayed in the interest of justice. Otherwise, the present application before the Hon'ble Tribunal will render as infructuous.

**10. IN THE EVENT OF APPLICATION BEING SENT BY REGISTERED POST:**

The applicant declares that the application is filed through his advocate.

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

Indian Postal Order Number : 269 32153  
 Office of Issue : GPO  
 Date of Issue : 27.5.06  
 Office of Payment :

**12. LIST OF ENCLOSURES:**

1. Application accompanied by Index in Appendix-A
2. ANNEXURE-A/1 to ANNEXURE-A/15.
3. Indian Postal Order for Rs.50/- for application fee.

VERIFICATION

I, Smti Th. Meena Devi, W/o Shri L Priyokumar Singh, aged about 36 years, resident of Qtr No.2-Old Postal Colony, Behind Imphal HPO Complex, PO: Imphal HPO, PS : Imphal West Distt: Imphal West, State: Manipur, do hereby verify that the contents of Paras 1 to 12 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Date : 25-06

*Th. Meena Devi*  
Signature of the applicant

Place: Imphal

To

The Registrar,  
Central Administrative Tribunal,  
Rajgarh Road, Guwahati -781 005.

DEPARTMENT OF POSTS: INDIA  
OFFICE OF THE CHIEF POSTMASTER GENERAL, N. E. CIRCLE: SHILLONG-793 001.

No. Staff/584/SBCO/RT/2004

Dated at Shillong, the 17<sup>th</sup> April 2006.

Approval of the Postmaster General, N. E. Region, Shillong is hereby conveyed to the following Transfers & Postings of SBCO officials to have immediate effect.

Sl. No.	Name of the officials	Present Place of Posting	Posted on transfer as	Remarks
1.	Shri I. N. Singh	Imphal	Kohima	Vice Smt. I. Y. Devi transferred
2.	Shri Anjan Ranjan	Itanagar	Tura	Vice Sl. 8
3.	Shri Chandan Deb	ICO, (SB) CO.	Shillong-GPO	Vice Sl. 4
4.	Smti. Dipika Dhar	Shillong-GPO	ICO (SB), CO.	Vice Sl. 3
5.	Smti Meena Devi	Imphal	Itanagar	Vice Sl. 2
6.	Smti. R. K. Sanjeeta Devi	Dharm Nagar	Imphal	Vice Sl. 5
7.	Smti. Lianzuali Pautu	Aizawl	Dharm Nagar	Vice Sl. 6
8.	Smti. Ronjengpui	Tura	Aizawl	Vice Sl. 7

Officials at Sl. 4, 5 & 7 will move first & are to be relieved on office arrangement immediately.

(Niranjan Dab)  
A.P.M.G. (Staff)

Copy to:-

- 1-10) Officials Concerned, Vice Smti, (SBCO), Imphal.
- 11-18) The Postmaster, Aizawl/Dharm Nagar/Imphal/Itanagar/Kohima/Tura/Shillong, GPO/Ajartala.
- 19) The A.O, ICO (SB), C.O, Shillong.
- 20-24) The D.P.S, Aizawl/Imphal/Itanagar/Kohima.
- 25) The Br. Supdt. of P.O, Shillong.
- 26) The Supdt. of P.Os, Dharm Nagar.
- 27) The A&P Section, C.O, Shillong.
- 28) The A. D. (A/C), C.O, Shillong.
- 29-30) Spare.

For Chief Postmaster General,  
N. E. Circle, Shillong.



Certified to be true copy.

B  
A.D.

1006 MON 14:22

ChiefPMG@Shillong

FAX NO. 2223034

P. 01/01

Department of Posts  
Office of the Chief Postmaster General, N.E Circle, Shillong 783001  
Memo No. Staff/SBCO/RT/2004

22 May, 2006

This is regarding representation from Smt. Th. Meena Devi, PA, SBCO, Imphal HPO for retention of tenure at Imphal after expiry of normal tenure.

The representation has been carefully considered. It has been decided that since the official has already completed her tenure at Imphal and also there are other staff who have asked for posting at Imphal, her representation stands rejected. This has disposed of CAT Guwahati order on OA No. 118 dated 15.5.2006

Smt. Th. Meena Devi, therefore, should be relieved from Imphal HO with immediate effect.

  
(Kahlund)  
Postmaster General  
N.E. Region  
Shillong 783001

Copy to:

1. The Dy. SPOs, Imphal 795001
2. The Postmaster, Imphal HPO 795001
3. The Official Concerned
4. Spare

certified to be true Gf  
A  
A. Dinkar

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

ORIGINAL APPLICATION No: 113 of 2006

Smt Th Meena Devi, Aged about 36-years  
W/o Shri L. Priyokumar Singh,  
Qtr No.2-Postal Colony,  
Imphal HPO-Complex,  
PO : Imphal HPO  
Distt: Imphal West State: Manipur

Presently working as: Postal Assistant (SBCO),  
Imphal H.P.O - 795 001

Applicant.

- Versus -

1. Union of India  
Through:-  
The Director General (Posts),  
Dak Bhawan, Sansad Marg,  
New Delhi - 110 001.
2. The Chief Post Master General,  
North Eastern Postal Circle,  
Shillong - 793 001.
3. The Post Master General,  
North Eastern Postal Circle,  
Shillong - 793 001.
4. The Director Postal Services,  
Manipur, Imphal - 795 001.

Respondents.

In the matter of:

Arbitrary and mala-fide transfer of the applicant  
in the middle of the academic session of her  
children, in violation of standing instructions for  
the rotational transfer of staff in the Department  
of Posts.

-AND-

In the matter of:

Non-consideration of applicant's representation  
dated 24-04-2006 by the Respondent No.2.

entitled to the fine of  
Rs  
Date -

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

The application is made against the arbitrary transfer of the applicant in the middle of the academic session of her children by the above Respondent No.3 vide order No. Staff/584/SBCO/RT/2004 dated 17<sup>th</sup> April 2006, in violation of the standing instructions for the rotational transfer of staff in the Department of Posts.

• ANNEXURE-A/1 is the TRUE COPY of order No. Staff/584/SBCO/RT/2004 dated 17<sup>th</sup> April 2006.

2. JURISDICTION OF THE TRIBUNAL:

The applicant declares that the subject-matter of the application in which the applicant wants redressal is within the jurisdiction of the Hon'ble Tribunal.

3. LIMITATION:

The applicant further declares that the application is within the limitation period prescribed in Section-21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE:

4.1. The applicant is a 'Postal Assistant' in the 'Savings Bank Control Organization' in the Department of Posts, and the applicant is presently working as Postal Assistant (SBCO) at Imphal Head Post Office.

4.2. The applicant is a woman employee whose husband is also employed as Postal Assistant(SBCO) at Imphal Head Post Office. The applicant is also a mother of 3(Three) very small minor children. The applicant's first daughter, aged about 5(Five) years, is studying in Class-1 in a local school at Imphal; and the

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applicant's son, aged about 4(Four) years, is studying in K.G-II in a local school at Imphal. The second daughter of the applicant, born on 27-09-2005, is only 7(Seven) months old and the said infant daughter is under the constant medical care, right from the date of birth to till-date, due to various ailments.

It is also submitted that the said 7(Seven) months old infant daughter is a breast fed child.

- ANNEXURE-A/2 is the TRUE COPY of the School Reading Certificate of the first daughter of the applicant [namely, Baby Longjam Milina Devi], issued by the Principal of Modern English High School, Keishampat, Imphal.

- AND -

- ANNEXURE-A/3 is the TRUE COPY of the School Reading Certificate of the son of the applicant [namely, Master Longjam Nirish Singh], issued by the Principal of Modern English High School, Keishampat, Imphal.

- AND -

- ANNEXURE-A/4 is the TRUE COPY of the 'Discharge Certificate' showing the birth particulars of the applicant's second daughter who born on 27-09-2005 at Raj Polyclinic, North AOC, Imphal.

- AND -

- ANNEXURE-A/5(Colly) are the TRUE COPIES of the documents related to the continuous medical treatment of the second daughter of the applicant from 01-10-2005 to 02-04-2006.

4.3. The applicant has been serving as Postal Assistant (SBCO) in the Department of Posts since 06.10.1993; and the applicant has been

rendering a highly devoted and most satisfactory service, right from the date of her entry in the Department. Due to her sincere and devoted service, the applicant maintains a very good, unblemished service record at her credit. The applicant, who is a native of Imphal Town in Manipur State, was initially appointed as Postal Assistant(SBCO) in the year 1993 and was posted at Imphal HPO during the period from 06.10.1993 to Aug. 1998. Thereafter the applicant was transferred and posted as Postal Assistant(SBCO) at Kohima HPO during the period from August/1998 to April/2002. After completing the prescribed tenure at Kohima HPO, the applicant has since been posted as Postal Assistant (SBCO), Imphal HPO with effect from 04.04.2002; and the applicant is rendering a highly satisfactory service in her present posting at Imphal HPO.

4.4. The applicant most respectfully submits before the Hon'ble Tribunal that the applicant is very much willing to obey any order of transfer issued by the competent authority provided that the order transferring the applicant is issued before the commencement of the academic session, in accordance with the standing instructions on rotational transfer of staff in the Department of Posts, so that the education of her children are not disturbed by her transfer.

4.5. The applicant also most humbly submits before the Hon'ble Tribunal that the applicant is not averse to any transfer to any station, provided the transfer order is issued in accordance with the relevant standing instructions of transfer of SBCO-staff in the

Department of Posts within the grouped IIPOs located in a Region render with Govt. of India's instruction regarding 'posting' of husband and wife at the same station'. Because, the husband of the applicant is also an employee of the Department of Posts, presently working as Postal Assistant (SBCO) at Imphal HPO along-with the applicant.

4.6. That the standing executive instructions on the Rotational Transfer of staff in the Department of Posts, issued vide G.I., Dept of Posts,

Lr No.141-4/97-SPB.II dated 19-02-1997, invariably state that

"Transfers may not be effected save in exceptional circumstances (which will include administrative necessity) in the middle of the academic session".

[Instruction No. 10]

"Transfers will be effected sufficiently in advance of the commencement of the academic year. Officials who are due to complete their tenure by 30<sup>th</sup> September in any year should be transferred in the preceding April-June period or the following December-January period depending upon the academic session. Those who are completing the tenure after the 30<sup>th</sup> September should be considered in December of the year or in April-June of the following year depending upon the starting date of the academic session.

[Instruction No. 11]

"As regards posting of working couples at the same station, the same should be allowed if it is administratively convenient."

[Instruction No. 20]

The above executive instructions, although issued under the caption, "Guidelines for Rotational Transfer in Department of Post

for 1997-98", actually supplements the relevant transfer rulings in the Chapter-II of P&T Manual Volume-IV, as expressly provided in the Para-21 of the said instructions, which reads-

"The aforesaid instructions may please be read in conjunction with the relevant rules contained in the Chapter-II of P&T Manual Volume-IV."

Therefore, it is very clear that, as per the existing departmental instructions, the transfer of staff in the middle of the academic session is expressly restricted and, the transfer of officials, whose children follow the December-January academic session, will be effected only in the following December-January period, after the completion of tenure computed on the basis of crucial date fixed as 'the 30<sup>th</sup> September of the corresponding year'.

In this instant case, it is well known to the Respondents that the schools in Manipur State follow the 'December-January' academic session, and, the applicant will complete her tenure at Imphal on the basis of crucial date taken as the 30<sup>th</sup> September 2006. Therefore, the transfer of the applicant can be ordered only in the following December-January [i.e. December-2005/January-2006]. Therefore, the transfer of the applicant, in the middle of the academic session of her children, is not only unwarranted but totally against the standing departmental instructions.

ANNEXURE-A/6 is the Extract of G.I., Dept of Posts,

Letter No. 141-4/97-SPB.II dated 19-02-1997.

4.7. That the above facts submitted in Para-4.6 are fully confirmed by the G.I., Dept of Posts, Letters No. 141-1/99-SPB.II dated 23-03-1999 and No. 141-35/2001-SPB.II dated 11-04-2001; and a simple reading of the aforementioned letters/instructions will satisfy the Hon'ble Tribunal that the 'transfer policy instructions' issued vide ANNEXURE-A/6 are continuous and current, having application

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in all the transfers issued in the Department of Posts since 12-02-1997. Therefore, the extracts of the aforesaid letters have also been submitted as ANNEXURE-A/7 & ANNEXURE-A/8 for the kind perusal of the Hon'ble Tribunal.

ANNEXURE-A/7 is the Extract of G.I., Dept of Posts, Letter No. 141-1/99-SPB.II dated 23-03-1999.

- AND -

ANNEXURE-A/8 is the Extract of G.I., Dept of Posts, Letter No. 141-35/2001-SPB.II dated 11-04-2001.

It is submitted before the Hon'ble Tribunal that it has been stated in Para-2 of ANNEXURE-A/7 that 'there is no deviation in the policy to be adopted for the rotational transfer' in the subsequent financial year; and, it has been expressly stated in Para-4 of ANNEXURE-A/8 that the 'annual issue of rotational transfer guidelines is being discontinued in view of the well-defined principles of rotational transfers in this Department'. Therefore, there is no doubt that the instructions issued vide ANNEXURE-A/6 are current and continuous as regards the rotational transfers issued in the Department of Posts.

4.8. The applicant was, therefore, taken aback by the transfer order dated 17/04/2006 [ANNEXURE-A/6], which transferred the applicant from Imphal HPO to Itanagar HPO, in the middle of the academic session of her children.

4.9. The applicant was also surprised on her untimely transfer vide ANNEXURE-A/1, in became, in accordance with Instructions-9 to 11 of G.I., Dept of Posts, Letter No. 141-4/97-SPB.II dated 19-02-1997, the applicant is transferable only in the forthcoming

'December/2006-January/2007 period' after the 30<sup>th</sup> September 2006, since the children of the applicant are in the middle of the current academic session which commenced in January-2006 and will end in December-2006.

4.10. That, in addition, the husband of the applicant, who is also a Postal Assistant(SBCO) in North Eastern Postal Circle is due to complete his tenure in the next January/February-2007. Therefore, there is no problem for the authorities concerned to transfer both the husband and wife [i.e. The applicant and her husband] to a same station in the ensuing December-2006/January-2007 so that the applicant can lead a normal family life even after transfer, and her children education will also not disturbed by the transfer. But, the transfer order dated 17/04/2006 has been issued, not in accordance with the standing instructions on the rotational transfer of staff in the Department of Posts; and the transfers of officials therein have been ordered only to serve the personal interest of a few selected individuals.

4.11. That the applicant, therefore, soon after getting the copy of transfer order, submitted a representation dated 24/04/2006 to the Respondent No.2. In the said representation, the applicant highlighted her problems such as 'her transfer in the middle of academic session of her children', 'disruption' of her family life due to non-transfer of husband and wife together after completing the tenure', etc; and requested the authority concerned to cause kind immediate 'intervention. But, unfortunately, the representation dated 24/04/2006, submitted by the present

applicant, has not been attended yet by the above Respondent No.2; and the applicant has been left with no alternative than to approach the Hon'ble Tribunal for justice.

• ANNEXURE-A/9 is the TRUE COPY of applicant's representation dated 24/04/2006 addressed to the Chief Post Master General, N.E Circle, Shillong [i.e. Respondent No.2.]

