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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

Shahil
03/11/17

FORM NO. 4
(SEE RULE 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

Original Application No. 127/05

Misc. Petition No. _____

Cobtempt petition No. _____

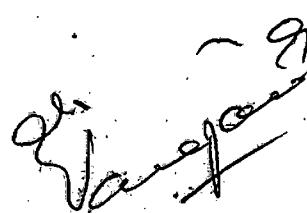
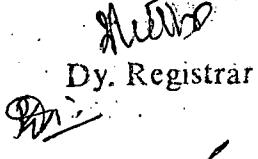
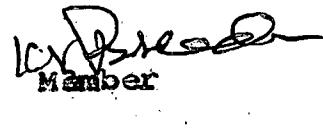
Review Application No. _____

Applicants. Kironmoyee Deka

u. o. I 90M

Advocates for the Applicant. J. L. Sarkar, A. Chakrabarty

Advocates of the Respondents. CAC

Notes of the Registry	Dated	Order of the Tribunal
(i) application is in forma is filed/C. F. for Rs. 50/- deposited vide A.P./BD No. 200116237 Dated 24.2.05	10.6.2005	Post on 13.6.2005.  Vice-Chairman
 Dy. Registrar	13.6.2005	Heard learned counsel for the parties. The application is disposed of in terms of the order passed in separate sheets.  Vice-Chairman
 R Trib. for J. L. Sarkar 15/6	mb	 Member
 R Trib. for A. Chakrabarty 15/6	mb	

15.6.05
Copy of the Order
handed over to the
2 Advocates for the
parties


3

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A./R.A. No. 127/2005

DATE OF DECISION 13.6.2005

Smt. K. Das. APPLICANT(S)

Mr. J.L. Sarkar, Mr. A. Chakraborty. ADVOCATE FOR THE
APPLICANT(S).

-VERSUS -

Union of India & Ors. RESPONDENT(S)

Mr. A.K. Chaudhuri, Addl. C.G.S.C. ADVOCATE FOR THE
RESPONDENT(S).

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

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

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

Judgment delivered by Hon'ble Vice-Chairman.

GK

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 127/2005

Date of Order : This the 13th day of June, 2005

The Hon'ble Sri Justice G. Sivarajan, Vice-Chairman

The Hon'ble Sri K.V. Prahladan, Administrative Member.

**Smt. Kironmoyee Das
Working as Superintendent,
Central Excise, Amguri Range.**

... Applicant

By Advocates Mr. J.L. Sarkar, Mr. A. Chakrabarty.

Versus -

1. The Union of India represented by the Secretary, Ministry of Finance, Department of Customs and Central Excise, New Delhi.
2. The Chief Commissioner, Customs and Central Excise, North Eastern Region, Shillong.

... Respondents

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

ORDER (ORAL)

SIVARAJAN. J. (V.C.)

The matter relates to transfer and postings of Officers in the Grade of Superintendent Group 'B' of Central Excise and Customs Department on rotation basis.

2. The applicant is working as Superintendent, Central Excise, Amguri Range since March 2003. Her husband is also working in the

same department and is posted at Jorhat. The husband of the applicant while working as Superintendent at Sonari met with a road accident and had undergone surgery. Thereafter on the request of her husband she was posted at Jorhat with effect from June 2003. It is stated that the husband of the applicant is not yet completely cured and he still needs care and attention of the family members. The children of the applicant is studying in educational institutions at Jorhat and are in mid session.

3. The applicant is presently aggrieved by her transfer from Amguri Range in Assam to Dimapur Customs Division in Nagaland as per orders dated 3rd and 6th June, 2005.

4. It is stated that the transfer orders made in June 2005 is against all the accepted norms for transfer contained in Annexure - A and B of the application and are made only to oblige certain Superintendents out of turn and against the norms as could be seen from Annexure - D order itself. According to the applicant apart from the violation of the transfer norms even the well accepted policy of accommodating husband and wife in the same station is violated even though there was no public interest or exigencies of service other than to oblige certain employees. It is also stated that though a representation is filed there is no response.

5. We have heard Sri J.L. Sarkar, learned counsel for the applicant and Sri A.K. Chaudhuri, learned Addl. C.G.S.C. for the respondents. We are of the view that since the representation submitted by the applicant is pending before the second respondent this application can be disposed of at the admission stage itself.



6. Norms for transfer of Group 'B' Officers in North East are contained in Annexure - A. Further, so far as the Central Excise and Customs department is concerned the norms are stated in Annexure - B. As per Annexure - B a Superintendent is entitled to continue in the same station for 4 to 6 years continuously. The applicant, does not appear to have continuous service in the same station for 4 to 6 years but only 2 years and odd. That apart, the husband and wife being government employees working in the same department are entitled to be accommodated in the same station unless any public interest or exigency of service warrant otherwise (See Bank of India V Jagjit Singh Mehta AIR 1992 SC 519). If the transfer is made in public interest and for administrative reasons the Courts would not interfere since there will be complete chaos in the administration which would not be conducive to public interest. The proper course for the affected party is to file representation before the higher authority and it is for that authority to pass appropriate orders.

7. In the instant case the transfer orders shows that these transfers are not made in public interest or in the exigencies of Administration. Annexure - D order shows that the said order was the result of representations made by certain Superintendents. It is not clear whether any representations were invited from the Superintendents for transfer so as to say that no further representations will be entertained unless the officers join their new places of postings.

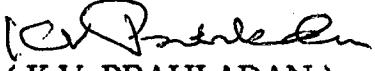
8. We, *prima facie*, feel that the impugned orders were passed without considering the guidelines rather, throwing the guidelines to

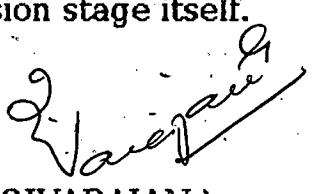
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wind. We do not wish to state more since the application is being disposed of at the admission stage itself.

9. Since the applicant has filed a representation before the 2nd respondent the said authority will consider the same and pass appropriate orders keeping in mind the guidelines, the observation made hereinabove and in accordance with law within a period of one month from the date of receipt of this order. Since the applicant wants to supplement the representation she is directed to file additional representation with copy of the guidelines - Annexure A & B to the 2nd respondent within one week from today. This order will also be sent alongwith for compliance. If the applicant is not relieved till this day she will be retained in the present post till the disposal of the application as directed herein above.

