

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 196/2006

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

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

1. Orders Sheet..... O.A Pg..... 1 to ..X.....
2. Judgment/Order dtd 09/08/2006 Pg. 1 to ..4..... A1.D....
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A..... 196/2006 Pg. 1 to ..2.0.....
5. E.P/M.P..... Pg..... to ..
6. R.A/C.P..... Pg..... to ..
7. W.S..... Pg..... to ..
8. Rejoinder..... Pg..... to ..
9. Reply..... Pg..... to ..
10. Any other Papers..... Pg..... to ..
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendement Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

SECTION OFFICER (Judl.)

Fahila
25/10/17

(See Rule 12)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDERS SHEET

1. Original Application No. 196/106
2. Misc Petition No. /
3. Contempt Petition No. /
4. Review Application No. /

Applicant(s) Prijen Kr. Chanda

Respondent(s) U. O. T. 4001

Advocate for the Applicant(s) Chandra Shekhar Sinha

Advocate for the Respondent(s) C.O.S.L.

Notes of the Registry	Date	Order of the Tribunal
-----------------------	------	-----------------------

09.08.2006

The application is disposed of

in terms of the order passed in separate
sheets.

54E704201-5

8.8.06

Glckb

PM

8/8

Member

Vice-Chairman

Steps not taken

ABR

Final hearing
11.8.06

11.8.06
Copy of the Judgement
has been collected
by the L/Adv. for the
parties.

HT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

196 of 2006

O.A. No.

09.08.2006

DATE OF DECISION

Shri Bijoy Kumar Chanda

Applicant/s

Mr C.S. Sinha

Advocate for the
Applicant/s

- Versus -

Union of India & Others

Respondent/s

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

Advocate for the
Respondents

CORAM

HON'BLE SRI K.V. SACHIDANANDAN, VICE-CHAIRMAN
HON'BLE SRI GAUTAM RAY, ADMINISTRATIVE MEMBER

1. Whether reporters of local newspapers may be allowed to see the Judgment ?
2. Whether to be referred to the Reporter or not ?
3. Whether to be forwarded for including in the Digest Being complied at Jodhpur Bench ?
4. Whether their Lordships wish to see the fair copy of the Judgment ?

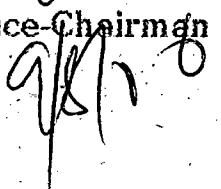
Yes/No

Yes/No

Yes/No

Yes/No

Vice-Chairman



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 196 of 2006.

Date of Order : This the 9th day of August 2006.

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

The Hon'ble Sri Gautam Ray, Administrative Member.

Shri Bijoy Kumar Chanda
S/o Late Sashi Bhusan Chanda
Residing at A.G. Quarter
No. Type-II/16, 79 Tilla
Agartala, P.S. East Agartala
District - West Tripura

... Applicant

By Advocate Mr C.S. Sinha.

Versus -

1. Union of India
Represented by the Comptroller & Auditor General of India, 10 Bahadursha Jafar Marg, New Delhi - 110 002.
2. The Accountant General (A & E)
Assam, Maidam Gaon, Beltola
Guwahati - 781 029.
3. The Accountant General (A & E)
Tripura, Kunjaban, Agartala.
4. Sr. Deputy Accountant General (Admn. & VLC),
Office of the Accountant General (A & E), Assam,
Maidam Gaon, Beltola, Guwahati - 781 029.
5. Deputy Accountant General,
Office of the Sr. Deputy Accountant General (A & E), Tripura, Agartala,

... Respondents

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

.....

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

The Applicant is presently working as Sr. Accounts Officer in the office of the Accountant General, Tripura and as per the policy for separation of common cadre of Group 'B' officers in the A&E offices in N.E. Region as circulated vide Circular dated 30.03.2006 option has been called for from the employees. The Applicant has submitted his option as Tripura itself. While so, vide order dated 16.05.2005 the Group 'B' officers were asked to give their preference for posting to the deficit offices on deputation basis. The Applicant has given Tripura as his choice. Subsequently, vide annexure - 5 dated 28.07.2006 the Applicant has been promoted to the cadre of SO/AAO/AO/Sr.AOs and transferred and posted to Nagaland. This was reiterated vide annexure - 6 for releasing the officers with effect from 31.07.2006 (A/N). The Applicant submitted that he is on leave on personal grounds. Aggrieved by the said inaction, the Applicant has filed representation on 22.05.2006 to the 2nd Respondent to consider and retain him at Agartala.