4.12. The applicant, therefore, has filed the present O.A; and prayed the intervention of the Hon'ble Tribunal on the following grounds:-

#### 5. GROUNDS FOR RELIEF(S) WITH LEGAL PROVISIONS:

5.1. That, in accordance with G.I., Dept of Posts., letter No.141-77/2000-SPB.II dated 02-03-2000, the transfer of SBCO-staff in the Department of Posts should be made only within the HPOs [Head Post Offices] grouped together within a Division or within a Region. As per the said policy guidelines, transfer of SBCO-staff outside the Region should be done only with the concurrence of the Head of the Circle and on specific administrative grounds only. But, in this instant case, the order of transfer dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] has been issued by the Postmaster General, N.E-Region, Shillong, who is only a Regional Head and the specific administrative region which required the transfer of the officials outside the regions have not been shown in the transfer order. It may also kindly be seen that the present applicant has been transferred to a far place [i.e. Itumgar HPO], which is outside the region of the Postmaster General, N.E-Region, Shillong. This clearly proves that the transfer order dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] is the outcome of "colourful" and malafide.

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exercise of power by the authorities concerned to favour a few officials for the reasons best known only to the authorities concerned.

ANNEXURE-A/10 is the Extract of G.I., Dept of Posts, Letter No. 141-77/2000-SPB.II dated 02-03-2000.

It is submitted for the kind information of the Hon'ble Tribunal that in the North Eastern Postal Circle, there are 2(Two) regions, as stated below:

- (i) The Region under the Chief Post Master General comprising of the states of 'Meghalaya', 'Arunachal Pradesh' and 'Tripura'; and
- (ii) The Region under the Post Master General, comprising of the states of 'Manipur', 'Nagaland' and 'Mizoram'.

Therefore, as per the departmental instructions in ANNEXURE-A/10, the applicant can be transferred only within the 'Postmaster General's Region' which consists of 'Manipur', 'Nagaland' and 'Mizoram'.

Hence, the present transfer of the applicant, in the middle of the academic session of her children, to a station outside the Region of Postmaster General/Shillong is not only irregular, but a mala-fide exercise of power by the authorities concerned. The order of transfer dated 17/04/2006, is therefore deserved to be quashed without any reservation.

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5.2. That, the official namely Miss. R.K.Sanjeeta Devi, Postal Assistant(SBCO), Dhemangar HPO who has been transferred and posted as Postal Assistant(SBCO), Imphal HPO against the present applicant, was recruited and appointed in the cadre of Postal Assistant(SBCO) in the Department of Posts only in June-July/2003; and hence, the said official has not yet completed her fixed tenure of 4(Four) years at Dhemangar HPO till-date or on the crucial date of 30<sup>th</sup> September 2006 [as per instruction-9 of ANNEXURE-A/6]. It is also reliably learnt that the said official, who is also a native of Imphal Town has requested for her transfer to Imphal; and only to accommodate the said official at Imphal, the present applicant has been ordered to be transferred out from Imphal, in the middle of the academic session of her children. Therefore, the present order of transfer [ie. ANNEXURE-A/1] is issued certainly not in the interest of service, but purely to favour a particular official, who could gain the favour of the authorities concerned.

Therefore, the order of transfer dated 17/04/2006 [ANNEXURE A/1] is deserved to quashed, without any reservation, to render justice to the humble applicant.

5.3. That in an earlier transfer order issued in the last rotational transfer, Smt. I. Y. Devi, Postal Assistant(SBCO), Kohima HPO was transferred and posted as Postal Assistant(SBCO), Aizawl HPO vice Smti. Lianzuali Pauli, Postal Assistant(SBCO), Aizawl HPO. But, both the officials requested for their retention at their respective place of posting for 1(One) more year, and their request

was favourably considered by the competent authority. So, naturally after the completion of their permitted 1(One) year retention at their respective place of postings, Smt. I. Y. Devi, Postal Assistant(SBCO), Kohima HPO ought to have joined as Postal Assistant(SBCO), Aizawl HPO vice Smti. Lianzuali Pautu, Postal Assistant(SBCO), Aizawl HPO; and the said Smti. Lianzuali Pautu; Postal Assistant(SBCO), Aizawl HPO ought to have joined at Kohima HPO. But, in the present transfer order dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1], Smti. I. Y. Devi, Postal Assistant(SBCO), Kohima HPO has been transferred and posted as Postal Assistant(SBCO) at Imphal HPO vice Shri. I. N. Singh [Sl.No. 1 of the order] and Smti. Lianzuali Pautu, Postal Assistant(SBCO), Aizawl HPO has been transferred and posted as Postal Assistant(SBCO), Dharm Nagar HPO. Thus, it is evident that the order of transfer dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] has not been issued on any service interest, but has been issued with the hidden motive to favour few officials.

5.4. That, it is also submitted to the kind notice of the Hon'ble Tribunal that in the transfer order dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1], one Shri. Chandan Deb, Postal Assistant (SBCO) at ICO(SB)-CO [i.e. Circle Office, Shillong] has been transferred and posted as Postal Assistant(SBCO), Shillong GPO vice Smti. Dipika Dhar, Postal Assistant(SBCO), Shillong GPO; and the distance between the Circle Office, Shillong and the Shillong GPO is hardly 1(One) furlong. Similarly, one Smti. Rongjengpui, Postal Assistant(SBCO), Tura HPO has been transferred and posted as

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Postal Assistant(SBCO), Aizawl HPO at her home state. So, it is obvious that out of 9(Nine) officials transferred vide order dated 17/04/2006 [ANNEXURE-A/1], 6(Six) officials have been favoured with plum/convenient postings. Hence, it is abundantly clear that the transfers of officials vide order dated 17/04/2006 [ANNEXURE-A/1] have been ordered only to serve the personal needs of majority of individuals involved in the said transfer order and certainly not in the interest of service.

Therefore, the order of transfer dated 17/04/2006 [ANNEXURE-A/1] is deserved to be quashed to prevent colourable and male-fide exercise of power by the authorities concerned to harass innocent employees such as the present applicant.

5.5. That in accordance with the standing executive instructions on the Rotational Transfer of staff in the Department of Posts, issued vide G.I., Dept of Posts, Lt No.141-4/97-SPB.II dated 19-02-1997 [ANNEXURE-A/6] and in accordance with G.I., Dept of Posts, letter No.141-77/2000-SPB.II dated 02-03-2000 [ANNEXURE-A/10], the applicant can be transferred only in the forth-coming December-2006/January-2007; and the transfer of the applicant can be made only to any of the Head Post Offices, amongst the grouped Head Post Offices, within the Region of the Postman General that consists of the states of 'Manipur, Nagaland and Mizoram'. Therefore, on the basis facts already submitted in the Para-4.6 to Para-4.10 above, the transfer of the applicant can be ordered only in the forth-coming December-2006/January-2007.

after the completion of the current academic session of her children.

Gence, the order of the transfer dated 17/04/2006 [ANNEXURE A/1] is required to be quashed and set-aside to comply the requirements of departmental instructions and render justice to the humble applicant.

- 5.6. That the second daughter of the applicant is a breast-fed infant of 07(Seven) months old; and the applicant will not be able to look after her child alone at the new station [Itanagar] if she is compelled to obey the transfer order at this juncture. In addition, the movement of the infant child along with the applicant to a new station alone, when the said 07(Seven) months old infant child is under the constant medical care during the past 07(Seven) months, will also further deteriorate the health condition of the already ailing infant child. Therefore, even on humanitarian grounds, the transfer of the applicant is required to be stayed to save the life and well-being of the 07(Seven) months old infant child.
- 5.7. That, the Respondent No.2 viz: The Chief Post Master-General, N.E-Circle, Shillong, who ought to have considered the representation of the applicant dated 24/04/2006, has also been maintaining an indifferent attitude, and has not issued any order on the applicant's representation for more than 15(Fifteen) days. The attitude of the authorities concerned clearly necessitates the immediate intervention of the Hon'ble Tribunal to render justice to the applicant.

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6. DETAILS OF THE REMEDIES EXHAUSTED:

The applicant declares that the applicant has no statutory remedy to be availed from the departmental authorities of Postal Department. The applicant, however, has already submitted a representation dated 24/04/2006 to the Chief Post Master General, N.E-Circle, Shillong [Respondent No 2]. The Respondent No.2 has not passed any order on the said representation of the applicant till-date.

- ANNEXURE-A/10 is the copy of Applicant's representation dated 24/04/2006.

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 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:

In view of the facts and grounds submitted in Para 4 & 5 above, the applicant respectfully prays the Hon'ble Tribunal that:

- (i) The transfer order issued vide Memo No. Staff/SS4/SBCO/RT/2006 dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] may be quashed; and
- (ii) The above Respondents may be directed to issue 'transfer orders' in accordance with the standing departmental instructions so that the applicant along with her husband may be transferred together to any station within the 'Region of the Postmaster General' in due course;
- (iii) The applicant may be allowed the cost of this application; and

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16

(iv) The applicant may be allowed any other benefit(s), which the Hon'ble Tribunal may deem proper to render justice.

9. INTERIM ORDER, IF ANY PRAYED FOR:

Pending final decision on the application, the applicant, most submissively prays before the Hon'ble Tribunal that-

The operation of transfer order, vide Memo No. Staff/584/ SBCO/RT/2004 dated 17<sup>th</sup> April 2006 [ANNEXURE-A/1] may kindly be stayed in the interest of justice. Otherwise, the present application before the Hon'ble Tribunal will render as infructuous.

10. IN THE EVENT OF APPLICATION BEING SENT BY REGISTERED POST:

The applicant declares that the application is filed through his advocate.

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

Indian Postal Order Number :

Office of Issue :

Date of Issue :

Office of Payment :

12. LIST OF ENCLOSURES:

1. Application accompanied by Index in Appendix-A
2. ANNEXURE-A/1 to ANNEXURE-A/10.
3. Indian Postal Order for Rs. 50/- for application fee.

VERIFICATION

I, Smti Th. Meena Devi, W/o Shri L. Priyokumar Singh, aged about 36 years, resident of Qtr No.2-Old Postal Colony, Behind Imphal HPO Complex, PO: Imphal HPO, PS: Imphal West Distt: Imphal West, State: Manipur, do hereby verify that the contents of Paras 1 to 12 are true to my personal knowledge and belief and that I have not suppressed any material facts.

Date :

Place: Imphal

Signature of the applicant

To

The Registrar,  
Central Administrative Tribunal,  
Rajghat Road, Chawdhari 781 005.

certified to be true (Smti)



CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Original Application No. 113 of 2006

Date of Order : This the 15th day of May 2006.

The Hon'ble Sri K.V. Sachidanandan, Vice-Chairman.

Smt. Th Meena Devi, Aged about 36 years,  
W/o Shri L. Priyokumar Singh.  
Qtr. No. 2 - Postal Colony,  
Imphal HPO - Complex,  
P.O. - Imphal HPO  
Dist. - Imphal West State Manipur  
Presently working as : Postal Assistant (SBCO)  
Imphal H.P.O. - 795 001.

... Applicant.

By Advocates Mr. B. Kalita, Mr. B.K. Tahirkdar.

... Versus -

1. Union of India  
Through :-  
The Director General (Posts),  
Dak Bhawan, Sansad Marg,  
New Delhi - 110 001.

The Chief Post Master General  
North Eastern Postal Circle  
Shillong - 793 001.

3. The Post Master General  
North Eastern Postal Circle  
Shillong - 793 001.

4. The Director Postal Services,  
Manipur, Imphal - 793 001.

... Respondents.

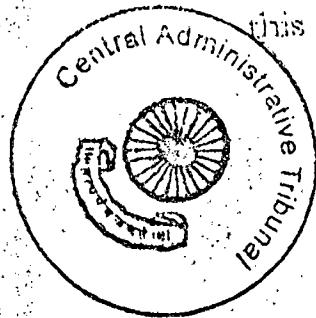
By Advocate Mr. M.J. Ahmed, Addl. C.G.S.C.

Certified to be true by  
M

ORDER (ORAL)

K.V. SACHIDANANDAN, (V.C.)

The applicant is an employee of department of posts and working as Postal Assistant at Imphal Head Post Office at Imphal (Manipur State). The applicant's husband is also presently working as Postal Assistant at Imphal Head Post Office. In the application, the applicant averred that she has three children, first daughter is studying in Class - 1, 2nd is studying in K.G. and the 3rd is only 7 months old (infant daughter). While so, she has been transferred vide impugned order dated 17.04.2006 to Itanagar, more than 400 Kms. away from her present working place and one of the ground is that her children are studying in school and their academic session start from December-January and she has been transferred in the middle academic session of her children. Aggrieved by the said inaction, the applicant has filed this application seeking the following reliefs :-



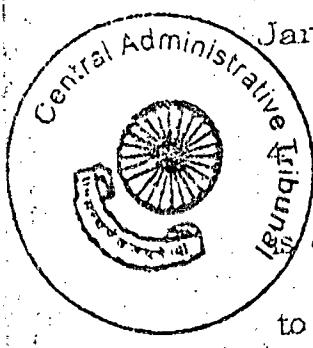
- (i) The transfer order issued vide Memo. No. Staff/584/SBCO/RT/2004 dated 17th April 2006 (ANNEXURE - A/1 may be quashed; and
- (ii) The above Respondents may be directed to issue 'transfer orders' in accordance with the standing department instructions, so that the application along with her husband may be transferred together to any station within the 'Region of the Postmaster General' in due course;
- (iii) The applicant may be allowed the cost of this application; and
- (iv) The applicant may be allowed any other benefit(s), which the Hon'ble Tribunal may deem proper to render justice."

2. I have heard Mr. B. Kalita, learned counsel for the applicant and Mr. M.U. Ahmed, learned Addl. C.G.S.C. for the respondents.

3. Learned counsel for the applicant submitted that the applicant has filed a representation before the authorities on 24.04.2006 and he will be satisfied if a direction is given to the respondents to consider and dispose of the same within a time frame. Learned counsel for the respondents, on the other hand, submitted that there is no ground to challenge the transfer order. Learned Counsel for the respondents also submitted that he does not know whether the academic session start from December-January or April-June.

However, considering the facts of the case, this Tribunal is of the view that it will meet ends of justice, if a direction is given to the respondents to consider and dispose of the representation within a time frame. The Supreme Court in the case of Director of School Education, Madras and Others Vs. O. Karuppa Thevan and another, reported in 1994 Supp. (2) SCC 666 held that "transfer during the mid academic term - in the absence of urgency such transfer restrained from being effected till the end of that academic year". Therefore, this Tribunal directs the respondents to consider the representation of the applicant <sup>with</sup> due application of mind and pass appropriate speaking order and communicate the same to the applicant within a time frame of one month from the date of receipt of this order.

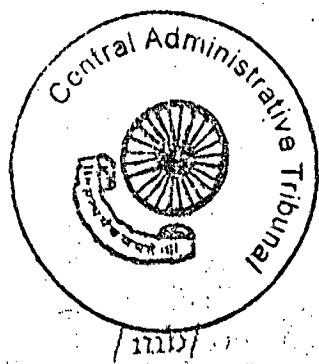
✓



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5. In the interest of justice, this Tribunal also directs that transfer order dated 17.04.2006 so far as the applicant is concerned will be kept in abeyance till such order is passed.

The O.A. is disposed of at the admission stage itself. In the circumstances, no order as to costs.



Sd/ VICE CHAIRMAN

Date of Application : 15.5.06  
Date on which copy is ready : 15.5.06  
Date on which copy is delivered : 15.5.06  
Certified to be true copy

Section Officer (J. d.l) 15/5/06  
C. A. T. Guwahati Bench  
Guwahati S.

15/5/06

105



# Modern English High School

KELSAMPAT, IMPHAL  
Manipur

SL. NO....4.C.E.3.....

## READING/TRANSFER CERTIFICATE

ADMISSION NO....3611.....