The O.A. is disposed of as above at the admission stage itself.


 (K.V. PRAHLADAN)
 ADMINISTRATIVE MEMBER


 (G. SIVARAJAN)
 VICE-CHAIRMAN

/mb/

- 9 JUN 2005

अधिकारी नियमित

In The Central Administrative Tribunal Guwahati Bench

O.A. No. 127/2005

Smt. Kironmoyee Das

-Vs-
Union of India & Ors.

Synopsis of the Application

That the applicant is working as Superintendent, Central Excise, Amguri Range. She was posted to Amguri Range w.e.f. March,2003.

That the husband of the applicant is also working in the same Department and is posted at Jorhat. The husband of the applicant while working as Superintendent at Sonari met with a road accident for which he had to undergo a surgery. Thereafter, on request the husband of the applicant was posted at Jorhat w.e.f. June,2003 so that he may get due care and attention of his family. It is stated that the husband of the applicant has not yet completely cured and still needs close attention.

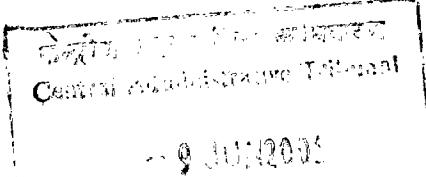
That by orders dated 03.06.2005 and 06.06.2005 the applicant has been transferred and posted to Dimapur Custom Division. It is stated that the applicant has not been released from her present post as yet.

That the aforesaid transfer orders were issued violating the accepted policy for general transfer of the respondent department. She has not completed prescribed tenure of 4 years as Superintendent at Amguri Range. Moreover, the orders have been issued in June violating the mandated policy to effect the transfer in December/January.

That the transfer orders have been issued ignoring the Govt. of India's directive of keeping husband and wife at the same station. The transfer has been made to accommodate others on the basis of their representations.

That the children of the applicant are pursuing studies in educational institutions at Jorhat and they are in mid session. The applicant has submitted representation but without any reply.

8
Filed by D. Chakraborty
8/6/05



In The Central Administrative Tribunal :: Guwahati Bench

O.A. No. 127 /2005

Smt. Kironmoyee Das

-Vs-
Union of India & Ors.

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Filed in the office
of Mr. A. Chakraborty
8/6/05

10

In The Central Administrative Tribunal

Guwahati Bench :: Guwahati.

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

O.A. NO. 127/2005

Between

Smt Kironmoyee Das,

Working as Superintendent,
Central Excise, Amguri
Range.

Applicant

And

1. Union Of India represented
by the Secretary, Ministry of
Finance, Department of Customs
& Central Excise, New Delhi.

2. The Chief Commissioner,
Customs & Central Excise,
North Eastern Region,
Shillong.

Respondents

Details of the Application

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

This application is made against the impugned transfer order No. 72/2005 dated 03/06/2005 and order No.5/2005 dated 06/06/2005.

2. Jurisdiction

The applicant declares that the subject matter of

Filed by an applicant
Smt Kironmoyee Das
Buses Kironmoyee Das
8/6/05

this application is within the jurisdiction of this Hon'ble Tribunal.

3. Limitation

The applicant declares that the subject matter of this application is within the time limit prescribed under section 21 of the Administrative Tribunal Act, 1985.

4. Facts of the Case

4.1 That the applicant is a citizen of India and hence is entitled to the rights and privileges guaranteed under the Constitution of India. She is a member of Schedule Caste community and her home town is at Jorhat, Assam.

4.2 That the applicant is a Group-B Officer, working as Superintendent, Central Excise and posted at Amguri Range, District-Sibsagar. In the year 2002 the applicant was promoted as Superintendent and posted at Sibsagar. She was, thereafter, posted to Amguri Range from March, 2003.

4.3 That for the purpose of transfer and posting of Group-B Officers in North East the Respondent Department has made out a transfer policy vide C. No.II(7)5/ET.III/88/1674 dated 07/11/1996 taking into relevant considerations including consideration for welfare of the children and their education. The adopted policy is that transfer will be completed before 31st December on any year and as far as possible effected by 31st January of the following year.

Copy of the transfer policy dated
07/11/1996 is enclosed as Annexure-
A.

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4.4 That the aforesaid transfer policy has explicitly made the tenure and posting of Group-B Officers as under:

"3. The general tenure in one station will be 4 to 6 years.

4. Period of stay in any one station/section/office will not be more than 2 years.

5. Since the officers belong to a common cadre of Central Excise mainly, no officer will remain posted in Customs for more than 4 years."

4.5 That by a letter dated 04/10/2004 option for annual general transfer of Superintendent for the year 2004 were called from the concerned officers who are due for transfer as per aforesaid accepted guidelines for transfer. Options were directed to submit in the prescribed proforma enclosed with this letter on or before 31/10/2004. It is stated that the option for purported general transfer under this letter dated 04/10/2004 was called for as per para 2 of the aforesaid transfer policy.

Copy of the letter dated 04/10/2004
is enclosed as Annexure-B.

Copy of the Transfer Proforma
forwarded with letter dated
04/10/2004 is enclosed as Annexure-
C.

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4.6 That as already stated above that the applicant was posted in the Central Excise, Amguri Range in March, 2003. Since her transfer was not due for annual general transfer for 2004 as per the accepted policy/guidelines for transfer, she did not submit any option as not called for.

4.7 That it is stated that the Commissioner of Central Excise, Shillong has issued an Order No.72/2005 of transfer/rotation of the officers in the grade of Superintendent Group-B dated 03/06/2005 by which 59 Group-B officers including the applicant have been transferred from one station to another. The name of the applicant appears in the aforesaid transfer order at Sl. No.41. By this Order she has been purported to be transferred from Commissionerate of Central Excise, Dibrugarh to Commissionerate of Customs(P), Shillong. This transfer order shows that the same has been issued without application of mind and it has been issued as routine exercise of power and the administrative action has no element of public interest. On the contrary the order dated 03/06/2005 acts contrary to the interest of the children's education of the applicant.