2. Heard Mr C.S. Sinha, learned Counsel for the Applicant and Mr G. Baishya, learned Sr. C.G.S.C. for the Respondents.

3. Mr C.S. Sinha, learned Counsel for the Applicant has taken to our attention to annexure - 8 Circular, which is quoted herein below:

"Deputation should be restricted to officers below 56 years of age - The Recruitment Rules in respect of a number of posts provide for appointment to the post on deputation (including short-term contract)/transfer. The existing instructions relating to cases where this method of

recruitment is provided do not provide for any upper-age limit for eligibility for appointment by deputation (including short-term contract)/transfer. This sometimes results in appointment of persons who are left with very short service before retirement. It is desirable that appointments of such persons are avoided as during this short span they would be unable to contribute effectively to the organisations where they are appointed.

2. The matter has, therefore, been examined in consultation with the UPSC and it has been decided that the maximum age-limit for appointment by deputation (including short-term contract) and absorption shall be not exceeding 56 years as on the closing date of receipt of applications by the UPSC or the Ministry/Department/Office, as the case may be. This fact should, therefore, be clearly mentioned in the circular inviting applications for filing up vacancies by this method of recruitment."

Learned Counsel for the Applicant submitted that the Applicant has crossed 56 years and action of the Respondent in transferring him to Nagaland is not justified. Learned Counsel for the Applicant further submitted he will be satisfied if a direction is given to the 2nd Respondent to consider the representation of the Applicant and dispose of the same within a time frame. Mr G. Baishya, learned Sr. C.G.S.C. for the Respondents submitted that it will suffice the ends of justice and he has no objection.

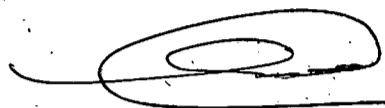
4. Therefore, the 2nd Respondent and/or any other Competent Authority shall consider and dispose of the representation of the Applicant and pass appropriate order within a time frame of one month from the date of receipt of this order. In the interest of justice, this Court directs that the impugned order dated 28.07.2006 annexure - 5 will be kept in abeyance and status quo ante as on

28.07.2006 shall be maintained so far as the Applicant is concerned till the disposal of the representation.

The O.A. is disposed of at the admission stage itself. No order as to costs.



(GAUTAM RAY)
ADMINISTRATIVE MEMBER



(K.V. SACHIDANANDAN)
VICE-CHAIRMAN

/mb/

22 AUG 2006

प्रवाहाटी, न्यायगाँठ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

(AN APPLICATION UNDER SEC. 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985).

ORIGINAL APPLICATION NO. 196 OF 2006 A.D.

Shri Bijey Kumar Chanda.

APPLICANT

- VERSUS -

Union of India and 4 others.

RESPONDENTS

I N D E X

<u>Sl. No.</u>	<u>Particulars</u>	<u>Page Nos.</u>
1.	Original Application.	1 - 10.
2.	Annexure - 1. Copy of the Circular dated 30.03.2006.	11 - 12
3.	Annexure - 2. Copy of the Circular dated 17.05.2006.	13
4.	Annexure - 3. Copy of relevant portion of Circular dated 16.5.2006.	14
5.	Annexure - 4. Copy of representation of the Applicant dt. 22.05.2006.	15
6.	Annexure - 5. Copy of the order dated 28.07.2006.	16 - 17
7.	Annexure - 6. Copy of the release order dated 31.07.2006.	18
8.	Annexure - 7. Copy of the Office Order dated 31.07.2006.	19
9.	Annexure - 8. Copy of relevant portion of Appendix 5 of Fundamental Rules.	20

-:(2):-

<u>Sl. No.</u>	<u>Particulars.</u>	<u>Page Nos.</u>
10.	Vakalatnama.	21
11.	Notice to C.G.S.C., C.A.T., Guwahati.	22

Submitted.