This is to certify the following particulars :

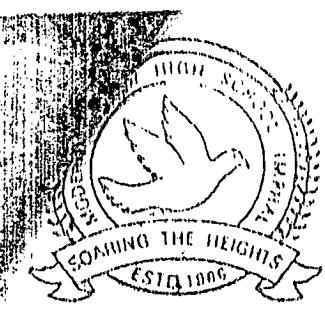
1. Name of student Deepak Singh.....
2. Name of Father Deepak Singh.....
3. Date of birth 23.01.2006..... as recorded in the admission register.
4. Home address Postal Colony, Behend, Imphal West.....
5. Class ..... 6th ..... Bee ..... 8 ..... Roll No. .... 8 .....
6. Academic year ..... 2006 .....
7. Promoted / Detained Final Exam is not conducted.....
8. Division ..... 8 .....
9. Attendance Regular.....
10. Character Good.....
11. Fees Cleared Not Cleared.....

Dated the 10th April, 1906.....  
At Kelsampat, Imphal.....

10.4.06  
10/4/06  
Principal  
Modern English High School  
Kelsampat, Imphal

*Authentic & true by*  
*Dr*

206



# Modern English High School

KEISAMPAT, IMPHAL  
Manipur

SL. NO...../C. No. 8...

## READING/TRANSFER CERTIFICATE

ADMISSION NO.,, S.Y.C. ....

This is to certify the following particulars :

1. Name of student ..... Appuwan Singh .....
2. Name of Father, ..... Appuwan Singh .....
3. Date of birth ..... 3.3.01 as recorded in the admission register.
4. Home address, ..... Domestic Colony, Bambui, Keisampat, Imphal
5. Class ..... Class VIII..... See ..... Roll No. .... 9.....
6. Academic year, ..... 2006-07.....
7. Promoted/ Detained ..... Final Exam is not yet conducted
8. Division ..... 8.....
9. Attendance, ..... 80%.....
10. Character, ..... Good.....
11. Fees Cleared, ..... Yes.....

Date of issue ..... 10/10/06

Ch. 10/10/06  
Principal,  
Modern English High School  
Keisampat, Imphal

*Certified to be true*

*G.P.J.*  
*Ar*

## KAI POLYCLINIC

NORTH AOC, IMPHAL.

(0): 2411653, 2229553  
Fax: (0385) 2442734

## DISCHARGE CERTIFICATE

Name: Sharmi, J. M. M. Age: 25 Sex: F Religion: H.

Address: Postal Colony, P. T. B. P. Park

DOA: 20/09/05 DOD: 28/09/05

MRD No: 9480/05 Dept/Unit: Gynaec.

Clinical picture: Pain, weight loss, pallor, eng. TAN.

Investigation (see overleaf):

Diagnosis: P. J. O. I. following

Treatment given: Almonds, R. P. I. G. A. I. P.

Condition at the time of Discharge: Excret.

Advice:

Check up after 1 month,

R.

Booking no.:

1. Take Iactochex 10

DOD: - 28/10/05

1 tab. twice daily, x 5 days.

TOD: - 25/10/05

2. Take Milligyn 10

Sex: - Female

1 tab. twice daily

Wt: - 55 Kg

3. Take S. 10

A/S: - 9/10

4. Take V. 10

If N. male long given,

5. Take V. 10

Keep 1000 ml. water

6. S. 1000 ml. 1 ph.

For courage breast feeding

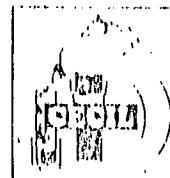
7. Take twice daily

Signature of the Medical Officer.

Antar & Son  
G. F.

A

Working Hours :  
 Morning : 8:30 a.m. to 6:00 p.m.  
 Afternoon : 8:30 a.m. to 6:30 p.m.  
 Open on all Sundays & Holidays  
 Telephone : 2410009



# CECIL Medical Laboratory

HIND GATE, LAMPETTA, IMPIAL 700 004  
 Road No. MULCHERI/103/CH/2000

J.C.U. (1)

Reference : 05/01-10-05  
 Name : Baby of Meena  
 Sex/Age : F/5 days. Address : Paed. Ward.  
 Referred by : Prof. K.C. Singh

## BIOCHEMICAL EXAMINATION REPORT

Test(s) Done : Serum - Bilirubin

TEST	RESULT	UNIT	METHOD	NORMAL RANGE
B1. Sugar-Fasting		mg/dl	GOD/POD	00 - 105
- 2hrs. PR		mg/dl	GOD/POD	up to 140
- Random		mg/dl	GOD/POD	40 - 130
B2. Urea		mg/dl	DAM	15 - 40
B3. Creatinine		mg/dl	Alk. Fluor. I	0.5 - 1.5
B4. Sodium		mmol/L	Umo Photometry	130 - 147
B5. Potassium		mmol/L	Umo Photometry	3.8 - 5.0
B6. Urine Acid		mg/dl	PTA/PAP	M:2.0-7.0, F:1.0-6.0
B7. GOT (AST)		U/L	Kinetic	6 - 40
B8. GPT (ALT)		U/L	Kinetic	6 - 35
B9. Alk. Phosphatase		U/L	Kinetic	110 - 310
B10. Bilirubin - Total	1.7 + 9	mg/dl	Mod. Jendralla-Grof	0.3 - 1.0
- Conjugated	0.3	mg/dl	Mod. Jendralla-Grof	up to 0.3
B11. Protein - Total		G/dl	Bluel	0 - 8
- Albumin		G/dl	ICCC dye binding	3.7 - 5.3
- Globulin		G/dl	Indirect	2.3 - 3.0
B12. Cholesterol		mg/dl	Wybenga & Ploggl	150 - 250
B13. Triglycerides		mg/dl	GOP	30 - 200
B14. HDL - Cholesterol		mg/dl	Wybenga & Ploggl	M:36-65, F:45-75
B15. LDL		mg/dl	Indirect	up to 160
B16. Calcium		mg/dl	C.P.C.	0 - 11
B17. CPK		U/L	Kinetic	
B18. CK (MB)		U/L	Kinetic	up to 24
B19. LDH		U/L	Kinetic	
B20. Phosphorus		mg/dl	Mod. Molot	2.6 - 6
B21. Amylase		U/dl	Kinetic	up to
B22. Acid Phosphatase		KAU	King's	4 - 6

Doctor's Signature

Note : Please refer strictly to the normal range given above, as the normal values may be slightly variable with different methods and kits used.

Certified by me to be true copy

Dr

A/B (cally)

53

Working Hours:  
Summer: 0530 a.m. to 0.00 p.m.  
Winter: 0530 a.m. to 0300 p.m.  
Open on all Sundays & Holidays  
Telephone: 2410664

**CECIL**  
**Medical Laboratory**  
1188 GATE, LAMPUNG, INDONESIA 700 004  
Reg. No. MUL/000/000/01/2000

109

Reference: 12/05-10-05

Name: Baby of Meena

Age/Age: 2/9 days. Address: Pecatu, Wayan.

Referrer by: Prof. K.C. Bhagat

### biochemical examination report

Test(s) Done: Serum - Bilirubin

TEST	RESULT	UNITS	METHOD	NORMAL RANGE
Bil. Sputum/urine		mg/dl	GOD/POD	0.0 - 100
Bil. P.D.		mg/dl	GOD/POD	up to 140
Random		mg/dl	GOD/POD	40 - 130
Bilirum Urea		mg/dl	DAM	16 - 40
Bil. Creatinine		mg/dl	Alk. Phonto	0.6 - 1.6
Bil. Sodium		mg/dl	Flame Photometry	130 - 147
Bil. Potassium		mg/dl	Flame Photometry	3.8 - 6.0
Bil. Urine Acid		mg/dl	PTA/PAP	M 2.6-7.0, F 1.6-6.0
Bil. GGT (ALT)		U/L	Kinolte	5 - 40
Bil. GPT (ALT)		U/L	Kinolte	6 - 36
Bil. Alk. Phosphatase		U/L	Kinolte	110 - 310
Bil. Bilirubin - Total	16.5	mg/dl	Mod. Jendranda Orol	0.3 - 1.0
Conjugated	0.6	mg/dl	Mod. Jendranda Orol	up to 0.3
Bil. Prothrombin		U/dl	Blutot	0 - 8
- Albumin		U/dl	BCG dyo binding	3.7 - 6.3
- Globulin		U/dl	Indirect	2.3 - 3.0
Bil. Cholosterol		mg/dl	Wybengra & Ploggi	150 - 250
Bil. Triglyceride		mg/dl	GOT	30 - 200
Bil. EDE - Cholosterol		mg/dl	Wybengra & Ploggi	M 36-66, F 46-76
Bil. EDE		mg/dl	Indirect	up to 100
Bil. Chol		mg/dl	GOT	0 - 11
Bil. GPT		U/L	Kinolte	up to 24
Bil. GKV (MII)		U/L	Kinolte	up to 10
Bil. LDH		U/L	Kinolte	up to 10
Bil. Phosphatase		mg/dl	Mod. Motol	2.5 - 6
Bil. Amylase		U/dl	Kinolte	up to
Bil. Acid Phosphatase		U/dl	King's	1 - 6

### Doctor's Signature

Note: Plasma ratio of bilirubin to the normal ranges given above, on the normal values may be slightly variable with different methods and kits used.

Can't find the time bff,

AB

Working Hours :  
 Summer : 6.30 a.m. to 6.00 p.m.  
 Winter : 6.30 a.m. to 5.30 p.m.  
 Open on all Sundays & Holidays  
 Telephone : 2410664



CECIL  
 Medical Laboratory  
 RIMS GATE, LAMPHEL, IMPHAL 795 004  
 Regd. No. MNHCR/NO/034/CL/2000

Reference : 06/07-10-05

Name : Baby of Meena

Sex/Age : F/11 days Address : PW

Referred by :

### BIOCHEMICAL EXAMINATION REPORT

Test(s) Done : Serum - Bilirubin

TEST	RESULT	UNIT	METHOD	NORMAL RANGE
Bl. Sugar-Fasting		mg/dl	GOD/POD	60 - 105
- 2hrs. P.P.		mg/dl	GOD/POD	up to 140
- Random		mg/dl	GOD/POD	45 - 130
Serum Urea		mg/dl	DAM	15 - 40
S. Creatinine		mg/dl	Alk. Picrate	0.5 - 1.5
S. Sodium		mEq/L	Flame Photometry	135 - 147
S. Potassium		mEq/L	Flame Photometry	3.8 - 5.0
S. Uric Acid		mg/dl	PTA/PAP	M:2.5-7.0, F:1.5-6.0
S. GOT (AST)		IU/L	Kinetic	5 - 40
S. GPT (ALT)		IU/L	Kinetic	5 - 35
S. Alk. Phosphatase		IU/L	Kinetic	110 - 310
S. Bilirubin - Total	16.1	mg/dl	Mod.Jendrassic-Grof	0.3 - 1.0
- Conjugated	0.5	mg/dl	Mod.Jendrassic-Grof	up to 0.3
S. Protein - Total		G/dl	Biuret	6 - 8
- Albumin		G/dl	BCG dye binding	3.7 - 5.3
- Globulin		G/dl	Indirect	2.3 - 3.6
S. Cholesterol		mg/dl	Wybenga & Pileggi	150 - 250
S. Triglyceride		mg/dl	GOP	36 - 200
S. HDL- Cholesterol		mg/dl	Wybenga & Pileggi	M:35-65, F:45-75
S. LDL		mg/dl	Indirect	up to 150
S. Calcium		mg/dl	C.P.C.	9 - 11
S. CPK		IU/L	Kinetic	up to 24
S. CK (MB)		IU/L	Kinetic	
S. LDH		IU/L	Mod. Melol	2.5 - 5
S. Phosphorus		mg/dl	Kinetic	up to
S. Amylase		U/dl	King's	1 - 5
S. Acid Phosphatase		KAU		

Doctor's Signature

Note : Please refer strictly to the normal ranges given above, as the normal values may be slightly variable with different methods and kits used.

Certified to be true by

AB

Working Hours :  
 Summer : 6.30 a.m. to 6.00 p.m.  
 Winter : 6.30 a.m. to 5.30 p.m.  
 Open on all Sundays & Holidays  
 Telephone : 2410664



# CECIL Medical Laboratory

TRING GATE, LAMPHEL, IMPHAL 796 004  
 Regd. No. MNICR/NO/034/CL/2000

Reference : 04/09-10-05

Name : Baby of Meena

Sex/Age : F/13 days Address : Paed. Ward

Referred by :

## BIOCHEMICAL EXAMINATION REPORT

Test(s) Done : Serum - Bilirubin

TEST	RESULT	UNIT	METHOD	NORMAL RANGE
B1. Sugar-Fasting		mg/dl	GOD/POD	60 - 105
- 2hrs F.P.		mg/dl	GOD/POD	up to 140
- Random		mg/dl	GOD/POD	45 - 130
Serum Urea		mg/dl	D.A.M	15 - 40
S. Creatinine		mg/dl	Alk. Phloro	0.6 - 1.6
S. Sodium		ml q/l	Flame Photometry	138 - 147
S. Potassium		ml q/l	Flame Photometry	3.8 - 5.0
S. Uric Acid		mg/dl	P.T.A/P.A.P	M:2.5-7.0, F:1.5-6.0
S. GOT (AST)		U/I	Kinetic	5 - 40
S. GPT (ALT)		U/I	Kinetic	5 - 35
S. Alk. Phosphatase		U/I	Kinetic	110 - 310
S. Bilirubin - Total	14.4	mg/dl	Mod. Jendrassik-Grof	0.3 - 1.0
- Conjugated	0.6	mg/dl	Mod. Jendrassik-Grof	up to 0.3
S. Protein - Total		G/dl	Blacet	6 - 8
- Albumin		G/dl	B.C.G. dye binding	3.7 - 5.3
- Globulin		G/dl	Indirect	2.3 - 3.0
S. Cholesterol		mg/dl	Wybenga & Pileggi	150 - 250
S. Triglyceride		mg/dl	G.O.P	36 - 200
S. HDL - Cholesterol		mg/dl	Wybenga & Pileggi	M:35 G:6, F:45-75
S. LDL		mg/dl	Indirect	up to 150
S. Calcium		mg/dl	G.P.C.	9 - 11
S. CPK		U/I	Kinetic	up to 24
S. CK (MB)		U/I	Kinetic	
S. LDH		U/I	Mod. Metol	2.5 - 5
S. Phosphorus		mg/dl	Kinetic	up to
S. Amylase		U/I	King's	1 - 5
S. Acid Phosphatase		KAU		

Doctor's Signature

Note : Please refer strictly to the normal ranges given above, as the normal values may be slightly variable with different methods and kits used.