4.8 That consequent upon the aforesaid transfer order dated 03/06/2005 the Commissioner of Customs (Preventive), Shillong by Order No.5/2005 dated 06/06/2005 ordered transfer and posting of 36 officers including the applicant with immediate effect and until further orders. By this Order dated 06/06/2005 the applicant has been purported to be transferred and posted from Amguri Range, Central Excise

to Dimapur Customs Division. The said order also indicates that officers in Sl. No.12, 13, 15 and 27 have been transferred on the basis of their representation and before completion of tenure in the Commissionerate. The term "until further orders" in the said transfer and posting order dated 06/06/2005 is vague and ambiguous. It is stated that the applicant has not been released from her present posting.

3/6/05 and
Copy of the Order dated 06/06/2005
~~are~~ enclosed as Annexure-D and D1.

4.9 That the applicant begs to state that her normal tenure period at Amguri Range as per the accepted policy/guidelines of transfer has not been expired. Moreover, the husband of the applicant is also working in the same department as Superintendent, Central Excise, Jorhat Range. It is stated that the husband of the applicant while working as Superintendent at Sonari, Dist. Sibsagar, met with a road accident during December, 2002 for which he had to undergo a surgery of closed interlocking of femur and concillous screw fixing of neck femur. Thereafter, on request the husband of the applicant was posted at Jorhat w.e.f., June, 2003 so that he may get due care and attention of his family.

4.10 That it is also stated that the children of the applicant are studying at different educational institutions and it is their mid session. The transfer of the applicant under such circumstances will also cause immense hardship and loss to the academics of the children and they will be

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deprived of their further studies in the new station.

4.11 That the aforesaid transfer of the applicant is also against the norms of posting of husband and wife in the same station as also accepted by the respondent department in para 8 of the aforesaid transfer policy. It is stated that on the recommendation of the Fifth Pay Commission for posting of husband and wife at the same station it has been decided by the Government of India that the same should be ensured and such posting is to be invariably done, if no administrative problems are expected to result as a consequence.

Copy of the Circular dated 12/06/1997 is enclosed as Annexure-E.

4.12 That the said order of transfer dated 03/06/2005 has been issued without regard to the prescribed and accepted norms of transfer. The circulated/published policy stipulates that the general transfers shall be made in December of any year to be given effect by January next. But most surprisingly the said order has been issued in June in total negligence of the Department's own formulated policy. This has been done purportedly to accommodate some officers.

4.13 That the order of transfer dated 03/06/2005 manifests that the same has been issued hastily without waiting for December which is the schedule time for issue of the order. A close perusal of the order dated 03/06/2005 indicates that the same has been issued to a number of officers.

These grievances can be redressed

officers, for example, officers at Sl. No.3, 4, 5, 6, 17, 18, 21 etc. on the basis of their representations. Such transfer at the behest of some officers as indicated therein violating the prescribed time schedule of transfer, causing undue and immense hardship to others including the applicant ^{not} is ^{not} just and fair administrative action. Such actions are discriminatory and arbitrary and the applicant has become victim of such arbitrary action.

Jyoti Karmakar, Dated

4.14 That the said order dated 03/06/2005 directs as under:

"No further representations will be entertained...."

Such stipulation denies the applicant the right and scope to submit and express her grievances and difficulties to the superior administrative officers for their due consideration. This cuts at the root of administrative fairness and denies the scope administrative process. The malice in fact as well as in law is patent in the facts and circumstances of the case.

4.15 That the applicant has submitted one representation on 06/06/2005 to the Respondent No.2 with a request to retain her in the Dibrugarh Central Excise Commissionerate but without any reply.

Copy of the representation dated 06/06/2005 is enclosed as Annexure-F.

4.16 That the applicant submits that if her transfer and posting as per the aforesaid transfer orders dated 03/06/2005 and 06/06/2005 is not cancelled she and her family members including the children shall suffer irreparable loss and injury.

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

5. **Ground for reliefs with legal provisions.**

5.1 For that the impugned orders of transfer and posting are illegal in as much as the same have been issued violating the prescribed and accepted norms, policy and guidelines of transfer.

5.2 For that the respondents have transferred the applicant before completion of her prescribed tenure at Amguri Range.

5.3 For that the respondents have failed to follow the norms of posting of husband and wife at the same station as per para 8 of the transfer policy and the Circular of the Government of India.

5.4 For that the transfer of the applicant at the mid session of her children's education is unwarranted and not just and fair.

5.5 For that the transfer orders have been issued to

accommodate some officers which is discriminatory and arbitrary and offends Article 14 of the Constitution of India.

5.6 For that malice in law and malice in fact is explicit in the impugned transfer orders.

5.7 For that in any view of the matter the applicant is entitled to the reliefs sought for.

6. Details of the remedies exhausted

The applicant declares that there is no other efficacious remedies under any Rule and this Hon'ble Tribunal is the only forum to adjudicate the subject matter. However she has filed representation without any result.

7. Matters not previously filed or pending with any other court

The applicant declares that he has not filed any case on the subject matter before any court, forum or any other institution.

8. Reliefs sought for

Under the above facts and circumstances the applicant prays for the following reliefs :

8.1 The name of the applicant be deleted from the impugned transfer orders dated 03/06/2005 and 06/06/2005.

Case Reference No:

8.2 The applicant be allowed to continue at her present post.

8.3 Any other relief or reliefs as the Hon'ble Tribunal deem fit and proper.

The above reliefs are prayed for on the ground stated in para 5 above.

9. **Interim Relief**

During the pendency of this application the applicant prays for the following interim reliefs:

Orders dated 3.6.05 and 6.6.2005 '05

9.1 The transfer of the applicant be suspended and she may be allowed to continue at her present post.

9.2 Any relief or reliefs as the Hon'ble Tribunal deem fit and proper.

The above relief is prayed for on the ground stated in para 5 above.

10. This application is filed through the Advocate.

11. **Particulars of Postal Order:**

i) IPO No : 906-116237

ii) Date of Issue : 24-2-05

iii) Issued from : Guwahati

iv) Payable at : G.P.O,

12. **List of Enclosures**

As per Index.