Chandrasekhar Sinha
(Chandrasekhar Sinha)
Advocate.

In The Central Administrative Tribunal
Guwahati

OA...../2006

Bijoy Kr. Chanda
Vs.
Union of India & others

Synopsis

1. The Applicant, Sr.Accounts Officer of the Office of the A.G.Tripura was said to exercise option for deputation to deficit offices by circular dated 16.5.2006 (Annexure – 3).
2. The applicant represented against such order to the fact that he attained 56 years of age and against his will such deputation can not be held.
3. The respondent authority did not pay heed to his representation, rather made impunged orders dated 28.7.2006 posting him on deputation basis to the office of the Sr. D.A.G. (A & E)/ A.G. Nagaland Kohima and order dated 31.7.2006 stating him as stand released w.e.f. 31.7.2006.
4. On 31-7-2006 another order was made preventing him from making prayer for leave etc.
5. The actions of the authority are illegal and contrary to natural justice.
6. Hence, this petition seeking justice.

C.S. SINHA
ADVOCATE

In the Central Administrative Tribunal
Guwahati

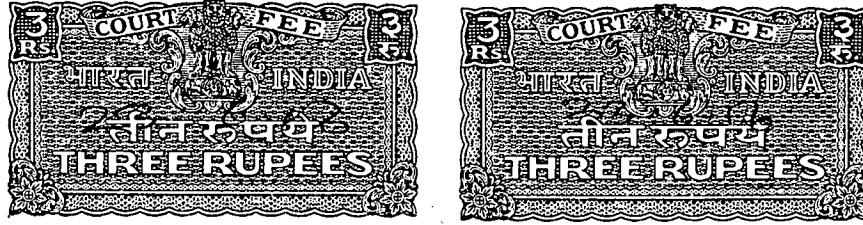
OA...../2006

Bijoy Kr. Chanda
Vs.
Union of India & others

List of Dates

10-6-74	Joined as Auditor, redesignated as Accountant. Presently holding the post of Sr. Accounts Officer.
30-3-2006	Circular on cadre separation
16-5-2006	Circular No. AG/Sep/Gr.B/2006/25
17-5-2006	Circular No. Estt. (A& E)/11
22-5-2006	Representation against Circular dated 16.5.2006
28-7-2006	Order of deputation to the office of the A.G. Nagaland, Kohima.
31-7-2006	Release order
31-7-2006	Office order

C.S. SINHA
ADVOATE



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
(AN APPLICATION UNDER SEC. 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985).

ORIGINAL APPLICATION NO. 196 OF 2006 A.D.

BETWEEN

Shri Bijoy Kumar Chanda,
S/O Lt. Sashi Bhushan Chanda,
Residing at A.G. Querar
No. Type-II/16, 79 Tilla,
Agartala, P.S. East Agartala,
District - West Tripura.

...

APPLICANT.

- VERSUS -

1. Union of India, represented by the Comptroller & Auditor General of India, 19 Bahadursha Jafar Marg, New Delhi - 110002.
2. The Accountant General (A&E), Assam, Maidan Gaon, Beltala, Guwahati - 781029.
3. The Accountant General (A&E), Tripura, Kunjabon, Agartala.
4. Sr. Deputy Accountant General (Admn. & VLC), Office of the Accountant General (A&E), Assam, Maidan Gaon, Beltala, Guwahati-781029.
5. Deputy Accountant General, Office of the Sr. Deputy Accountant General (A&E), Tripura, Agartala.

...

RESPONDENTS.

Contd. - P/2.

Filed by
By
Bijoy Kumar Chanda
Chandreshwar Singh
A.D.

Chanda
Kumar
Pragya

3

5

Chandrabhushan
Kumar

-:(2):-

1. PARTICULARS OF THE ORDERS AGAINST WHICH APPLICATION IS MADE :-

The Applicant is aggrieved by order No. AG/Sep/Gr.-B/2006/65 dated 28.07.2006 and order No. Estt(A&E)/E Cadre Separation/2003-06/483 dated 31.07.2006, which the authorities issued without disposal of his representation dated 22.05.2006 and Office Order No. Estt/A&E/Leave/Gr.-B/2006/532 dated 31.07.2006 in respect of the petitioner.