Authored by the Doctor

Dr

Working Hours :  
 Summer : 6-30 a.m. to 6.00 p.m.  
 Winter : 6.30 a.m. to 5.30 p.m.  
 Open on all Sundays & Holidays  
 Telephone : 2410664



# CECIL Medical Laboratory

RIMS GATE, LAMPHEL, IMPHAL 795 004  
 Regd. No. MNHCR/NO/034/CL/2000

Reference : 07/11-10-05

Name : Baby of Meena

Sex/Age : F/15 days Address : Paed Ward

Referred by :

## BIOCHEMICAL EXAMINATION REPORT

Test(s) Done : Serum - Bilirubin

TEST	RESULT	UNIT	METHOD	NORMAL RANGE
Bl. Sugar-Fasting		mg/dl	GOD/POD	60 - 105
- 2hrs. P.P.		mg/dl	GOD/POD	up to 140
- Random		mg/dl	GOD/POD	45 - 130
Serum Urea		mg/dl	DAM	15 - 40
S. Creatinine		mg/dl	Alk. Picrate	0.5 - 1.5
S. Sodium		mEq/L	Flame Photometry	135 - 147
S. Potassium		mEq/L	Flame Photometry	3.8 - 5.0
S. Uric Acid		mg/dl	PTA/PAP	M:2.5-7.0, F:1.5-6.0
S. GOT (AST)		IU/L	Kinetic	5 - 40
S. GPT (ALT)		IU/L	Kinetic	5 - 35
S. Alk. Phosphatase		IU/L	Kinetic	110 - 310
S. Bilirubin - Total	9.3	mg/dl	Mod.Jendrassic-Grof	0.3 - 1.0
- Conjugated	0.9	mg/dl	Mod.Jendrassic-Grof	up to 0.3
S. Protein - Total		G/dl	Biuret	6 - 8
- Albumin		G/dl	BCG dye binding	3.7 - 5.3
- Glubulin		G/dl	Indirect	2.3 - 3.6
S. Cholesterol		mg/dl	Wybenga & Pileggi	150 - 250
S. Triglyceride		mg/dl	GOP	36 - 200
S. HDL- Cholesterol		mg/dl	Wybenga & Pileggi	M:35-65, F:45-75
S. LDL		mg/dl	Indirect	up to 150
S. Calcium		IU/L	C.P.C.	9 - 11
S. CPK		IU/L	Kinetic	up to 24
S. CK (MB)		IU/L	Kinetic	2.5 - 5
S. LDH		mg/dl	Mod. Metol	up to
S. Phosphorus		U/dl	Kinetic	1 - 5
S. Amylase		KAU	King's	
S. Acid Phosphatase				

 Doctor's Signature

Note : Please refer strictly to the normal ranges given above, as the normal values may be slightly variable with different methods and kits used.

Certified the true Ch.



Discharged with advice

A/B (Colly) (57)

(3) eye p. ad (1)  
2 days (500)

REGIONAL INSTITUTE OF MEDICAL SCIENCES, HOSPITAL

LAMPHUL, IMPHAL.

**DISCHARGE SLIP**

(Wt - 2.3 kg)

Hospital No. C/10 - 81174

M.R.D. No. 8902

Name Baby Age 15 days Sex F

Address P.R.T. office colony

H.O. Unit Prof. K.C. Singh Ward No. Children ward F.C.L.

Admitted on 2.7.10 Discharge on 11.10.10

Diagnosis and Findings Preliminary A.O.N. T. white applyx's E

Result - Cure/Recovered/Otherwise Discharged

Brief clinical note On admission

Patient was admitted with the complaint

of bluish discoloration of face & body after H10 - NVU in private clinic. White.

O/C - Non-reactive.

Cyanosis (-)

Chest - clear

CVS - P. S. G+; HR - 140/min

Co. - 2.0 g/dl - Hb - 10.0 g/dl - PTH - UK - NO fresh blood

P/Ls -

Recommendation/Advice

To attend Ch. OPD on Tuesday / Saturday after 2 weeks / whenever necessary -

(R)

(1) Abdominal drops -

- 5 drops twice daily N 200mg

(2) Diphtheria drops -

- 5 drops twice daily N 200mg

Signature of Registrar/Resident

MR - 11

MR - 1000

(Also mention if necessary)

Anterior to the fore body

A

## Investigation profile.

(1) S. Bilibrium  $\rightarrow$  Total  $10.9 \text{ mg/lde}$  (On 11/10/05)  
 $10.7 - 0.3 \text{ mg/lde.}$

(2)  $\swarrow$   $16.5 \text{ mg/lde.}$  (On 5/10/05)  
 $0.6 \text{ mg/lde.}$

(3)  $\swarrow$   $16.1 \text{ mg/lde.}$  (On 2/10/05)  
 $0.5 \text{ mg/lde.}$

(4)  $\swarrow$   $14.4 \text{ mg/lde.}$  (On 9/10/05)  
 $0.6 \text{ mg/lde.}$

(5)  $\swarrow$   $7.3 \text{ mg/lde}$  (On 4/10/05)  
 $0.9 \text{ mg/lde.}$

AS  
 11/10/05

carried to the line by

A

Dr. Ksh. Chourjii Singh  
M.D. (RAN), D.C.P. (RPP)

Fellow of Indian Academy of Pediatrics

Professor of Pediatrics

REGIONAL INSTITUTE OF MEDICAL SCIENCES  
IMPHAL

CHINGAMATHAK  
THOKCHIOM LEIKAI  
IMPHAL - 783 001  
MANIPUR, INDIA  
(0385) 2221482

Date 28/02/05

For ~~Mr.~~ Meenamsha

31 days

from 08/02/05 to 08/03/05

1. Case of Frederick  
1. Pm = Birth  
1. Age 10 days

2. Not breastfed

3/0

Drugs Levamisole  
1. 10 mg 1st day  
2. 5 mg 2nd day

III. Hydrocortisone

1. 1.5 mg 1st day

2. 0.5 mg 2nd day or breastfed

3. 0.5 mg 3rd day and breastfed

4. 0.5 mg 4th day

Certified to be true by

As

Dr. Ksh. Chourjit Singh

M.D. (RAN), D.C.H. (BHU).

Fellow of Indian Academy of Pediatrics

Professor of Pediatrics

REGIONAL INSTITUTE OF MEDICAL SCIENCES  
IMPHAL

CHINGAMATHAK  
THOKCHOM LEIKAI  
IMPHAL - 795 001  
MANIPUR, INDIA  
(0) (0385) 2221482

116

Date 22/10/01

Mr. Meenancha

61 days

Neonatal history

Preterm birth

32 weeks

Postmenstrual age

Refusal of breast

Trembling of hands

Weight 2.5 kg

Rolling of eyes of face

Downward gaze

Spasmodic

movements

in limbs (Q)

extremities

Loss of reflexes

hypotonia (limbs)

6 months old

iv. limb spastic

2 yrs C. in

12 months

Visual impairment

Artificial to the family

12

1. a. Mineral Deposition  
b. Tape 2nd (d) and

which were viewing:

2) 11/0

1. a) in Esmeralda River for  
minerals - weather.

2. minerals  
minerals

2) 11/05

Artificial tree body

As

(3)

## REGIONAL INSTITUTE OF MEDICAL SCIENCES, HOSPITAL

LAMPUNG, IMPHAL

## DISCHARGE SLIP

Wt - 3.2 kg Hospital No. 86511

M.R.D. No. 20146

Name ..... D. Minomaka ..... Age 3 mth. Sex F

Address ..... Porsal Colony

H.O. Unit Dr. R. Mangi Singh Ward &amp; Bed No. Ped Ward Bed No. 82

Admitted on 27.11.05 Discharge on 11.12.05

Diagnosis and Findings ..... Enteritis - Severe (local)

Result - Cure/Recovered/Otherwise Improved

Brief clinical note ..... Admitted with cough, difficulty in

breathing, sickness (local) and no fever.

No fever, No pallor/gycanosis

No convulsions

No fits

No pallor/gycanosis

No fits

Chest B/L Crackle G

Chest B/L clear

CVS S.S.C. O

CVS /

PIA /

PIA /

CNS - focal seizures

CNS /

UL &amp; L toxic - clonic

Recommendation/advice ..... Discharged with advice and to

attend to Children's OPD after 1 week on my

workshop Thursday

Rx ① Iij C-Tri 250 mg

IM once/day → 4 days

② Ascoril Expect.

20 drops 2 times/day → 4 days

③ Mulinin Drops

6 drops twice/day → 1st

Signature of Registrar/Resident.

R. S. D.

11.12.05

(Use overleaf if necessary)

MR - 11

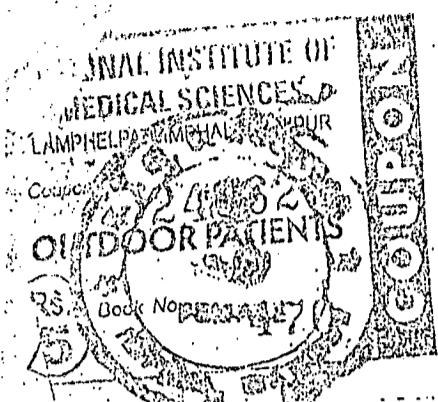
Antis to the line by

A



(12)

REGIONAL INSTITUTE OF MEDICAL SCIENCES, HOSPITAL  
LAMPHEL, IMPHAL.



## OUT-PATIENT RECORD

Hospital No.

295675

Sex	
Occupation	2011/12
Street	
State	
Occupation	Pratap Colony
Dr.	
Imphal Staff Designation	Department
If RIMS	Semester

## Record of Diagnosis

No.	Date	Diagnosis	Code No.	No.	Date	Diagnosis	Code No.
1	11/12/05						
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Procedure of G.O. Regd. of Posts, which  
Leaves on 15.1.97 - 1997-SPB-II  
1997-1998

Govt. G.L. Dept. of Post, Ltr. No. 141-37/96-SPB-II, dated 19-2-1997

Guidelines for Rotational transfer in Department of Post for 1997-98

(i) A reference is invited to this office letter No. 141-37/96-SPB-II, dated 29-2-1996 laying down the guidelines for rotational transfers for the year 1996-97. It has been decided that the policy guidelines as laid down in the following paragraphs should be adopted for ordering rotational transfers for the year 1997-98.

1. All Sub-Postmasters of single handed post offices must be shifted on completion of their tenure positively even if it involves moving out of station of their present postings. Those completing tenure by 30-9-1997 should be considered for transfer.

2. Sub-Divisional Inspectors and AMPOs in charge of sub divisions including their counterparts in the RMS, will be treated at par with single-handed Sub-Postmasters and those completing their tenure by 30-9-1997 should be considered for transfer.

3. Officials and officers falling in other categories should be transferred on completion of their prescribed post-tenure within the same stations to the extent possible. Where it is not possible to do so without shifting some of them outside their present stations, those who had completed their tenure on 30-9-1996 may be posted outside their present stations.

4. It has been seen that in some places officials belonging to different cadres are waiting since long for their posting to particular stations and it has not been possible to concede their request for one reason or the other, in order to accommodate long pending request for posting to such stations officials who have the longest stay at the station concerned. Such transfers in respect of non-gazetted officials may, however, be kept to the minimum and should be ordered only with the approval of the Regional PMG or the Chief PMG as the case may be.

5. Whenever any official/officer is "sent out" of a station on administrative grounds or due to rotation, he will be transferred on the criterion of longest stay at the station.

6. SHCO staff constitutes Circle cadre. In order, however, to minimize their hardship, their rotational transfers may be confined as far as possible within the same division or to the neighbouring divisions subject to the exceptions as in Para. 4 above.

Carried for the time being

R

7. The station tenure for gazetted officers is normally four years which may be extended up to six years in individual cases in the public interest. The powers for extending the station tenure beyond 4 years in respect of gazetted officers will be exercised by the Directorate.

8. Gazetted officers and non-gazetted supervisory staff such as ASPOs, IPOs, IRMs, etc., should not be transferred except in administrative interest from a post unless they have completed at least one year in that post. In other words, the period of one year shall continue to be taken as the minimum required period for officers/officials seeking such transfers. Leave of any kind exceeding 15 days will not be counted while computing this period.

9. The crucial date for computing the completion or otherwise of the tenure will be 30th of September.

10. Transfers may not be effected save in exceptional circumstances (which will include administrative necessity) in the middle of the academic session.

11. Transfers will be effected sufficiently in advance of the commencement of the academic year. Officials who are due to complete their tenure by 30th September in any year should be transferred in the preceding April-June period or the following December-January period depending upon the academic session. Those who are completing the tenure after the 30th September should be considered in December of the year or in April-June of the following year depending upon the starting date of the academic session.

12. Extension of post tenure for all non-gazetted staff may be allowed in deserving cases for a period of six months by the Regional PMsG and to gazetted officers up to the SP3 level by the Head of the Circle.

13. Those due to retire by 31st March, 1998, should not be shifted unless there are very special reasons.

14. In respect of Circle cadre where transfers/postings are done by the Regional PMsG, Chief PMsG must ensure that all reallocations in the said cadre to various Regions are finalized and conveyed to the Regional PMsG concerned by 15th March, 1997, so that while considering rotational transfer orders it is possible for them to take the same into account.

15. In the case of officers on deputation to other Ministries/Departments at the same station, tenure will be completed in accordance with instructions contained in Directorate Order No. 141-214/96-SPB-II, dated 3-12-1996.

16. Transfer in the interest of service may be ordered with the approval of the competent authority even though they do not fall within the purview of the above guidelines.

24

17. While ordering transfers, administrative needs of a particular division/office/region should be kept in view.

18. As far as possible, efforts should be made to utilize the expertise of computer-trained personnel by transferring them to post offices equipped with MPC/M and other technological aids. If a computer-trained official cannot be substituted by another official of similar skill, an exception from rotational transfers may be given by the concerned Regional PMG/Chief PMG.

19. Retransfer of an official/officer to the station from which he was transferred should not be normally considered for a period of two years. In other words, an officer/official should spend a minimum of two years at the station to which he is transferred before he can be considered eligible for transfer. Two year break is, however, only a minimum condition and it will not entitle an officer/official to claim retransfer to the old station in preference to others who have spent long periods outside. Retransfer after a break of two years may be considered on administrative as well as on compassionate grounds. In such cases, on retransfer, an officer/official will count his tenure at the old station afresh for the purpose of further rotational transfer. Retransfer before completion of two years may be considered only in extreme public interest or on an extreme compassionate grounds in exceptional cases with the approval of the Heads of the Circle. No request for retransfer will be considered with respect to any officer/official who does not join the station assigned to him.

20. As regards 'posting' of working couples at the same station, the same should be allowed if it is administratively convenient.

21. The aforesaid instructions may please be read in conjunction with the relevant rules contained in the Chapter II of P & T Manual Volume IV.

Enclaves of G.O.M. & Deptt. Pvts. Circles  
Ld. No. D1-1/98-SPB-II Dtd: 23-3-1999

G.O. Dept. of Posts, Cir. Ld. No. 141-1/99-SPB-II, dated 23-3-1999

Rotational transfers in the Department of Posts --- Policy guidelines for the year 1999-2000

I am directed to invite a reference to the D.O. letter No. 7-48/91-FC (Post), dated 3-9-1998 from Joint Secretary & Financial Adviser, Department of Posts, New Delhi, regarding the economy measures to be adopted to contain the expenditure.

2. Though there is no deviation in the policy to be adopted for the rotational transfers for the Financial Year 1999-2000 compared to the policy guidelines issued under this office letter No. 141-1/98-SPB-II, dated 23-2-1998, in order to curb expenditure on rotational transfers especially in the context of the need for effecting economy, it has been decided to restrict transfers to the barest minimum during the year 1999-2000. However, there will be no bar to transferring officials in all cadres including gazetted cadres, from one office to another in the same station where no T.A. expenditure is involved. Also there will be no bar to transferring officials in all cadres including gazetted cadres, from one place to another on administrative reasons and in the interest of service.

3. In respect of officials manning single handed Post Offices also, the existing policy of rotational transfer should be implemented, taking every care to keep the resultant expenditure to the minimum.

4. Heads of Circles/Regional Offices, etc., are requested to take immediate action in the matter accordingly.

5. Receipt of this letter may please be acknowledged.

Certified to be true by,

AS

**EXTRACT OF G.I. DEPTT. OF POSTS, CIRCULAR**  
 LETTER NO. 141-35/2001-SPB-II DTD. 11/04/2001

G.I. DEPTT. OF POSTS, CIR. I.R. NO. 141-35/2001-SPB-II  
 dated 11-4-2001

**Rotation Transfer Policy guidelines for the Year 2001-2002**

I am directed to invite reference to the guidelines for rotational transfers for the Year 2000-2001 issued under this Office letter No. 141-6/200-SPB-II, dated 24-4-2000 (Sl.No. 290 of Swamy's Annual 2000). There is no deviation in the policy to be adopted for rotational transfer for the Year 2001-2002. All the employees completing post tenure may be rotated subject to following broad principles of rotational transfers.