Verification

Verification

I, Kironmoyee Das, wife of Sri Beli Ram Das, aged about 48 years, a resident of Jorhat, do hereby verify that the statements made in the paragraphs 1,4,6 to 12 are true to my knowledge and statements in para 2,3 and 5 are true to my legal advice and that I have not suppressed any material fact.

And I, sign this verification on this 8th day of June, 2005, at Guwahati.

Mrs Kironmoyee Das

TRANSFER POLICY OF GROUP 'B' OFFICERS IN NORTH EAST.

After a detailed discussion between the CCP, CCE and AC(Hqs) alongwith various instructions of the Ministry and the last of which is F.No. A-35017/28/92-Ad. III.B dated 30th June, 1994, minutes of various conference and other discussions, it has been agreed to follow the following transfer policy among the Group 'B' offloors in the North East.

1. Since the Commissioners covers 7 (seven) North Eastern States with different ethnic background, Administration will follow as far as possible convenient zone and areas so that officers are not unduly put to difficult. However, these will not include transfers on Administrative grounds.
2. Before any general transfer, Group 'B' officers will submit a representation for -
 - (a) Place of posting with reasons;
 - (b) Option for Customs/Central Excise;
 - (c) For any other deputation.These representations will be received positively by 1st October of any year.
3. The general tenure in one station will be 4 to 6 years.
4. Period of stay in any one station/section/office will not be more than 2 years.
5. Since the officers belong to a common cadre of Central Excise mainly, no officer will remain posted in Customs for more than 4 years.
6. The rotation in every 3 years will be from difficult to soft area and from sensitive to hard area.
7. Compassionate postings will be considered mutually between the CCP and CCE and after satisfying the genuineness of the compassion cases, transfer will be made if needs be. Such transfers on compassionate grounds must be addressed to DC/AC(PAY) and endorsed to both the Commissioners.

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Counted..... 2/-

8. Though Deptt. of Personnel & Training vide their letter dated 3rd April '86 have recommended posting of husband and wife together in one station, the area of jurisdiction being vast and the nature of work being different from general Administration only where there is absolutely any problem or difficulty, transfers will be considered as per Ministry of Personnel guidelines.

9. Since the Commissioners are highly short staffed, cooling off period from any deputation as recommended by the Ministry will in future be enforced.

10. General transfers will be completed before 31st December of any year and as far as possible effected by 31st January.

11. Officers who are due to retire within 2 years will be retained/posted within and around their Home Town or places/stations requested by them.

Umesh Bhattacharya
(ULLUNGUNEMA) 7/11
COMMISSIONER
CUSTOMS (PREV) : NER : SHILLONG

C. L. R. Mitra
COMMISSIONER
CENTRAL EXCISE : SHILLONG

C. N. I. II (7)5/ET. III/86/1674

Dated : 7/11/96

Copy to :-

1. The Member(P&V)/(C. Ex.)/(A. S.), Central Board of Excise and Customs North Block, New Delhi for kind information.
2. The Chief Commissioner(EZ), Customs and Central Excise, 15/1 Strand Road, Calcutta for kind information.
3. The Commissioner(Cus. Prev.), NER, Shillong for kind information.
4. The Deputy Commissioner(Cus. Prev.), NER, Shillong for kind information.
5. The Secretary, General, All India Federation of Central Excise Gazetted Executive Officers, 40A/1, J. K. Mitra Road, Calcutta for kind information.
6. The General Secretary, Group 'B' Executive Officers' Assn., Customs and Central Excise, Shillong for kind information.
7. The Assistant Commissioner of C. Ex./Cus. (P), for information.

(Umesh Bhattacharya)
(ULLUNGUNEMA)
ASSISTANT COMMISSIONER (HONS.)
CUSTOMS AND CENTRAL EXCISE : SHILLONG.

Copy to Zonal Seeretary (all) for information.
P. D. Khan, General (P) - Sub-Asst. Secy.
Gen. Secy.



*SG
P.C. Circular
including 44
27/10/2004*

COMMISSIONER OF CENTRAL EXCISE

MORELLO COMPOUND
M.G. ROAD, SHILLONG

Tel. 91-0364-2224751 / 2223030.

Fax. 91-0364-2223428 / 2226215.

E-Mail: cexshill@excise.nic.in

C.No. II(26)20/ET.III/95/

Dated:

04 OCT 2004

To

29643-75
The Deputy/Assistant Commissioner
Central Excise Division

GUWAHATI
The Superintendent ()
Central Excise Hqrs. Office
Shillong.

Subject: Option for Annual General Transfer of Superintendent/Inspector. - regarding.

The Annual General Transfer for 2004 of Superintendents and Inspectors posted in different formations and Headquarter Office of Central Excise Commissionerate, Shillong is proposed to be made in December 2004. The concerned officers who are due for transfer as per the accepted guidelines for transfer of this Commissionerate will be considered for transfer.

Briefly the accepted guidelines for transfer in respect of Superintendents/Inspectors are reiterated below for the benefit of the officers.

Superintendents who have completed their tenure as below will be considered for transfer:

- (i) In the same station for a continuous period of 4 (four) to 6 (six) years,
- (ii) In the same Section/Office for a continuous period of 2 (two) years, and
- (iii) In the same Commissionerate for a continuous period of 4 (four) years

Similarly, Inspectors who have completed their tenure will be considered for transfer:

- (i) In the Divisional Hqrs. Office for a continuous period of 6 (six) years,
- (ii) In the Ranges outside the Divisional Office for a period of 3 (three) years,
- (iii) In Central Excise Hqrs. Office for a period of 6 (six) to 8 (eight) years and
- (iv) In the same Commissionerate for a continuous period of 4 (four) years

Also, Superintendents and Inspectors of Shillong Central Excise Commissionerate who opts for Customs or Dibrugarh Commissionerate should send in the same Transfer Proforma.

It is therefore requested to forward the options of officers for posting in Central Excise and Customs in order of preference for next posting indicating the reasons thereof. Options in the prescribed proforma (enclosed) should reach this office on or before 31.10.2004. Options received after 31.10.2004 will not be taken into consideration for Annual General Transfer 2004. It is, therefore, requested to take personal initiative to send this office on or before the said date. While forwarding the proforma, it may be ensured that the same is duly verified by the Head of Office.

Please acknowledge receipt.