2. JURISDICTION OF THE LD. TRIBUNAL :-

The Applicant declares that the subject matter of this application falls within the jurisdiction of this Hon'ble Tribunal.

3. LIMITATION :-

The Applicant declares that he made representation on 22.05.2006 against the Circular dated 16.05.2006. But without disposal of his representation, the orders dated 28.07.2006 and release order dated 31.07.2006 were passed by the authorities. Hence this application is very much within limitation.

4. FACTS OF THE CASE :-

4.1 That the Applicant joined the Indian Audit and Accounts Department as Auditor on 10.06.1974, later on redesignated as Accountant and is currently holding the

-:(3):-

post of Sr. Accounts Officer posted at the office of the Accountant General (A&E), Tripura.

4.2 That on 30.03.2006 the Office of the Accountant General (A&E), Assam Guwahati made Circular bearing No. AG/Sep/Gr.-B/2006/141 on Cadre Separation of Gr.-B Section Section Officers to Sr. Accounts Officers in the A& E. Offices of the North-East Region.

A copy of the Circular dated 30.03.2006 is enclosed as Annexure - 1.

4.3 That relying on Clause - V of the Circular dated 30.03.2006, the office of the Accountant General (A&E), Assam made Circular No. AG/Sep/Gr.-B/2006/25 dated 16.05.2006 which was circulated by the Agartala Office vide Circular bearing No. Estt.(A&E)/11 dated 17.05.2006. In the circular the Petitioner's name appears at Sl.No.3. By the circular it is said that the excess persons in each Cadre, who cannot be accommodated in the office of their preference, shall be posted on deputation basis to the office in which number of optees is less than the required strength of that office, i.e., the deficit office and the Applicant was asked to give his preference for posting to the deficit office on deputation basis.

Copies of Circular dated 17.5.2006 and relevant portion of Circular dated 16.5.2006 are enclosed as Annexure - 2 & 3 Respectively.

-(4)-

By/CC Kunwar Chandra
5
Lokeshwar
Par

4.4 That the Applicant made representation dated 22.05.2006 against the Circular dated 16.05.2006 stating inter alia that he has already attained 56 years of age and as per Government of India, Department of Personnel & Training, O.M. No. AB-14017/48/92-Estt(RR) dated 17.11.1992 he is not desirable for appointment by deputation/transfer. Furthermore, in the representation he has stated that such deputation cannot be against his will. However, provisionally he has exercised option to the office of the Sr. D.A.G. (A&E), Nagaland, Kohima stating inter alia that his such option should not be considered as final till receipt of reply from his higher authorities and requested for his accommodation in the office of the Sr. D.A.G. (A&E.), Tripura, which is his first choice of posting.

A copy of the representation dated 22.5.2006 is enclosed as Annexure - 4.

4.5 That without paying any heed to his representation dated 22.05.2006 the office of the Accountant General (A&E), Assam ix the & under the signature of Sr. Deputy Accountant General (Admn.& VLC), Assam, Guwahati issued order bearing No. AG/Sep/Gr.-B/2006/65 dated 28.07.2006 posting the Applicant on deputation in the office of the Accountant General (A&E.), Nagaland, Kohima.

A copy of the order dated 28.07.2006 is enclosed as Annexure - 5.

-:(5):-

4.6 That on 31.07.2006 the Deputy Accountant General, Tripura made order No. Estt(NE)/Cadre Separation/2003-06/483 dated 31.07.2006 stating the Applicant as stand released with effect from 31.07.2006 (A/N).

A copy of the order dated 31.03.2006 is enclosed as Annexure - 6.

4.7 That on 31.07.2006 itself the Deputy Accountant General, Tripura made another Office Order bearing No. Estt/A&E/Leave/Gr.-B/2006/532 stating that consequent upon Cadre Separation of Group-B Officers of North-East region, it is ordered that no fresh leave or extension of leave of any kind in respect of Group-B officers would be entertained without prior approval of the Deputy Accountant General, which also the Applicant received on 31.07.2006.