- (i) Matching of human resource with requirements of posts and placing officials in the choice stations may be considered in the overall context of administrative requirements and austerity measures.
- (ii) Inter-station transfers should be restricted to minimum in view of the austerity measures.
- (iii) Extension of tenure by one year except in the case of single handed Sub-Postmasters may be considered by the Head of Circle. The employees retiring within one year may be considered for retention. In respect of Group 'A' Officers, proposal of extension may be referred by Head of Circle to the Directorate.

2. New products and services are being introduced by the Department from time to time. Officials are being specifically trained to handle these products and services. Heads of Circle should build up a pool of trained Officials to handle these newly introduced products and services. However, officials especially trained to handle newly introduced products and services will not be transferred on completion of their tenure unless trained substitutes are available for replacing them.

3. In respect of Senior Group 'A' Officers, officers who have put in four years of service in a particular post or at a particular station may be invariably rotated, especially if the post occupied by them is sensitive in nature. Their transfers should be linked with their performance and requirements of the posts to be filled up.

4. In view of the well-defined principles of rotational transfers in this Department and provision of tenures and other administrative instructions, annual issue of rotational transfer guidelines is being discontinued. Changes in the existing policies will be communicated whenever necessary.

5. Heads of Circles are requested to take immediate action for issuing orders for rotational transfers.

6. Receipt of this letter may kindly be acknowledged.

*Act. for the Secretary*  
 Dr

To

The Chief Post Master General,  
N.E. Circle, Shillong.

(Through Supdt. of Post Offices, Imphal)

Subject :- Request for keeping the order of transfer to Itanagar until completion of current Educational session of my Children is upto April, 07.

Reference : C.O. Memo No. Staff/584/SBCO/RT/2004 dated the 17th April, 2006, at Shillong.

Respected Sir,

The sudden untimely order of transfer to Itanagar (Arunachal Pradesh) has compelled me to disturb your esteemed and precious attention and seek for your kind intervention and sympathetic consideration with following compelling facts :-

2. That Sir, I am the mother of 3 (three) Children. Out of that the last one is only 5 months old and suffering from chest problems. After delivery of the child on 27-9-05, the baby constantly remains suffering and during the intermediate period number of times she has been hospitalized with serious symptoms of chest diseases including Jaundice. Photocopies of a voluminous supporting documents marked 1 to 13 are enclosed for your kind perusal.

3. That Sir, my remaining two children are studying at Imphal and they are passing through middle of session of the Education Session. In case they are disturbed at this stage their Education carrier will be doomed and will effect their future prospectus. The Photo copies of Certificate granted by the School authorities are enclosed marked 14 to 15 for favour of your kind ready reference.

4. That Sir, my husband is also working as P.A. in S.B.C.O. and his tenure at Imphal will complete in the 1st quarter of 2007. My present transfer to Itanagar alone will disturb my couple life and alone I shall be facing of tremendous difficulties in to look after the welfare of my Children at Itanagar if I am to move alone.

Contd....2/-

Attached for your kind

A

*Appl'd for*

Hence, with the above genuine facts and circumstances I request your honour to kindly bestow your good wishes and cause to keep the order of transfer <sup>in abeyance</sup> till Jan, 2007 when the Education carrier of my Children will over and my small infant baby will also get recovery from her illness. At the time of my transfer it may kindly be considered to transfer my husband to a same station simultaneously so that the proper care of my children are not disturbed.

An immediate favourable action in the matter is solicited to avoid my mental anxiety which I am facing on receipt of above order of transfer from circle Office.

Yours faithfully,

Dated: 24-04-2006.

*Th. Meena Devi*

( Th. Meena Devi )  
P.A./SBCO, Imphal.

Advance copy to :-

- ✓ 1. The Chief Post Master, General, N.E. Circle, Shillong for his kind information and immediate intervention as prayed for.
- ✓ 2. A.O.I.C.O. (S.B) O/O C.P.M.G. Shillong for information and similar action.

*Th. Meena Devi*

( Th. Meena Devi )  
P.A./SBCO, Imphal.

COMMUNICATION REPORT

DATE/TIME : 2006 MAY/15 15:18

NAME : PENGUIN P C O GHY 7

\* REMOTE ID -----> 03642223034  
\* TX PAGES -----> 01  
\* START TIME -----> 15:17:38  
\* DURATION -----> 00:48  
\* RESULT -----> O.K.

COMMUNICATION REPORT

DATE/TIME : 2006 MAY/15 15:19

NAME : PENGUIN P C O GHY 7

\* REMOTE ID -----> 03642223034  
\* TX PAGES -----> 01  
\* START TIME -----> 15:18:58  
\* DURATION -----> 00:58  
\* RESULT -----> O.K.

COMMUNICATION REPORT

DATE/TIME : 2006 MAY/15 15:24

NAME : PENGUIN P C O GHY 7

\* REMOTE ID -----> 03642223034  
\* TX PAGES -----> 01  
\* START TIME -----> 15:24:11  
\* DURATION -----> 00:45  
\* RESULT -----> O.K.

COMMUNICATION REPORT

DATE/TIME : 2006 MAY/15 15:26

NAME : PENGUIN P C O GHY 7

\* REMOTE ID -----> 03642223034  
\* TX PAGES -----> 01  
\* START TIME -----> 15:25:30  
\* DURATION -----> 00:50  
\* RESULT -----> O.K.

cut off the top

A

130  
Imphal,  
15<sup>th</sup> May 2006.



To

1. The Chief Post Master General,  
N.E-Circle, Shilong – 793 001.  
[ Thro' the Director Postal Services, Manipur]
2. The Director Postal Services,  
Manipur, Imphal – 795 001.
3. The Deputy Supdt of Post Offices,  
Manipur Division, Imphal – 795 001.

Sub:- Service of Hon'ble CAT/Guwahati Bench order dated 15<sup>th</sup> May 2005 in O.A No.118 of 2006 for timely compliance.

- AND -

Notice intimating the stay of transfer of Smti. Th. Meena Devi, PA(SBCO), Imphal HPO to Itanagar HPO by the Hon'ble CAT/Guwahati Bench vide order dated 15<sup>th</sup> May 2005 in O.A No:118 of 2006;

Ref:- C.O/Shillong Memo No.Staff/584/SBCO/RT/2004 dated 17<sup>th</sup> April 2006.

Respected Sir,

I am submitting herewith a certified copy of Hon'ble CAT/Guwahati Bench order dated 15<sup>th</sup> May 2005 in O.A No.118 of 2006, which is self explanatory.

2. The order of the Hon'ble CAT/Guwahati Bench may kindly be complied with, failing which I shall have no alternative but to initiate appropriate legal action.

3. Since my transfer to Itanagar, as order in C.O/Shillong Memo No.Staff/584/SBCO/RT/2004 dated 17<sup>th</sup> April 2006 has already been stayed by the Hon'ble CAT/Guwahati Bench in the attached order dated 15<sup>th</sup> May 2006 in O.A No.118 of 2006, I may be allowed to continue as P.A(SBCO), Imphal HPO in the interest of justice.

Yours truly,

*Th. Meena Devi*

15/5/06

(Th. Meena Devi)  
Postal Assistant(SBCO),  
Imphal H.P.O-795001.

*Rec'd & read & copy*  
15/5/06  
ASR  
Encl: Hon'ble CAT/Guwahati Bench  
Order dated 15<sup>th</sup> May 2006 in O.A No.118 of 2006.

*Certified & the true Copy.*

*A.J.*

EXTRACT OF G.I. DEPTT. OF POSTS, CIRCULAR  
LETTER NO. 141-77/2000-SPB-II DTD. 02/03/2000

G.I., DEPTT. OF POSTS, NO. 141-77/2000-SPB-II, DATED 2-3-2000

**Rotational Transfers guidelines of SBCO staff in the Department of Posts.**

I am directed to refer to this Department's letter of even number, dated 30-3-1999 on the above subject. It has now been decided that 2-3 HPOs as far contiguous as possible should be grouped together and the SBCO staff transferred to such group of HPOs after they complete their prescribed tenure. The HPOs grouped together as above on the principle of contiguity should be as far as possible within a Division and if not within the Region.

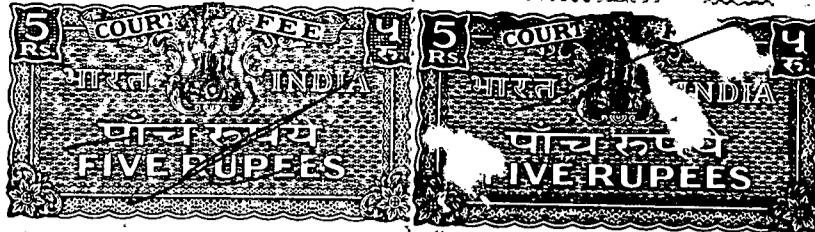
However, as envisaged in this Department's orders, dated 30-3-1999, any transfer outside a Region should be done only with the concurrence of the Head of the Circle and on specific administrative grounds only. It should also be ensured that while considering the rotational transfers of SBCO staff in the groups of HOs, consideration is given first to the pending requests of the officials for transfer from suburban areas and unpopular stations to the City Divisions and more popular areas.

*certified by me by*

*A*

Dist. =

Impd



132

M. Meena Devi

IN THE GAUHATI HIGH COURT  
(THE HIGH COURT OF ASSAM, NAGALAND, MEGHALAYA, MANIPUR, TRIPURA,  
MIZORAM AND ARUNACHAL PRADESH)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

IN THE COURT OF ..... AT GUWAHATI

CA No. 124 OF 2006

Smt. R. Meena Devi

Appellant

VERSUS

Plaintiff/ Petitioner

Union of India

Respondent

Defendant / Opposite Party

Know all men by these presents that the above named .../.../...

do hereby nominate, constitute and appoint Sri. B. Kalita, Mr. Adwesh ...  
.../.../.../.../.../...

Advocate and such of the undermentioned Advocates as shall accept this Vakalatnama to be  
my/ our true and lawful Advocate to appear and act for me/ us in the matter noted above and in  
connection there with and for that purpose to do all acts whatsoever in that connection including  
depositing or drawing money, filling in or taking out papers, deeds of composition, etc. for me/  
us and my/our behalf and I/We agree to ratify and confirm all acts so done by the said advocates  
as mine/ ours to all intents and purposes. In case of non-payment of the stipulated fee in full,  
no Advocate will be bound to appear or act on my/ our behalf.

In witness whereof I/ We hereunto set my/ our hand this 25th

..... day of May / 2006

Mr. B. Kalita - L. Adwesh -  
Mr. B. K. Talukdar

(1) Mr. P. K. Goswami	(9) Mr. M. K. Choudhury	(17) Mr. P. C. Kalita
(2) Mr. P.C. Deka	(10) Mr. B. M. Sarma	(18) Mr. K. Paul
(3) Mr. J. M. Choudhury	(11) Mr. G. K. Thakuria	(19) Mr. U. K. Nair
(4) Mr. A. K. Bhattacharyya	(12) Mr. M. Chanda	(20) Mr. D. K. Sarmah
(5) Mr. B.K. Sharma	(13) Mr. B.K. Baishya	(21) Mrs. N. S. Thakuria
(6) Mr. L. Talukdar	(14) Mr. D. S. Bhattacharyya	(22) Mr. U. K. Goswami
(7) Mr. P.K. Tiwari	(15) Mrs. S. D. Baruah	(23) Mr. A. Rahman
(8) Mr. T. N. Srinivasan	(16) Mr. Siddhartha Sarma	(24) Mr. M. Dutta

Sri. .... B. Kalita .... Senior Advocate, leads me/ us in this case.

B. K. Talukdar  
A. Deka  
25-5-2006  
Accepted

Received from the executant,  
satisfied and accepted.

Accepted

B. Kalita  
Advocate

25-5-2006

Advocate

Advocate

Arka

B. K. Zulhda, Adib -  
Gawali, Right Court

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To The S. Central Govt. Standing Council,  
C.A.T., Gwalior Bench

O.A. no - - / 2006

Subhikshya Devi = Paliwal

Union of India vs - Respo.

Dear Sir,

Please find herewith a copy of  
O.A. which is being filed in the Hon'ble  
Central, Gwalior Bench and the same will  
be moved in due course.

Kindly acknowledge receipt.

Yours faithfully,

B. K. Zulhda,  
Adib

Received by  
Gopal Singh 25.05.06  
S. Central Govt. Standing  
Council, C.A.T.

FORM No. 12  
[ See Rule 67 ]

(34)

VAKALAT NAMA

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

OA / RA / CP / PT / No: ... / 24 ... of 2006

Date Executed: 20/06/2006

..... Shri. H. Meena Devi ..... Applicant(s)

VERSUS

..... 2006 ..... Respondent(s).

I, ..... Shri. H. Meena Devi ..... , Applicant(s) .....

Respondent No. .... in the above application / petition do hereby appoint and retain

Shri. B. C. Pathak ..... and .....

..... Advocate(s)

to appear, plead and act for me/us in the above application/petition and to conduct and prosecute all proceedings that may be taken in respect thereof including Contempt of Court Petitions and Review Applications arising there-from and applications for return of documents, enter into compromise and to draw any moneys payable to me/us in the said proceeding.

Place :

Shri. Meena Devi

Date :

Signature of the Party.

Executed in my presence.

\*Signature with Date  
(Name and Designation)

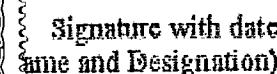
"Accepted"

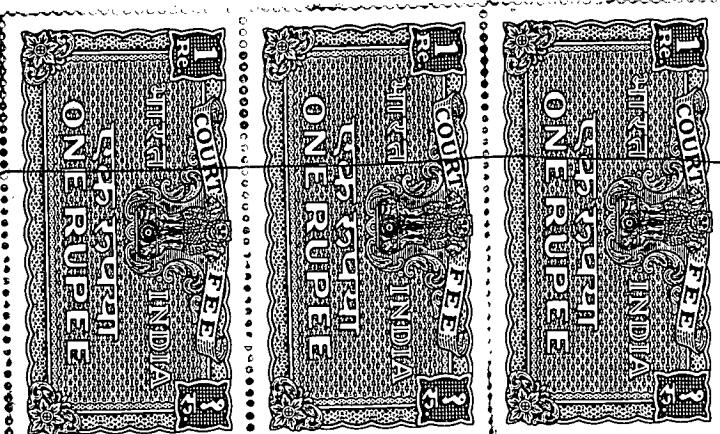
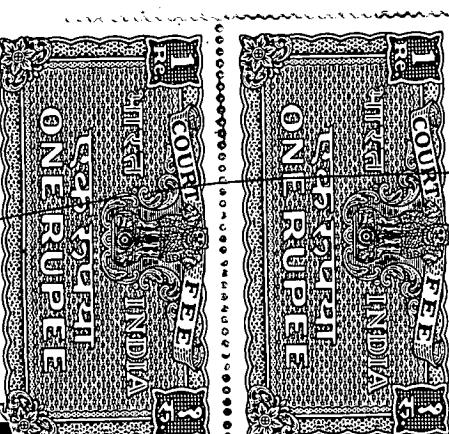
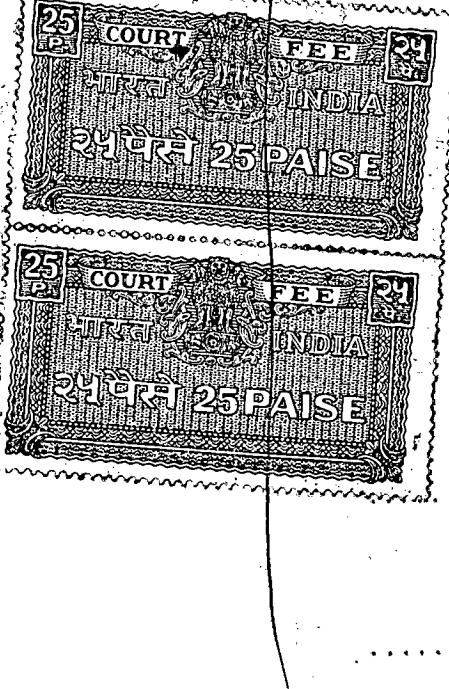
  
Signature with date  
(Name of the Advocate)

Name and address of the Advocate for Service

\*The following certification to be given when the party is unacquainted with the language of the vakalath or is blind or illiterate: -

The contents of the vakalath were truly and audibly read over/translated into ..... language known to the party executing the vakalath and he seems to have understood the same.