3.10.04
*Accepted
P. T. Mar
P. T. Mar*
(B. THAMAR)
ADDITIONAL COMMISSIONER (P&V)

TRANSFER PROFORMA

1. Name of the Officer (In Block Letters):

2: (a) Date of App'tt. In the Deptt. and grade:

(b) Date of Apptt. In the present grade :

(c) Date of Birth

3. Name of the Home town & State

4. HISTORY OR POSTING SINCE ENTRY

5. Please indicate choice of posting in order of preferences:

1 to 3 for Central Excise and 4 to 6 for Customs with brief reasons:

1.

2.

3.

4.

5.

6.

Note: The choice of posting does not necessarily imply that the Officer will be given a posting of his choice. Officers are liable to be transferred before completion of full term in the exigencies of Service.

STATION:

DATE:

SIGNATURE OF OFFICIAL AND DESIGNATION

Forwarding Officer's Comments:

(i) The particulars given above are verified and found to be correct.

STATION:

DATE:

**SIGNATURE, NAME AND DESIGNATION
OF THE FORWARDING AUTHORITY**

Altered
new
adv cab

COMMISSIONER OF CENTRAL EXCISE
MORELLO COMPOUND
M.G. ROAD, SHILLONG

Tel. 91-0364-2224751 / 2223030. Fax. 91-0364-2224428 / 2226215. E-Mail: ceсхill@excise.nic.in

ESTABLISHMENT ORDER NO. 72/2005

DATED SHILLONG, THE 3rd JUNE 2005

Subject: Inter- Commissionerate Transfer/Rotation of the officers in the grade of Superintendent Group "B" – order reg.

The following Transfer/Rotation of officers in the grade of Superintendent in the Shillong Zone are hereby ordered with immediate effect and until further orders.

SL. NO.	NAME OF THE OFFICERS	FROM	TO
1.	Shri C. Shullai	Commissionerate of Customs(P), Shillong	CEX, Shillong
2.	Smti. R.R. Bhowmick	-do-	-do-
3.	Shri N.L. Roy	-do-	-do-
4.	Shri D.R. Saha	-do-	-do-
5.	Shri G.C. Paul	-do-	-do-
6.	Shri N.R. Das	-do-	-do-
7.	Shri S.K. Nandi	-do-	-do-
8.	Shri L.H. Falrheim	-do-	-do-
9.	Shri T.K. Singh	-do-	-do-
10.	Shri T.K. Sen	-do-	CCX, Dibrugarh
11.	Shri U.K. Das	-do-	-do-
12.	Shri Jalindra M. Borah	-do-	-do-
13.	Shri S.K. Challha	-do-	-do-
14.	Shri Lakhoneh Simte	-do-	-do-
15.	Shri Jyotish Das	-do-	-do-
16.	Shri Thangchuollo	-do-	-do-
17.	Shri B.B. Salkia	-do-	-do-
18.	Shri M. Baruah	-do-	-do-
19.	Shri T.T.K. Thang	-do-	-do-
20.	Smti. P. Devgupta	Commissionerate of Central Excise, Shillong	Commissionerate of Customs (P), Shillong
21.	Shri B.C. Nath	-do-	-do-
22.	Shri Binayak Bhattacharjee	-do-	-do-
23.	Shri D. Majumdar	-do-	-do-
24.	Smti. Champa Shome	-do-	-do-
25.	Smti. K.P. Laloo	-do-	-do-
26.	Shri D. Roy Choudhury	-do-	-do-
27.	Smti. L. Shangliang	-do-	-do-
28.	Shri Gangadhar Das	-do-	-do-
29.	Shri N.C. Sutradhar	do-	-do-
30.	Smti. S. Bhattacharjee	-do-	-do-
31.	Shri J.L. Bhowmik	-do-	-do-
32.	Shri D. C. Banla	-do-	CEX, Dibrugarh
33.	Shri B.B. Karmakar	-do-	-do-
34.	Shri M.S. Tyagi	-do-	-do-
35.	Shri F.U. Fukir	-do-	-do-
36.	Shri N.K. Nandi	-do-	-do-
37.	Shri G.C. Paul	-do-	-do-
38.	Shri G. Thabah	-do-	-do-
39.	Shri Jagadish Acharjee	-do-	-do-

*Pls. see
JUL 2005
ceх*

	Shri R.K. Kalita Smti. K.M. Das	-do-	Commissionerate of Central Excise, Dibrugarh	Commissionerate of Customs (P), Shillong
12.	Shri S. Ganguli	-do-	-do-	-do-
43.	Shri T.K. Rajkhowa	-do-	-do-	-do-
44.	Shri J.C. Das	-do-	-do-	-do-
45.	Shri K.C. Sarkar	-do-	-do-	-do-
46.	Shri V. Hangzo	-do-	-do-	CEX, Shillong
47.	Shri H.P. Roy	-do-	-do-	-do-
48.	Shri S. Chakraborty	-do-	-do-	-do-
49.	Shri R. K. Borah	-do-	-do-	-do-
50.	Shri G. K. Bhuyan	-do-	-do-	-do-
51.	Shri D. K. Deb	-do-	-do-	-do-
52.	Shri N. Singha	-do-	-do-	-do-
53.	Md. Mohibur Rahman	-do-	-do-	-do-
54.	Shri L.S. Das	-do-	-do-	-do-
55.	Shri D.R. Das	-do-	-do-	-do-
56.	Shri N.C. Kalakhi	-do-	-do-	-do-
57.	Shri G.C. Mandal	-do-	-do-	-do-
58.	Shri H.C. Kalita	-do-	-do-	-do-
59.	Shri Sudip Dev	-do-	-do-	-do-

This disposes of all the representations received in the grade of Superintendents.

The officers at Sl. Nos. 3, 4, 5, 6, 17, 18, 21, 23, 31, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58 & 59 will not be entitled TA/DA as they have been transferred on the basis of their representations. No further representations will be entertained unless the officers join their new places of postings.

The above officers should be relieved latest by 17th June 2005.

This issues with the approval of the Chief Commissioner, Central Excise & Customs, Shillong Zone, Shillong.