A copy of the office order dated 31.07.2006 is enclosed as Annexure - 7.

5. GROUND FOR RELIEF :-

5.1 For that on separation of Common Cadre of Group - B Officers, the Applicant opted for posting in the office of the Accountant General (A&E), Tripura and as such he belongs to Group - B Officers of Tripura Cadre. In such situation deputation connotes services outside the Cadre of Parent Cadre and as such he cannot be posted on deputation against his will. Thus the orders dated 28.7.2006 and its release

-:(6):-

order dated 31.07.2006 are liable to be quashed.

5.2 For that by representation dated 22.05.2006 the Applicant apprised the authorities that he has attained the age of 56 years and according to Appendix - 5 of the Fundamental Rules the orders of Deputation of the Applicant dated 28.07.2006 and release order dated 31.07.2006 are illegal.

Copy of the relevant portion of Appendix - 5
of Fundamental Rules is enclosed as Annexure-8.

5.3 For that without disposal of representation of the Applicant made on 22.05.2006 issuance of order dated 28.07.2006 and then release order dated 31.07.2006 amounts to contrary to the principles of natural justice.

5.4 For that the very provision in Criteria - V of the Circular on Cadre Separation dated 30.03.2006 "no willingness shall be necessary for this purpose" is an arbitrary and whimsical exercise of power on the part of the Authorities discarding the necessity of willingness of the Applicant and such arbitrary and whimsical provision has made the authorities to go with arbitrary exercise of power and to that extent the Circular dated 30.03.2006 deserves to be declared as unreasonable and unjustified.

18
K. K. Chanda
Brijgopal Chanda
ASR

-:(7):-

5.5 For that the circular on Cadre Separation dated 30.03.2006 has no bearing in the case of the Applicant as he has attained the age of 56 years, plus this is a Circular having no room for exercise of willingness by the Applicant.

5.6 For that had the present age of the Applicant got considered while issuing the orders for deputation to other place than Tripura, the Respondent Authorities would not have obviously issued the impugned orders dated 28.07.2006 and release order dated 31.07.2006. It shows non-application of mind on the part of the Respondent Authorities and the Applicant should not suffer for this.

5.7 For that the Office Order dated 31.07.2006 preventing the Respondent Applicant to go for leave or extension of leave amounts to arbitrariness and from this order itself it is ex facie that the Respondent Authorities are bent upon somehow to send the Applicant on deputation outside Tripura illegally. This is an excess exercise of power and accordingly the Office Order dated 31.07.2006 deserves to be quashed so far as the Applicant is concerned.

6. DETAILS OF REMEDIES EXHAUSTED :-

The Applicant states that he made representation dated 22.05.2006, but without paying any heed thereto, the Respondents made orders dated 28.07.2006 and release order dated 31.07.2006 and Office Order dated 31.07.2006 and as

-:(8):-

Mr. Joy Kumar Chanda
(Ambedkar Hall
University of Calcutta)

he has no other alternative and efficacious remedy than to file this application, inasmuch as the matter calls for quick justice from this Hon'ble Tribunal.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING BEFORE ANY OTHER COURT :-

The Applicant further declares that he has not previously filed any application/Writ Petition/Suit before any other Court and/or Authority and/or any other Bench of the Hon'ble Tribunal in respect of the subject matter of the instant application or any other Application/Writ Petition/Suit is pending with any of them.

8. RELIEFS SOUGHT FOR :-

Under the facts and circumstances stated above, the Applicant most respectfully prays that the Hon'ble Tribunal may be pleased enough to admit this application, call for the records of the Case and upon hearing the parties be pleased to grant the following reliefs to the Applicant :-

- (a) To set aside the order No. AG/Sep/Gr.-B/2006/65 dated 28.07.2006 so far as the Applicant is concerned.
- (b) To set aside the order in No. Estt(A&E)/Cadre Separation/2003-06/483 dated 31.07.2006 so far as the Applicant's Case is concerned.
- (c) To set aside the Office Order No. Estt(A&E)/Leave/Gr.-B/2006/532 dated 31.07.2006 so far as Applicant's Case is concerned.