  
Signature with date  
(Name and Designation)



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH, GUWAHATI

D.A. NO. 124 OF 2006

Smt. T. Meena Devi.

... Applicant.

-VS-

Union of India & Ors.

... Respondents.

The written statement on behalf of the  
Respondents above named-

WRITTEN STATEMENT OF THE RESPONDENTS

MOST RESPECTFULLY SHEWETH:

1. That with regards to the statement made in paragraph 1 of the instant application the respondent begs to state that the impugned order of transfer issued vide Circle Office, Shillong, Memo No. Staff/584/SBCO/RT/204 dt. 17/4/06 was in accordance with the existing Rule 34 of P & T Manual Vol. IV and subsequent regulations prescribed for the purpose. Therefore, there was no irregularity in the impugned order and no injustice was done to the petitioner. the impugned Transfer Order was issued on completion of prescribed tenure of the Petitioner, in the interest of service and not in the middle of academic session.

Further, the Postmaster General is empowered to dispose of the representation of the petitioner regard-

Contd....p/

File No. 35  
The respondents  
through  
Guwahati Bench  
S. C. S.  
18.09.06

(2)

ing her transfer & posting addressed to the Chief Postmaster general of the Circle. So, by considering and disposing the representation dated 24/4/06, submitted by the petitioner, and issuing speaking order there on, the Postmaster general's action is in order and there is nothing illegal.

2. That with regards to the statement made in paragraph 2 in the instant application the respondents have no comment.

3. That with regards to the statement made in paragraph 3 of the instant application the respondents have no comment.

4. That with regards to the Statement made in paragraphs 4.1 of the instant application the respondent beg to state that the details of the case of Education Department, quoted in this Para, is not available with the respondents. but, it is submitted that the impugned transfer of the petitioner is not in the middle of the academic session. The academic session in the State of Arunachal Pradesh, in which the Petitioner has been posted, starts in April, every year. the Petitioner is fully aware of the fact and that is why she applied for her retention at Imphal up to April, 2007 vide her application dated 24/4/2006 (Annexure-A). While the petitioner is transferred in April, 2006, she has raised serious objection that it is in the middle of academic year, but while she herself applied for retention she mentioned the period upto April, 2007. So, there is something hidden in her own averment, which may be looked into.

Contd....p/

(3)

The cadre of SBCO staff, to which the Petitioner belongs, are transferable throughout the Circle and they can be posted in Head Post Offices only. The State of Manipur has got only one Head Post office at Imphal in which the Petitioner has already completed her prescribed tenure. therefore, there is no scope to retain the Petitioner within the same State by transferring her from one office to another. Moreover, all other staff involved in the tenure transfer have joined their new postings. As such, deciding this case in favour of the applicant will cause hardship and dislocation to them.

5. That with regards to the statement made in paragraph 4.2 of the instant application the respondent begs to state that reproduction of the same facts means that the matter is already decided by the Hon'ble CAT in earlier case and as such the present O.A. on the same matter is not maintainable and liable to be dismissed.

6. That with regards to the statement made in paragraph 4.2.1 of the instant application the respondent begs to state that it is admitted that she is a Postal Assistant in SBCO and was working at Imphal H.O. she has since been transferred and relieved. The applicant however reported sick.

7. That with regards to the statement made in paragraph 4.2.2 of the instant application the respondents have no comment.

8. That with regards to the statement made in paragraph 4.2.3 of the instant application the respondent begs to state that from her own statement it may be seen that the Petitioner is being rotated to Imphal periodi-

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(4)

cally. Initially on her recruitment she was posted at Imphal and worked there more than 4 years. Then again, she has been brought to Imphal in April,02 and accordingly by March, 2006 she has completed her prescribed tenure of 4 years at Imphal. According to her own statement in this Para, out of total length of about 13 years of service, i.e. 06/10/93 to 30/4/2006, the petitioner worked at Imphal, her native place, for 9 (nine) years in two spells, i.e. from 06/10/93 to August, 1998 and again from 04/04/2002 to 04/2006. Therefore, no injustice was done to the Petitioner by the humble respondents.

9. That with regards to the statement made in paragraph 4.2.4 of the instant application the respondent begs to state that regarding academic session, already discussed in para 4.1. The Petitioner was transferred immediately before the commencement of academic session in the State of Arunachal Pradesh in which she has been posted.

10. That with regards to the statement made in paragraph 4.2.5 of the instant application the respondent begs to state that as already stated in para 4.1, there is no scope of Grouping the Offices as there is only one Head Post Office in State of Manipur. Transfer of husband of the Petitioner to same station could be considered simultaneously if he had applied for the same, as he is yet to complete his tenure. but no request is received from her husband as yet.

11. That with regards to the statement made in paragraph 4.2.6 of the instant application the respondent begs to state that the transfer of the petitioner was

Contd....p/

necessary in the interest of service and for Administrative reason and it was not in the middle of academic session. The academic session in the state of her posting i.e. Arunachal Pradesh, is commenced from April every year. her transfer order issued on 17/4/2006 to have immediate effect. As such, her contention that she was transferred in middle of academic year is baseless and unacceptable.

She completed her tenure at Imphal in April, 2006, as such, the case of her transfer was considered in time and the order was issued in the month of April itself depending upon the commencement of academic session in the state of her posting, i.e. Arunachal Pradesh.

Regarding posting of working couples at the same station, it is to state that her husband is also working in the same office at Imphal, but he did not complete his tenure. He might have been transferred and posted at Arunachal Pradesh if he would apply for the same.

Therefore, the transfer order of the applicant was issued considering all aspects, Departmental rules & guidelines, issued from time to time.

12. That with regards to the statement made in paragraph 4.2.7 in the instant application the respondents have already narrated in forgoing paras.

13. That with regards to the statement made in paragraph 4.2.8 & 4.2.9 of the instant application the respondent begs to state that the petitioner is fully aware of the fact that the maximum tenure in one post is four years. Even, she came to Imphal on transfer to

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(6)

Kohima in April, 02 as stated in Para 4.2.3. As such, it cannot be stated that she could not anticipate the transfer. further, it cannot be stated that the transfer was in the middle of academic session as stated in foregoing paras. She, herself applied for her retention at Imphal up to April, 07 vide her application dated 24/4/2006.

It is pertinent to be mentioned that in her representation the applicant prayed for her retention at Imphal upto April, 2007 vide her application dated 24/4/2006. But the same applicant agitating and challenged her transfer order as in the ground of mid session which was issued in the month of April, 2006. Even the representation which has been annexed by the applicant as Annexure-A-12 is not the actual copy submitted by the applicant before the respondent authorities. the applicant filed the aforesaid representation dated 24/4/2006 before the respondent authorities with a prayer to keep the order of transfer in abeyance till April, 2007. But the said April 2007 on the 3rd line of the 1st paragraph at page 2 of the representation dated 24/4/2006 was being over written as January, 2007. The said mis representation of fact amounts to play fraud with the court and it appears that the applicant did not approach the court with clean hand and tried to establish her case by misrepresentation, manipulation, fraud for which the instant original application is liable to be rejected.

A copy of the application dated 24/4/06 is annexed herewith and marked as ANNEXURE-A.

Contd....p/

(7)

14. That with regards to the statement made in paragraph 4.2.10 of the instant application the respondent begs to state that the husband of the Petitioner could be posted at Arunachal Pradesh if he had applied for as he is yet to complete his tenure. Otherwise posting of her husband to Itanagar will be considered next year after he completes his tenure. It can be done now also if he applies for the same.

15. That with regards to the statement made in paragraph 4.3 of the instant application the respondent begs to state that the PMG, Shillong the Head of the Region has considered and disposed of her representation dated 24/4/06 after giving due consideration to all facts narrated therein, in compliance to order of Hon'ble CAT/Guwahati dated 15/5/06 in OA No.113/06 and speaking order was issued vide CPMG, Shillong L/No.Staff/584/RT/SBCO dated 22/5/06.

16. That with regards to the statement made in paragraph 4.4 of the instant application the respondent begs to state that the OA is not maintainable in the Hon'ble CAT because the fact is already considered and decided by the Hon'ble CAT in OA No.113/06. Further the Petitioner did not exhaust the normal office channel. her representation dated 10/6/06 is still pending with the respondents. As such, the O.A. may kindly be rejected summarily.

17. That with regards to the statement made in paragraph 5.1 of the instant application the respondent begs to state that the direction of Hon'ble CAT dated 15/5/06 in OA No.113 of 2006 is fully complied with by the respondent giving due consideration and application of

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(8)

mind to the applicants' representation dated 24.4.06 and passed appropriate speaking order within the fixed time frame. The Postmaster General is the Head of the Region, comprising of Manipur State, so he is competent and empowered by the Department to dispose the representation of the applicant. It is the fact that the transfer order of the applicant was issued by the competent authority in the interest of service and on completion of prescribed tenure of the petitioner. The context of the case in between Director of School education, Madras Vrs. O Karuppa Theven as referred to in this para is not known to the respondents. It may not be applicable in the instant case also as it is not in the middle of academic session.

18. That with regards to the statement made in paragraph 5.2 of the instant application the respondent begs to state that the N.E Postal Circle comprises of six states and except in Tripura & Meghalaya States, there is one Head Post Office in each of the States. As such, the Head Post Offices cannot be grouped together for a particular State/Postal Division except in Tripura & Meghalaya. the SBCO staff are having the Circle-transfer liability and they are to be transferred from one state to another on completion of prescribed tenure in the interest of service. The Postmaster General is competent to exercise the power of Chief Postmaster General. Therefore, the transfer order of the applicant dated 17/4/2006 was not irregular at all and the OA is liable to be dismissed.

19. That with regards to the statement made in paragraph 5.3 of the instant application the respondent begs to state that another official namely Miss R.K. Sanjeeta

Devi, who has been posted and since joined accordingly in place of the petitioner, was posted at Dharmanagar on her initial appointment in June/July 03. After her joining at Dharmanagar she applied for her transfer to Imphal H.O.

As admitted by the applicant herself in Para-4.2.3. of the O.A, the applicant was initially posted at her native place, Imphal and completed her tenure at Imphal in second time also. But Miss Sanjeeta was posted at Dharmanagar H.P.O. in the year 2003 and her request for transfer to Imphal H.O. was pending with the competent authority since 2003. As such the long pending request of Miss Sanjeeta Devi was considered in place of the applicant who has completed tenure at Imphal for second time also.

The request of Miss Sanjeeta Devi was considered as per instruction contained in Para (4) of DOP Govt. of India, letter No.141-4/97-SFB-II dated.19-2-97, as mentioned by petitioner herself in para 4.2.3 of the O.A.

The copies of the application for transfer to Imphal dated ..... and dated 6/1/06 are annexed herewith and marked as ANNEXURE- B & C.

20. That with regards to the statement made in paragraph 5.4 of the instant application the respondent begs to state that the case of I.Y. Devi, PA (SBCO) Kohima H.O and Smti. Lianjualai Pautu, PA (SBCO) Aizwal H.O. were considered on their merits because both of the officials requested to continue in their respective old station for one year more. On the other hand there was

(10)

no request from the petitioner for such extension in Manipur. As such, those cases cannot be compared with the transfer case of the petitioner.

21. That with regards to the statement made in paragraph 5.5 of the instant application the respondent begs to state that in the transfer order dtd.17.4.06 eight officials were transferred. All the transfers were made in the interest of service and all the case were considered as far as possible, keeping in mind the interest of service and convenience of staff as well. The case of the applicant was also considered but could not be kept in the same station because (i) she completed her tenure (ii) she was posted at Imphal twice already and (iii) there is no other office for her posting in the same station/State.

22. That with regards to the statement made in paragraph 5.6 of the instant application the respondent begs to state that the contention of the applicant is not correct. As per instruction contained in Para-II of D.O. Posts, Govt. of India letter No.141-4/97-SPB-II dtd.19.2.97 " those who completing their tenure after 30th September should be considered in December of the year or in April-June of the following year depending upon the starting date of the academic session." The petitioner completed her tenure in the month of April i.e before 30th September of the year and as such, her transfer order was due to be issued in the month of December 2005. But she was allowed to continue in the same station upto March 2006 and considering starting of academic <sup>session</sup> in the new place of posting i.e. Arunachal Pradesh in the month of April '06'.

(11)

23. That with regards to the statement made in paragraph 5.7 of the instant application the respondent begs to state that the applicant has been posted at Itanagar, the capital town of Arunachal Pradesh which is having well communication facilities with day bus services and night bus services as well. The applicant can easily take her breastfed child there. Being the state capital, ample medical facilities are there at Itanagar. As such, it is a lame excuse that her child will not get due medical treatment at Itanagar.

24. That with regards to the statement made in paragraph 5.8 in the instant application the respondent begs to state that there is no omission or commission on the part of the respondents. Further respondents begs to state that the facts is already explained in the forgoing paras. Further the respondent beg to state that the applicant by mis-representation herself approached this Hon'ble Tribunal for which the instant application is liable to be dismissed. The grounds setforth in the O.A. are not tenable in law as well as on facts and circumstances of the case and are not good ground for which the instant application is liable to be dismissed.

25. That with regards to the statement made in paragraph 6 of the instant application the respondent begs to state that this is the false declaration of the applicant that she has no statutory remedy to avail from the Departmental authorities of Postal Deptt. She has already applied to the D.G. Dept. of Post, Govt. of India, New Delhi for consideration of her case vide her application dtd.10.6.06 which is still under process for onwards transmission to New Delhi.

Contd....p/

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(12)

A copy of the applicants representation is annexed herewith and marked as ANNEXURE-'D'.

26. That with regards to the statement made in paragraph 7 of the instant application the respondent begs to state that the matter is already considered by the Hon'ble CAT/Guwahati in OA No.113 of 2006 and passed order dtd. 15.5.06. The respondent also complied with that order of Hon'ble CAT in Toto.

27. That with regards to the statement made in paragraph 8 of the instant application the respondent begs to state that the applicant was posted twice in her native place, allowed to complete tenure on both occasions, starting of academic session in the new state of posting was considered and order of Hon'ble Cat dtd.15.5.06 in OA. No.113/06 was complied with by the respondents. As such, no relief is admissible to the applicant and the O.A. is liable to be dismissed.

28. That with regards to the statement made in paragraph 9 of the instant application the respondent begs to state that the petitioner is already relieved and her substitute joined in the post. As such, the transfer order dtd.17-5-06 is already implemented. There is no vacant post Imphal at present to allow the applicant to rejoin and to continue there. Therefore, the interim order prayed for, is liable to be rejected.