3/6/05
(KARNAIL SINGH)
COMMISSIONER

01/2
Dated : 03 JUN 2005

C.No. II(3)7/ET-III/2005/ 56091-56190
Copy forwarded for information & necessary action to:-

1. The Chief Commissioner, Customs & Central Excise, Shillong Zone, 'CRESCENS' Building, M.G. Road, Shillong.
2. The Commissioner, Customs (Preventive), NER, Shillong.
3. The Commissioner, Central Excise, Dibrugarh.
4. The Commissioner (Appeals), Central Excise, Guwahati.
5. The Additional Commissioner (P&V), Central Excise, Shillong/Dibrugarh.
6. The Additional Commissioner (Tech.), Central Excise Hqrs. Office, Shillong.
7. The Additional Commissioner, Customs (Preventive), 'NER', Shillong.
8. The Joint Commissioner (A/E), Central Excise Hqrs. Office, Shillong/The Joint Commissioner, Central Excise, Dibrugarh.
9. The Deputy/ Assistant Commissioner, Central Excise/Customs, _____ Division, Shillong/ Dibrugarh Commissionerate. Copy(s) meant for the concerned office(s) is/are enclosed.
10. The CAO, Central Excise/Customs, Shillong/Dibrugarh Commissionerate.
11. The PAO, Customs & Central Excise, Shillong.
12. Accounts I & II/Confidential Branch/CIU-Vigilance Branch, Central Excise Hqrs. Office, Shillong.
13. Shri/Smti. _____, Superintendent for compliance.
14. The General Secretary "Group 'E' Superintendents Association, Customs & Central Excise, Shillong/Dibrugarh.
15. Guard File.

3/6/05
(KARNAIL SINGH)

-18-

Annexure - D-1



**OFFICE OF THE COMMISSIONER OF CUSTOMS (PREVENTIVE)
NORTH EASTERN REGION
SHILLONG**

110 Mahatma Gandhi Road, Shillong - 793001, Meghalaya
Phone: 0364-2222597/2225325/2229005, Fax: 0364-2223440/2229007, E-mail: cusshg@sanchayne

ORDER No. 5/2005

Dated Shillong the 6th June 2005

Subject:- Transfer and posting in the grade of Superintendent, Group 'B' officers of Customs (Preventive), Commissionerate, North Eastern Region, Shillong - order reg.

Consequent upon Inter-Commissionerate transfer and the placement of officers with the Commissionerate of ~~PHANTOM, N.E. REGION~~, N.E. REGION, Shillong vide Central Excise Estt. Order No.72/2005 issued under C.No. II(3)7/ET.III/2005/56091-56190 dated 3rd June 2005, the following transfer and posting in the grade of Superintendent, Group 'B' officers of Customs (Preventive), Commissionerate, North Eastern Region, Shillong is hereby ordered with immediate effect and until further orders.

Sl. No.	Name of Officers	Place of Posting	
		From	To
1.	2	3	4
1.	Arabinda Dutta	Hqrs. Tech. Branch	Cus. Hqrs. Prev. Unit
2.	A. Bhattacharjee	Shillong Cus. Division	Cus. Hqrs. Tech. Branch
3.	S. Kilong	Dimapur Cus. Divn.	Cus. Tax Recovery Cell
4.	D.K. Chettri	Aizawl Cus. Divn.	Cus. Hqrs. PRO
5.	Tridip Ch. Roy	Karimganj Cus. Divn.	Cus. Hqrs. Law Branch
6.	Haripada Debnath	Karimganj Cus. Divn.	Cus. Hqrs. Valuation Br.
7.	B.P. Jaisi	Hqrs. Prev. Unit Cus. Hqrs. Shillong	Cus. Hqrs. Disposal Unit
8.	Jambu Lama	Shillong Cus. Division	Hqrs. Appeal/Review Br.
9.	Smti Champa Shome	Range-I, Silchar C.Ex. Divn.	Cus Computer & Trg.
10.	Smti K. P. Laloo	Jowai Range, Shillong C.Ex. Divn.	Cus. SIU-Vig. Branch
11.	D. Roy Choudhury	Shillong C. Excise	Cus. Hqrs. Adjn. Branch,

Order Page 1 of 3

*Revised
Date
done on*

Officers are placed at the disposal of the respective Divisional Assistant Commissioners for further posting in the respective units.

Officers who have completed their tenure in sensitive/hard-ship unit may be considered for rotation. Tenure may be extended in exceptional cases with prior approval of the Commissioner.

Sd/-

(D D Ingty)
Commissioner.

C.NO.II (3) 6/Hqrs.Estt/SH/2004/4158-247(A)
Dated:- 6.06.2015

Copy forwarded for information and necessary action to: -

1. The Chief Commissioner, Customs & Central Excise, Shillong Zone, Shillong.
2. The Commissioner of Central Excise, Shillong/Dibrugarh.
3. The Commissioner (Appeal), Customs & Central Excise, Guwahati.
4. The Additional Commissioner (P & V)/Tech/CC's Unit Customs & Central Excise, Shillong.
5. The Joint Commissioner, Customs (Prev.), NER, Guwahati/Imphal.
6. The Joint Commissioner Central Excise, Shillong.
7. The Deputy/Assistant Commissioner of Customs /Central Excise Division

(Copy meant for the concerned officer is/are enclosed for delivery).

8. The Chief Accounts Officer, Customs/Central Excise, Shillong.
9. The Pay & Accounts Officer, Customs & Central Excise, Shillong.
10. The A.C.A.O. (Accounts), Customs Hqrs. Office, Shillong.
11. The Superintendent, SIU-Vig. Branch, Customs Hqrs. office, Shillong.
12. The Branch-in-charge, ET-1 / Confidential / CIU -cum-VIG Branch of Customs & Central Excise, Shillong.
13. Superintendent _____ (Hqrs. Office), Shillong
14. Shri/Smti _____, Superintendent, for compliance.
15. The General Secretary, Group 'B' Officers' Association, Customs & Central Excise, Shillong.
16. Guard File.

(Gaigongdin Panmel)
Additional Commissioner.

Order Page 3 of 3

Placed
Date
2015

	J.L. Bhowmick	Hqrs. CIU-Vig, C.Ex. Shillong	Agartala Cus. Division
13	D. Mazumdar	Hqrs. PRO, C. Ex. Shillong	Agartala Cus. Division
14	Binanayak Bhattacharjee	A/E Unit, Silchar C.Ex. Divn.	Agartala Cus. Division
15	B. C. Nath	Hqrs. Audit, C.Ex. Guwahati	Agartala Cus. Division
16	K. Hmar	TRC, Cus. Hqrs. Shillong	Aizawl Cus. Division
17	J. C. Das	Tezpur Range, Central Excise	Aizawl Cus. Division
18	K. C. Sarkar	Tangla Range, Tezpur C. Ex.	Aizawl Cus. Division
19	N.C. Sutradhar	Tech.III, Dhubri C. Excise	Aizawl Cus. Division
20	S. Ganguli	A/E Unit, Tezpur C. Excise	Dimapur Cus. Division
21	Smti K. M. Das	Amguri Range, C.Ex.	Dimapur Cus. Division
22	B. R. Boro	A/S Unit, Imphal Divn.	Dhubri Cus. Division
23	Smti L. D. Sangma	LGBI Airport, Guwahati Divn.	Dhubri Cus. Division
24	S.K. Mazumdar,	Appeal & Review Cus. Hqrs. Shillong	Guwahati Cus. Division
25	M. A. Mazarbhuiya	UOT to Agartala Cus. Division	Guwahati Cus. Division
26	Ashwani Kr. Das	Dimapur Cus. Divn.	Guwahati Cus. Division
27	V. Hangzo	Tinsukia II Range, C. Excise	Imphal Cus. Division
28	Gangadhar Das	Range-IV, Guwahati C.Ex.	Imphal Cus. Division
29	T. K. Rajkhowa	Makum Range, C.Ex.	Imphal Cus. Division
30	B. C. Das	Computer & Trg. Cus. Hqrs. Shillong	Karimganj Cus. Divn.
31	Ashit Chakraborty	Tech. Branch, Shillong Divn.	Karimganj Cus. Division
32	Smti P. Devgupta	Range-II, Silchar C.Ex. Divn.	Karimganj Cus. Divn.
33	Smti S. Bhattacharjee	Tech. II, Silchar C.Ex. Divn.	Karimganj Cus. Divn.
34	Jagadindu Das	Adjudication Br. Cus. Hqrs. Shillong	Shillong Cus. Division
35	Sudhakar Sharma	Cus. Hqrs. PRO	Shillong Cus. Division
36	Smti L. Shangpliang	Audit Branch, C. Excise Shillong	Shillong Cus. Division

06-06-2005 17:52

03642211507

COM. OF CUSTOM SHG

063

The Officer Sl.No. 12, 13, 15 & 27 will not be entitled TIA as they have been transferred on the basis of their representations, before completion of normal tenure in the Commissionerate.

In the term of Board's D.O.No.C.50/30/2000 dated 15.07.2004 the

*After 1st
Adjudication*

Annexure- E

No. 28034/2/97-Estt.(A)

Government of India

Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel & Training)

New Delhi, the 12th June 1997

OFFICE MEMORANDUM

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

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

2. The Government, after considering the matter, has decided to accept this recommendation of the Fifth Central Pay Commission. Accordingly, it is reiterated that all Ministries/Departments should strictly adhere to the guidelines laid down in O.M. No. 28034/7/86-Estt. (A) Dated 3.4.86 while deciding on the requests for posting of husband and wife at the same station and should ensure that such posting is invariably done, especially till their children are 10 years of age, if posts at the appropriate level exist in the organization at the same station and if no administrative problems are expected to result as a consequence.
3. It is further clarified that even cases where only the wife is a government servant, the concession elaborated in para 2 of this O.M. would be admissible to the government servant.

*P. Venkatesh
P. Venkatesh
P. Venkatesh*

4. These instructions would be applicable only to posts within the same department and would not apply on appointment under the Central Staffing Scheme.
5. A copy of this Department's OM No. 28034/7/86-Estt. (A) Dated 3.4.86 is enclosed for ready reference and guidance.
6. Hindi version of the OM is enclosed.

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

To

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

*Revised
for
Parvati*

The Chief Commissioner
Customs & Central Excise
North eastern Region
Shillong

(Through proper channel)

Respected Sir,

Subject : Inter-Commissionerate Transfer/Rotation of Superintendent

Kindly refer to the Establishment Order No.71/2005 dated 3rd June 2005 wherein I have been transferred to the disposal of the Commissionerate of Customs (P). Shillong from the Commissionerate of Central Excise, Dibrugarh.

In this connection I have to lay before you the following for favour of your kind perusal and necessary action please..

- (i) That Sir, my husband Mr. B R Das is also working in this Department and now working as Superintendent, Central Excise, Jorhat Range, who had met with a major road accident during December 2002 while he was posted at Sonari Range. And for which he had to undergo a surgery of closed interlocking of femur and concillous screw fixing of neck femur at the Institute of Neurological Science, Guwahati (copy enclosed). On seeing his physical condition the then Hon'ble Commissioner of Central Excise, Dibrugarh vide his letter dated II(3)1/ET/DIB/COMMR/2002/3355-61 dated 04.06.03 adjusted him in Jorhat Range from Sonari Range. That sir the condition of my husband is not yet completely cured.
- (ii) That Sir, my four children are studying in different schools and colleges of Jorhat town in Assamese medium .Now in the middle of the Academic Session it will be very difficult for their transfer to other Educational Institutions.
- (iii) That Sir I have not submitted my options for posting in the Customs. Besides, I being a lady may kindly be considered for exemption from the postings in the Customs.

Under the circumstances stated above, I would request you to kindly retain me in the Dibrugarh Central Excise Commissionerate.

Enclosure:-3

*Pls. find
Ans. Expt.
Parasols*

Yours faithfully,

6/6/05

(Mrs. K. M. DAS)
SUPERINTENDENT
CENTRAL EXCISE
AMGURI RANGE

INSTITUTE OF NEUROLOGICAL SCIENCES

DISPUR, GUWAHATI - 781 006, ASSAM (INDIA)
Phone- 227700 / 227703 / 227704 / 227707 / 227709 / Fax- 227711.

AN ISO 9002 ORGANISATION.