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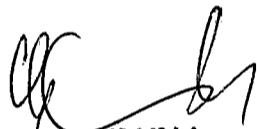
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(13)

VERIFICATION

I, S. M. LALHUNA..... S/o NGITING LOVA  
..... 56.. aged about years R/o Shillong.....  
District East Khasi Hill..... and competent officer of the  
answering respondents, do hereby verify that the state-  
ment made in paras. 1 to 12, 14 to 18, 20 to 28<sup>26 to 28</sup>, are true to my  
knowledge and those made in paras... 13, 19, 25.....  
being matters of record are true to my knowledge derived  
therefrom which I believe to be true and the rests are  
my humble submissions before this Hon'ble Tribunal.

And I sign this verification on this 30th day  
of August, 2006 at Guwahati.

  
S. M. LALHUNA  
Postmaster General  
N.E. Circle, Shillong-793001

Annexure - 'A'

28/04/06 14

To

The Chief Post Master General,  
N.E. Circle, Shillong.



(Through Supdt. of Post Offices, Imphal)

Subject :- Request for keeping the order of transfer to Itanagar until completion of current Educational session of my Children is upto April, 07.

Reference : C.O. Memo No. Staff/584/SBCO/RT/2004 dated the 17th April, 2006, at Shillong.

Respected Sir,

The sudden untimely order of transfer to Itanagar (Arunachal Pradesh) has compelled me to disturb your esteemed and precious attention and seek for your kind intervention and sympathetic consideration with following compelling facts :-

2. That Sir, I am the mother of 3(three) Children. Out of that the last one is only 5 months old and suffering from chest problems. After delivery of the child on 27-9-05, the baby constantly remains suffering and during the intermediate period number of times she has been hospitalised with serious symptoms of chest diseases including Jaundice. Photocopies of a voluminous supporting documents marked ① to 13 are enclosed for your kind perusal.

3. That Sir, my remaining two children are studying at Imphal and they are passing through middle of session of the Education Session. In case they are disturbed at this stage their Education carrier will be doomed and will effect their future prospectus. The Photo copies of Certificate granted by the School authorities are enclosed marked - 14 to 15 for favour of your kind ready reference.

4. That Sir, my husband is also working as P.A. in S.B.C.O. and his tenure at Imphal will complete in the 1st quarter of 2007. My present transfer to Itanagar alone will disturb my couple life and alone I shall be facing of tremendous difficulties in to look after the welfare of my children at Itanagar if I am to move alone.

Contd... 2/-

Some LPP  
Sagor  
DN.

- : 2 : -

Hence, with the above genuine facts and circumstances I request your honour to kindly bestow your good wishes and cause to keep the order of transfer <sup>in abyance</sup> till April, 2007 when the Education carrier of my Children will over and my small infant baby will also get recovery from her illness. At the time of my transfer it may kindly be considered to transfer my husband to a same station simultaneously so that the proper care of my children are not disturbed.

An immediate favourable action in the matter is solicited to avoid my mental anxiety which I am facing on receipt of above order of transfer from circle Office.

Yours faithfully,

Dated: 24-04-2006.

Th. Meena Devi.

( Th. Meena Devi )  
P.A./SBCO, Imphal.

Advance copy to :-

1. The Chief Post Master, General, N.E. Circle, Shillong for his kind information and immediate intervention as prayed for.
2. A.O.I.C.O. (S.B) O/O C.P.M.G. Shillong for information and similar action.

SD

( Th. Meena Devi )  
P.A./SBCO, Imphal.

10  
16  
SMA  
FEB 26 '03  
Annexure - 'B'  
15  
15  
The Post Master General (Staff)  
North Eastern Circle, Shillong.  
Through proper channel

Subject : Recruitment in P.A. Cadre in Manipur Postal Division



Respected Sir,

In connection with the advertisement published by the Department of Post, it has come to light that the Director of Postal services Manipur is going to select as many as 6 (six) qualified candidates for the recruitment in Postal Assistant cadre and for that application have been invited from the eligible intending candidates. I, the undersigned respectfully beg to lay the following few lines for your kind consideration and action as your honour deem.

1. That, Sir, I was selected as P.A. (S.B.C.O.) for the recruitment held in the year 2002 and in completion of prescribed training, I was posted at Dharmanagar Head Post Office on dated 06-09-03. After my joining at Dharmanagar, I am facing inconveniences as regards to my proper lodging and safety as because I am an unmarried girl and leaving alone with insecure mind.
2. That, Sir, after knowing the recent publication of the advertisement in Manipur I desire to participate in prescribe test Exam. and interview to be taken by the Director of Postal Services, Imphal.

True copy  
Bogor Adw.

The Chief Postmaster General(Staff)  
North East Circle,  
Shillong - 793 001

Subject: Representation in respect of transfer – case of Smt. R.K Sanjeeta Devi PA  
SBCO Dharmanagar.

Sir,

Most humble respect, I have the honour to state that my earlier representations on the captioned subject may kindly be treated as cancelled.

2, That Sir, I have completed 2 year of service with entry in the service on 06-09-2003 and posting at Dharmanagar Division. And I am 30 years of age at the proper time of marriage.

3. That Sir ,My parents desire to get my marriage from the same community from Manipur. But proposal for marriage could not be initiated due to my present posting outside the Manipur state.

4. That Sir, as PA SBCO is under Circle Transferable Cadre , my next transfer/posting may kindly be considered in Manipur Division as my home town is in Manipur State. So that my married life can be started in Manipur.

With oblige,

Yours faithfully,

R.K. Sanjeeta Devi  
(Smt. R.K Sanjeeta Devi )  
PA SBCO , Dharmanagar.

Dated 6<sup>th</sup> Jan'2006

Medior in Request kept  
And keep in mind at  
the time tenure stands for

Noted as per order  
PA 606

06/01/06

Envelope  
Roshin PA

3. That, Sir, in case I am mercyfully allowed by your honour to appear in the above interview/test and in case as per my available ability and efficiency I am selected in Manipur against the existing vacancy, I shall not claim my seniority and I shall join as a new entrant by foregoing my present service.

4. That, Sir, I belong to OBC and as per the publication of advertisement the maximum age limit has been fixed upto 28 years, but due to continuation in P.A. SBCO cadre under your disposal I have already crossed the above age limitation.

The above facts and circumstances, I request your honour to kindly extent your generous help and cause to forward the enclosed application to the Director of Postal Services Manipur and also mercyfully grant exemption of age limit as I am already in service since dated 06-09-03.

For this act of kindness I shall remain grateful to you.

*Yours faithfully,*

*R.K. Sanjeeta Devi*  
 (R.K. Sanjeeta Devi)  
*Postal Assistant*  
 Head Post Office, Dharmanagar

*Copy to :* The Director of Postal Services, Imphal for his kind consideration as prayed for along with an application for recruitment and with enclosures.

✓ 2. Advance copy to PMG, SHILLONG along with  
~~He~~ enclosures - Sd/-

2. R.K. Sanjeeta Devi  
*Postal Assistant*

Head Post Office, Dharmanagar  
 on leave at Imphal,  
 SAGOLBAND MARUDHOL MANTRI,  
 LEIKAI, IMPHAL, MANIPUR-795001.

Annexure - 'D'

19

20-1/c

To,

Shri. U.S Raghavan,  
Director General  
Department of Posts,  
Government of India  
New -Delhi-1.

(Through Proper channel)

Subject :- I. In the matter of most whimsical and intentional harassment, mental torture and creation of unprecedented situation in the family life, damaging educational career of my two school going children by the Post Master General, Shillong in connection with untimely and irregular tenure transfer to Itanagar (Arunachal Pradesh) from Imphal (Manipur)

AND

II. In the Other hand undue and open favour to Miss R.K. Sanjeeta Devi, Postal Assistant (S.B.C.O.), Dharmanagar by transferring her to Imphal in my place even before completion of tenure (3 years continuous service) at Dharmanagar, where as the prescribed tenure period in North Eastern circle is 4 year.

AND

III. In the matter of humble prayer with folded hands for kind immediate interference to save the future educational career of my children whose academic session falls from January to December of the year, and going to end on 31-12-2006, And also to cause to unveil the mask behind screen against exhibiting naked case of favouritism in the name of tenure transfer.

Most respected Sir,

At the very outset, the poor applicant most humbly owe pardon for addressing this application to your honour in most helpless conditions, and finding no alternative to overcome the crisis caused due to sudden and untimely tenure transfer to Itanagar by P.M.G. Shillong without any prior information and without offering any opportunity to communicate the place of choice/willingness etc. In this connection I fervently request your honour to kindly spare a minute of your precious time to go through the facts relating to open discrimination behind the aforesaid tenure transfer and to favour this poor applicant to have with a justful and reasonable decision. In this connection, this poor applicant may kindly be allowed to put forward her lamenting facts and unjustful and arbitrary action by the higher authorities specially P.M.G. Shillong who has created mounting problems in personal as well as in family life.

Contd ..2/-

For lopt  
For pdn.

1. That Sir, I am your poor sub-ordinate and working as Postal Assistant in Saving Bank Control Organization at Imphal. I am the mother of two School going children at Imphal and a seven months breast-fed child. Unfortunately, the newly born child while coming out from the womb was found suffering from Jaundice and Symptom of Pneumonia. Due to these two dangerous symptoms she was shifted to Medical ward only after 2 hours of her birth. Thereafter she had to remain for longer time in the hospital and even after recovery very frequently she has been hospitalized repeatedly to save her life from uncertain circumstances. The relevant supporting documents are enclosed marked 1 to 17 for favour of your kind perusal and disposal.

2. That Sir, the applicant is a women employee whose husband is also employed as Postal Assistant (SBCO) at Imphal post office. The applicants first daughter (aged about 5 year) is studying in class 1 in a local school at Imphal and the second child (son) age about 4 years is studying in K.G. I in a local School at Imphal. As already stated above that the Academic session in Manipur runs from January to December of the year and thus the present crucial time of transfer is just the middle of their educational session. In support, the applicant most respectfully submits photostat copies of School reading certificates fro favour of your kind disposal and marked 18 and 19.

3. That Sir, the applicant has been serving in the Deptt. of Posts since 6-10-1993 and she joined at Imphal Post Office on 4-4-2002 after her transfer from Kohima (Nagaland) and is rendering highly satisfactory service in her present posting at Imphal Head Post Office.

4. That Sir, soon after the receipt of the impunged order of transfer issued by the P.M.G., Shillong vide his memo no. staff/584/SBCO/RT/2004 dated 17/04/2006. I submitted a humble representation dt. 24-04-2006 to the Chief Post Master General, N.E. Circle (Shillong) in which the applicant had pin-pointly highlighted her problems, such as her transfer in the middle of the academic session of her two children and the ailing condition of her breast fed baby of 7 months old who is surviving by constant treatment and care of a child specialist Doctor at Imphal right from the time of her delivery from the mother's womb. A simultaneous request was also made to stay the order of transfer only upto the end of education session i.e. December 2006 and at the time of transfer it was requested to consider the transfer of her husband together who is also working at Imphal as P.A. in Saving Bank Control Organization to a same station as her husband is also going to complete tenure in December 2006. But the said representation of the applicant was not attended by the authority concerned at Shillong for more than a

Contd ..

fortnight and before disposing her representation. Miss R.K. Sanjeeta Devi was relieved from Dharmanagar without joining of her reliever who was ordered in her place. This is for your honour's kind information that as per the transfer order issued by P.M.G. the reliever namely (Smt. Lianzuali pautu) whose name was listed at Sl. no. "7" was ordered to move first and only after her joining Miss R.K. Sanjeeta Devi., would have to be relieved from Dharmanagar. But it is surprise and at the time very painful to mention that in most favourable manner she was relieved on 12/05/06, without any reliever. Here it is to be added that the said smt. Lianzuali Pautu has not resume her duty upto today at Dharmanagar. A photo copy of transfer order dated. 17/04/06 and applicant's representation dated 24/04/06 are enclosed for your kind perusal marked 20 & 21.

5. That Sir, finding colour of open undue favour to Miss. R.K. Sanjeeta Devi by violating Departmental rules and principles of the Department and also restriction of transfer of Govt. servant during academic session of children, the applicant found no other immediate alternative and approached the Hon'ble Central Administrative Tribunal at Guwahati with O.A. No. 113 of 2006. The Hon'ble CAT on being satisfied about the authenticity of the grievances and serious omission and commission in the part of the P.M.G., Shillong directed the authorities to consider the application dated 24/04/06 of the applicant with due application of mind and pass appropriate speaking order within a time frame of one (1) months. The said order of the Hon'ble Tribunal dated 15/05/06 was transmitted to the Chief Post Master General, Shillong by Fax on 15/05/06 itself before 15.30 hours and again vide application of the date through proper channel. A copy of application is enclosed marked 22. But very painful to mention that the applicant's representation dated 24/04/06, which was addressed to the Chief Post Master General, Shillong was disposed by P.M.G. in the most arbitrary and whimsical manner only on the ground that the applicant had completed her tenure at Imphal. A copy of the rejection is enclosed marked 23.

6. That Sir, it is heart bursting to report that the representation dated 24/04/06 which was addressed to the Chief Post Master General was irregularly intercepted and disposed off by the P.M.G. in the most violative manner by simple saying that the applicant had completed tenure. Perhaps here is the place to mention that the Itanagar where the applicant was transferred falls under the administrative Regional jurisdiction of C.P.M.G. In similar manner the transfer of Miss R.K. Sanjeeta Devi, from Dharmanagar which also falls under administrative jurisdiction of C.P.M.G. and interfering of C.P.M.G. without his approval clearly exposes the personal vested interest of P.M.G. and also violation of rules. Perhaps, your honour well aware that the N.E. Postal circle comprising of two Regional

td ..2/-

Administrative Jurisdiction and Manipur, Nagaland and Mizoram Division only fall within the Administrative jurisdiction of P.M.G. Hence, the impugned order of transfer interfering to the jurisdiction of C.P.M.G., without his approval was irregular and with vested hidden motive to provide undue favour to Miss R.K. Sanjeeta Devi.

II. Again, your honour will find that while disposing off the application the P.M.G. neither discussed anything about maintaining his indifferent attitude about not following the instructions and guidelines in accordance with (G.OI) Deptt. of Posts letter No. 14/77/2000-SPB II dated 02/03/2000. As per the said policy, guidelines, transfer of SDCO staff outside the Region should be done only with the concurrence of the Head of the circle and on specific administrative grounds only.

III. Again, your honour will find that the P.M.G. while disposing of the application maintained quite inhuman treatment by not discussing anything about his irregular action of issuing tenure transfer orders in the middle of Education session and consequent upon its adverse effect on the future career of applicant's two school going children.

IV. The Post-Master General while disposing off the application also failed to justify his action to take contrary view against the rule of law laid down by the Hon'ble Supreme Court as mentioned by the Hon'ble CAT in its direction dated 15/05/06. A photo copy of Hon'ble CAT's orders is enclosed marked 24.

V. Again your honour will find that the P.M.G. , Shillong while disposing off the application also did not mention anything about his decision for transferring the applicant's husband to the same station simultaneously in order to provide better opportunities to the applicant to maintain her family life in better manner AND, in this manner it is very much unfortunate for a high-ranking officer like P.M.G. who is not only the administrative head of the Region but also like the natural guardians of the entire subordinates staffs working under him.

7. That Sir, in the transfer order dated 17/04/06 by the P.M.G., the applicant's name was found at serial No. 5. In the said order it was also mentioned that the applicant should be relieved on office arrangement immediately . Thereafter , no order of any kind was issued by the Divisional head till 22/05/06 for my relief from Imphal I.O. If any order in between was issued the same could not reach to the applicant till 27/05/06 when the applicant was on Medical Leave and might have been intercepted by interested element of Division Office.

8. That Sir, the applicant is very much painful to mention that no formal opportunity was also provided to her for handing over the charge physically by exchanging Charge-Report (A.C.G.-61) as required under the rules of Postal Manual Vol. IV and in a very undemocratic manner with crushing hands an order was got issued by the Post master, Imphal vide memo no. CR-1/staff/Imphal H.O/Dtd. IP 22/05/06 showing forcefully relieved from Imphal Head Post Office, when the applicant was under Medical leave and the case was under trial in the court of Hon'ble Central Administrative Tribunal, at Guwahati. On the other hand Miss R.K. Sanjeeta Devi who was irregularly transferred in the name of tenure transfer from Dharmanagar to Imphal in the place of the applicant was allowed to join-duty at Imphal in most whimsical manner without a least respect either for the department rules nor for the direction of Hon'ble CAT, at Guwahati. In the instant case, the Hon'ble CAT had already issued directions to the Chief Post Master General and also to the P.M.G., in O.A. No. 113 of 2006 dated 15/05/06 which follows as under:

"Considering the facts of the case, this Tribunal is of the view that it will meet ends of justice, if a direction is given to the respondents to consider and dispose of the representation within a time frame. The Supreme Court in the case of Director of School Education, Madras and others Vs O. Karuppa Theyan and another, reported in 1994 Supp. (2) SCC 666 held that "Transfer during the mid academic term in the absence of urgency such transfer restrained from being effected till the end of that academic year". Therefore, this Tribunal directs the respondent to consider the representation of the applicant with due application of mind and pass appropriate speaking order and communicate the same to the applicant within a time frame of one month from the date of receipt of this order."

9. That your honour will be surprised also to see that the Post Master General not only violated the standing executive instruction on the rotational transfer of the staff in the Department of Posts issued vide G.I. Deptt. of Post letter No. 141-4/97 SPB II dt. 19/02/1997 in which clear-cut guideline regarding effecting tenure transfer during academic session has been highlighted, but also he (P.M.G) over looked the clear direction of the Hon'ble CAT in which law enforced by the Supreme Court of India forbidding rotational transfer of a Govt. Servant during academic session of Children was restricted.

10. That your honour will also find that in the transfer order dated 17/04/06 issued by the Post Master General as many as eight (8) officials were affected. But out of eight (8) officials, only officials at serial No. 3, 4 & 6 have carried out the order as yet as the order was issued favouring their personal interest. In this connection it is most humbly stated that the officials at serial No. 3 & 4 are working at the same station at Shillong and their

-: ( 6 ) :-

offices are located in the same campus. As regards serial No. 6, the official is the same Miss R.K. Sanjeeta Devi, who has been given undue favour by effecting her transfer much before the scheduled tenure of tenure transfer. She joined this department only in **June 2003** and on the day of transfer she did not even complete three year of service. When the schedule timing for tenure transfer in N.E. Circle is (4) four years and the same schedule timing is applicable to all officials of SBCO working in N.E. Circle.

11. That your honour will further be surprised to see when the applicant's genuine prayer was intentionally and purposefully kept unheeded by the PMG despite clear provisions of the Govt. and directions of the Hon'ble CAT with pin-pointing law by the Hon'ble Supreme Court. She finding no alternative again moved a fresh application to the Hon'ble CAT on 25/05/06 incurring heavy expenditure and having adverse effect on her health condition. The said Hon'ble CAT again finding the genuineness of the applicant's grievance and law & rule standing in her favour issued another direction to maintain Status Quo of the position. A copy of this order too was furnished to the Chief Post Master General by Fax as well as through proper channel. But it was found that instead of obeying the direction of the Hon'ble CAT, again the authorities maintained complete indifferent attitude with the hands of might is right and showed resumption of duty by Miss R.K. Sanjeeta Devi at Imphal. Here the action of the authorities had again shown clear disregard to the order of Hon'ble CAT and also exposes mis-use of official power and discrimination with biased intention amongst the co-subordinate staff. The copies of CAT's orders dated 26/05/06 are enclosed marked 25.

12. That, yours honour will also find as a strange case that the order dt. 22/05/06 issued by the Post Master, Imphal showing forcefully relieved (marked No. 26) was not delivered to the undersigned and the same was collected by the undersigned only on 27/05/06 when the Hon'ble CAT issued direction on 26/05/06 to maintain STATUS QUO of the position. It is not known when and on what date the resumption of duty by Miss R.K. Sanjeeta Devi was shown at Imphal.

13. The undersigned is further pained to mention that intentionally her prayer to grant leave on Medical Certificate has been kept ignored only with an idea to create further hardship to the applicant and the monthly salary for May, 2006 has not yet been disbursed putting the entire family into great hardship and financial handicap. The Hon'ble CAT has fixed the date for further hearing on 12/07/06 and on the face of such direction the action of authorities for not granting leave applied on M.C. is another and further case of malaficed motive and misuse of official Administrative power to force the applicant to obey the irregular order of the P.M.G. by hook & crook.

Contd ..7/-

:- ( 7 ) :-

Under such undemocratic view, misuse of official power and also clear exposure of favouritism on the part of the authorities, the applicant has become quite helpless, and suffering from mental depression which has rendered her to take further rest and constant supervision by attending Doctor. Hence this poor applicant with folded hands request your honour to get the entire episode thoroughly enquired as to what made the P.M.G. Shillong to be so harsh and unreasonable in the case of the undersigned in one side and in the other side to favour Miss R.K. Sanjeeta Devi. by violating the normal way of official proceedings, rules and the law of the land. An immediate kind action of interference by your honour is solicited so that the education of her two children is not disturbed and she is allowed to continue at Imphal till December 2006 i.e. upto the end of present academic session of her two children. Her prayer for simultaneous transfer of her husband to any same station as per the administrative convenience may kindly also be issued at the appropriate time to provide an opportunity to maintain the family life of the applicant smoothly.

Hence, at last, your honour will kindly ultimately will find that the present transfer order IN THE NAME OF TENURE has not been issued as per the general principle, and with fair motive, but, only in order to provide undue favour to Miss R.K. Sanjeeta Devi, the reason of which behind screen might be known to the authorities only. The same transfer order has not yet been carried out by the rest <sup>of</sup> officials as yet and no action for their immediate relief has also been taken as done in the case of the applicant.

With profound regards and again with folded hands the applicant prays to pardon for addressing to your honour in the present colourful atmosphere.

Encloser :  
Enclosures 1 to 26  
as stated above

Yours faithfully,

*Sh. Meena Devi*  
(MRS. TII. MEENA DEVI)  
10-6-96  
P.A. (S.B.C.O.)  
Imphal on leave  
at Postal Colony, Quarter No. 2  
Imphal

Advance Copy to :-

1. Shri U.S. Raghavan  
Hon'ble Director-General,  
Department of Posts, Dak-Bhawan  
New-Delhi-1, for favour of kind personal  
notice and action as his highness deems proper  
to meet the end of justice, keeping in view the entire  
episode discussed in the representation.

Contd ..8/-

Notice

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From - Mr. G. Baishya  
Sr. C.G. S.C, C.A.T.

To, Mr. B. C. Pathak  
Advocate, G.H.C.

O.A. NO. 124 of 2006

Smt. Th. Meena Devi  
Applicant

Vs

Union of India & Ors  
Respondents

Please find herewith a copy of written statement with annexures which is going to be filed on behalf of the Respondents in connection with the aforesaid case.

Kindly acknowledge the receipt thereof.  
Thanking you.

Yours faithfully

Rabbi Gogoi  
Advocate

Received copy

Advocate

I undertake to serve the copy of the notice to the advocate for the appellant as and when he will be available

Rabbi Gogoi  
Advocate

(O.P.)

15/

Sampalika Bhattacharjee  
through C.M. Sr. C.A.S.C

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH AT GUWAHATI

O.A. No. 124 OF 2006

Smti Th. Meena Devi

...Applicant

-Versus-

Union of India & Ors.

....Respondents

IN THE MATTER OF:

Affidavit-in-reply against the  
affidavit of the applicant dated  
20.8.2006 with regard to the vacancy  
position of Postal Assistant (SBCO).

Affidavit-in-reply of the Respondents against affidavit  
dated 28.8.2006 of the applicant.

I, Shri Smt. Sampalika ~~Shri~~ wife Smti M. K. Bhattacharjee,  
~~Shri~~ Bhattacharjee  
aged about 55 years, resident of Rilbong, Shillong - 6,  
District East Khasi Hills holding the office of Asstt. Director,  
East Bldg, 8<sup>th</sup> Floor, CPM B, N.E. Circle  
at Shillong, Meghalaya, do hereby  
solemnly affirm and state as follows:

1. That I am the principal officer of the respondents and as such I am well acquainted and conversant with the facts and circumstances of the case. I have gone through the affidavit filed by the applicant on

Contd...P/-

28.8.2006 and understood the contents and meaning thereof. The statements of facts which are not specifically admitted are deemed to be denied by the respondents.

2. That with regards to the statements made in paragraph 1 of the said affidavit the deponent begs to state that the same is untrue, false and misleading. The applicant tried to mislead the court by saying that there is a vacancy in the post of postal assistant (SBCO) in Manipur or in Imphal. The respondents reiterate that there is no vacancy at Imphal Head Post Office or in the State of Manipur, as whole, at present, in the cadre of Postal Assistant (SBCO), to which the applicant belongs to :

Sl.No.	Name of the sanction post	Name of the present incumbent	Remarks
1.	i/c SBCO, Imphal	Sri Niladhawa Singh	The applicant is not eligible for the post
2.	Postal Asstt(SBCO)I	Sri Priya Kr. Singh	Husband of the applicant
3.	Postal Asstt(SBCO)II	Smt R.K. Sangeeta Devi	Recently posted on transfer of the applicant.

Therefore, there is no vacant post of Postal Asstt. (SBCO) in Imphal HPO, at present.

3. That with regard to the statement made in the paragraph 2 of the said affidavit the respondents beg to state that those are untrue, false, concocted and misleading and the same are denied by the respondents. The applicant tried to mislead the court in this paragraph by saying that two posts of Postal Assistant were advertised in the Annexure -A/1, but she suppressed mislead, misrepresent the fact that Postal Assistant (SBCO) are different cadre from the Postal Assistant cadre and being the Postal Assistant (SBCO) Cadre, the applicant can not be accommodated/transferred to those two posts. Regarding the one (1) post of Postal Assistant (SBCO) the respondents beg to state that the same is under the disposal of CPMG was declared vacant. The said post of Postal Assistant (SBCO) is meant for <sup>N.E</sup> any circle and not only for Manipur alone and the said post is allotted to Itanagar and the same is at present lying vacant in Itanagar. It is pertinent to mention here that SBCO staff belong to separate wing of the Department, having Circle transfer liability. The appointing authority and transferring authority of SBCO staff is Chief Post Master General, the Head of the Circle. Other two vacancies declared for Postal Assistant for operative wing of the Department for Manipur Division to which the applicant does not belong. The appointing authority and transferring authority of Postal Assistant of operative wing are the Head of the Postal Divi-

Contd...P/-

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sion. They are having transfer liability in the Postal Division only. It may be mentioned that the State of Manipur Division is treated as a separate Postal Division. At present there is no vacant post in the category of Postal Assistant (SBCO), in Imphal Head Post Office.

4. That with regard to the statements made in paragraph 3 of the said affidavit the deponent begs to state that those are untrue, concocted and misleading and therefore the same are denied. The Saving Bank Control Organisation (for brevity SBCO) is the separate wing of the Department and the applicant belongs to that category only. She can not be posted against the vacancy of other categories of operative wing. The applicant is concerned with SBCO category only, but not other categories and she cannot be transferred to a distinct and separate cadre.

5. That with regard to the statements made in paragraph 4 of the said affidavit the answering deponent begs to state that the same are not only misleading but also a blatant lie and the same without any iota of truth. The list of all the retired officials in Sl. No. 1 to 10 belongs to operative categories. The applicant belongs to SBCO category only. the official mentioned in Sl. No. 11, lastly worked and retired as incharge SBCO, Agartala Head Post Office. The applicant is neither eligible to be posted as incharge, SBCO, as she has not

acquired such seniority, nor she applied for posting at Agartala Head Post Office. The applicant mislead the Tribunal by swearing the aforesaid evidence on affidavit and none of the officers mentioned in the serial No.1 to 10 are from the cadre of Postal Assistant (SBCO) and the said fact is well within the knowledge of the applicant which reflects from the statements made in the paragraph 5 of the said affidavit. The detail of the said list of officials are detailed herein below:

Sl.No.	Name of the Officer	Cadre of the Officer	Remarks
1.	Md.Haider Khan	The official lastly Belonged to worked as Postal Asstt Postal opera Imphal HPO and retired tive side but not to SBCO side	
2.	Sri S.Kalachand Singh	The official lastly -do- worked as Dy.Postmaster Imphal,HPO & retired.	
3.	Sri L.Ibohal Singh	Lastly worked as Sub Postmaster,Singjamia Bazar Sub P.O. & retired	-do-
4.	Sri A.Shyam Kishore Singh	Lastly worked as Asstt. Postmaster, Imphal HPO & retired.	-do-

5. Sri Brajamani      Lastly worked as Asstt. -do-  
 Sharma                   Postmaster, Imphal  
                             H.O & retired.

6. Sri B.Lokeshwar      Lastly worked as Sub Post -do-  
 Singh                   Master Sinjmia Sub PO  
                          and retired.

7. Md. A. Basir        Lastly worked as Postal -do-  
                          Asstt. of operative side  
                          in Imphal Head P.O. and  
                          retired.

8. Sri Ksh Obitro       Lastly worked as Sub Post -do-  
 Singh                   master, Motbung Sub P.O.  
                          and retired

9. Sri M. Iboki        Lastly worked as Asstt. -do-  
 Singh                   post master (Regn) Imphal  
                          H.O. & retired.

10. Sri K.C. Deb       Lastly worked as APM(MO) -do-  
 Batman                   at Imphal H.O. and retired

11. Sri Sudhindra       Lastly worked as i/c the appli  
 Ch. Bhattacharjee SBCO, Agartala HPO    cant is  
                          and retired            not eligible  
     for the post  
     at Agartala

6.      That with regard to the statements made in  
 paragraph 5 of the said affidavit the answering deponent  
 begs to state that those are false, untrue, concocted

and misleading and the same are hereby denied. In the instant paragraph for the first time the applicant admitted that the postal Asstt. (SBCO) are distinct separate cadre under the disposal of Chief Post Master General, Shillong. In this paragraph the applicant even stated that she can be accommodated even on deputation in Manipur on different cadre, but the same was neither pleaded nor prayed in the original application and the affidavit dtd. 28.8.06 was being filed by the applicant is beyond the relief prayed in the original application which is barred by the law and rules. The applicant never raised the question of her deputation to elsewhere within the state of Manipur. She never applied for the same and her deputation to elsewhere is not a matter that has been agitated and pleaded and not a matter in issue before this Hon'ble Tribunal, but in the original application the applicant challenged the transfer order on the ground of academic mid session. Therefore the statements and averments made in the affidavit dtd. 28.8.06 are all misleading, concocted, untrue and contrary to the records for which the said affidavit is liable to be rejected as a false and fabricated one and for the interest of justice it has become necessary to direct the applicant not to file false affidavit before this Hon'ble Tribunal.

7. That the statement made in this affidavit and in paragraphs 1 to 6 and those made in this paragraph are true to my knowledge and belief.

I hereunto set my hand in this affidavit on 5<sup>th</sup> day of September, 2006 at Guwahati.

Identified by:

Ganesh Baruah

Advocate

Sarongparikh Baruah

Asstt. Director (Bldg.)  
Dепонент  
O.O the Civil Postmaster General  
N.E. Circle Silhouttong-I

The deponent solemnly affirms before me  
who is identified by Sri G. Baruah  
S/o GASC, on this the 5<sup>th</sup> day of September  
2006.

Advocate

5/9/06  
4.