CASE SUMMARY & DISCHARGE RECORD

(DEPARTMENT OF NEUROSURGERY)

QR/24-11(A)

PATIENTS NAME	BALIRAM DAS.	SEX	MALE
ADDRESS	MALIGAON, JALUKBARI, ASSAM.	AGE	45YRS
CONSULTANT	DR. NAVANIL BARUA, MS. M.Ch.	MARITAL STATUS	MARRIED
DATE OF ADMISSION	19.12.02	BED NUMBER	1262
DATE OF SURGERY	24.12.02	HOSPITAL NO.	1161982
DATE OF DISCHARGE	4.1.03	MRD NO.	I-1031574

FINAL DIAGNOSIS :- 1. HEAD INJURY.
2. FRACTURE FEMUR RIGHT.

CASE HISTORY :- Mr. Baliram Das presented to INS with alleged history of head injury following RTA on 19.12.02 at 12-1pm at Sonapur.
History of loss of consciousness for transient period.
History of nasal bleed.
No history of fits, vomiting or bladder-bowel dysfunction.
History of hypertension on medication and diabetes on Glizide -1BD.

ON EXAMINATION:-

Pulse - 80/ min
B.P. - 130/100 mm Hg
Chest, CVS & P/A - NAD.
GCS - E4, V5, M6.
Pupils - 2.5 + B/L
Motor - 5/5 in upper limbs and left LL.
DTR - ++ B/L.
Plantar - Down going B/L.

LOCAL EXAMINATION :- 1. Abrasion left elbow, nose and forehead, right knee and left leg.
2. Evidence of nasal bleed, right leg on splint, on Foley's catheter.
3. Repaired cut injury on the bridge of nose, left eyelid.

Discharge and Case Record

Attended
Jeev
Dewasat

CASE SUMMARY & DISCHARGE RECORD

INVESTIGATIONS :-

BLOOD:-

Hb% - 14.5gm%
BS® - 290 mg%
BT - 1'20"
HIV - Negative
TC - 12500
HbsAg - Negative.

Blood group - O (+) ve.
Urea - 34 mg%
CT - 4'25"
Creat - 1.1 mg%
DLC - P85%, L13%, M1%, E1%.

CHEST X-RAY :- Fracture left 5th rib.

CERVICAL SPINE X-RAY :- No significant abnormality was seen in this study.

RIGHT FEMUR X-RAY :- Fracture neck and shaft of femur on the right.

CT SCAN OF BRAIN :- Mucosal thickening in both the maxillary antra.

DISCUSSION & MANAGEMENT :- Mr. Baliram Das presented to INS with history of head injury following RTA had GCS of E4V5M6 at admission. CT scan of brain was found normal. He is a known case of Hypertension and Diabetes on medication. He was managed conservatively with analgesics, antibiotics and H2 blockers. X-ray right thigh showed fracture shaft of femur. Ophthalmologist consultation was sought for redness and watering of eye who advised him antibiotic eyedrops. Orthopaedic consultation was sought for fracture femur who advised ORIF once he was stable. Cardiology consultation was taken for his hypertension who continued him on amlodipine. Endocrinologist consultation was sought for his diabetes who adjusted his Insulin dose. He underwent closed interlocking of femur on 24.12.02 and cancellous screw fixation of neck femur on 27.12.02. Postoperatively he was put on antibiotics and analgesics. Presently he is better and is being discharged with advice as desired by the patient.

CONDITION AT DISCHARGE :- GCS - 15/15, Wound healthy, Afebrile, On normal diet.

Note : 1. Please quote the hospital Registration No. & MRD No. For all future correspondence
2. To avoid inconvenience please come for check-up with prior appointment.

*Alfred
Surgeon
and Ortho*

CASE SUMMARY & DISCHARGE RECORD

ADVICE ON DISCHARGE :-

1. TAB VALED 20 MG / SIG: 1 TAB TWICE DAILY X 5 DAYS.
2. TAB RAPEED / SIG: 1 TAB DAILY X 7 DAYS.
3. I-GESIC EAR DROPS / SIG: 2 DROPS THREE TIMES DAILY.
4. CIPROCENT EYE OINT/ SIG: TO APPLY LOCALLY AT BED TIME X 7 DAYS.
5. MULMIN CAP / SIG: 1 CAP DAILY X 15 DAYS.
6. TAB ZENOXIM 500MG / SIG: 1 TAB TWICE DAILY X 5 DAYS.
7. OCULON EYE DROP / SIG: 1 DROP 6 HOURLY X 7 DAYS.
8. TAB CREVAL 10 MG / SIG: 1 TAB ONCE DAILY X 5 DAYS.
9. TAB RECLIMET / SIG: 1 TAB AT 8AM AND 1 TAB AT 9PM TO CONTINUE.
10. TAB DEPSOL / SIG: 1/2 TAB AT 8AM AND 1 TAB AT 9PM TO CONTINUE
- FOR 1 MONTH.
11. TAB STAMLO 5MG / SIG: 1 TAB DAILY BEFORE BREAKFAST TO CONTINUE.
12. CAP EBIZA-L / SIG: 1 CAP AT BED TIME X 10 DAYS.
13. 1/4 UINATE (10mls) - *Take 1/4 ml before breakfast and 1/4 ml before lunch.*

- To consult endocrinologist for control of diabetes.
- BP check up every alternate day.
- Fasting and P. Prandial sugar after 1 week.
- Rest for 1 & 1/2 month.
- Review in ortho OPD after 6 weeks.
- Non weight bearing crutch mobilization.
- Straight leg raising and active knee bending.
- Remove dressing at home after 2 weeks.
- Review at N/S OPD after 6 weeks on any Monday or Wednesday.
- **TO REPORT TO CASUALTY IN CASE OF ANY PROBLEM.**

DISCHARGE SUMMARY PREPARED BY # DR. B. KALITA.

DR. NAVANIL BARUA, MS. M.Ch.
SENIOR CONSULTANT (NEUROSURGERY).

DR. RUBEN CHOUDHURY, MS. M.Ch.
CONSULTANT (NEUROSURGERY).

Note : 1. Please quote the hospital Registration No. & MRD No. For all future correspondence.
2. To avoid inconvenience please come for check-up with prior appointment.

*Followed
from
Rev'd
date*