20
4
Rukhul / hsl
Pradeep Kumar Chanda

-:(9):-

(d) To declare the Circular No. AG/Sep/Gr.-B/2006/141 dated 30.03.2006 as unreasonable and unjustified so far as the provision in Criteria - V of the Circular stating "no willingness shall be necessary for this purpose" and absence of any criteria for taking prior consent of the Applicant for posting on deputation outside Tripura is concerned.

(e) To direct the Respondents to allow the Applicant to continue in the office of the Accountant General (A&E), Tripura.

(f) To grant any other relief/reliefs which the Hon'ble Tribunal may deem fit and proper.

9. INTERIM ORDER PRAYED FOR :-

To stay operation of the order No. AG/Sep/Gr.-B/2006/65 dated 28.07.2006, release order No. Estt(A&E)/Cadre Separation/2003-06/483 dated 31.07.2006 and Office Order bearing No. Estt/A&E/Leave/Gr.-B/2006/532 dated 31.07.2006 pending disposal of this Original Application so far as the Applicant's Case is concerned.

10. This application is filed through Ld. Advocate Mr. Chandrasekhar Sinha.

11. Particulars of Postal Order No. dated
IPO - 54E 704201 Rs10/- dt 8.8.06
IPO - 54E 704202 Rs10/- dt 8.8.06
IPO - 54E 704203 Rs10/- dt 8.8.06
IPO - 54E 704204 Rs10/- dt 8.8.06
IPO - 54E 704205 Rs10/- dt 8.8.06

Contd. - P/le.

-:(10):-

12. LIST OF ENCLOSURES :-

As stated in the Index.

VERIFICATION

I, Shri Bijoy Kumar Chanda, S/O.Lt. Sashi Bhushan
Chanda, residing at A.G. Quarter No. Type-II/16, 79
Tilla, Kunjaban, Agartala, P.S. East Agartala,
District - West Tripura, Applicant, do hereby
declare and state that the statements contained
in Paragraphs^{1 to 7} are true to
my knowledge and I have not suppressed any material
fact.

And I sign this verification this ...^{8th} day
of August, 2006.

Bijoy Kumar Chanda.

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

Circular on Cadre Separation

Circular No. AG/Sep/Gr. 'B'/2006/141.

Dated :-30/03/2006.

- I. Headquarters office has decided to separate the common Group 'B' cadre from Section Officers to Sr. Accounts Officers in the A&E offices of the N. E. region hitherto controlled by the Accountant General (A&E), Assam, Guwahati.
- II. The offices to which the staff may exercise their one time option are the A&E offices at Assam, Meghalaya, Manipur, Tripura, Nagaland and the newly created offices of Mizoram and Arunachal Pradesh.
- III. The separation of Group 'B' Cadres would be in accordance with the following criteria :-
- IV. The existing staff may be allocated on permanent posting against the required strength on the basis of the seniority of the officers who have exercised their option for allocation to such offices, irrespective of their base office.
- V. If the number of optee for a particular office is more than the required strength of that office, the excess persons in each cadre (SAO/AO/AAO/SO), who can not be accommodated in the office of their preference against the required strength of that office as per their seniority, shall be posted on deputation basis to the office for which number of optees is less than the required strength of that office viz deficit offices. If sufficient volunteers are not available for such posting on deputation basis the junior most persons in excess of required strength in each cadre shall be sent to deficit office on deputation basis. No willingness shall be necessary for this purpose but deputation allowance shall be payable. However, they may be asked to give their preference for such posting mentioning the names of deficit offices and as far as possible they may be posted to such deficit offices on the basis of their seniority and preference given by them for this purpose. These persons shall be posted to the office of their choice on the basis of their seniority on availability of subsequent vacancies

Subin S

against the required strength in such offices. The surplus optees shall also form part of the cadre of their office for which option was exercised by them.

VI. If the number of optees for a particular office is less than the sanctioned strength of that office all the optees shall be allocated to that office. The remaining vacancies shall be filled by deputation of surplus optees as per guidelines laid down at V above. The vacancies arising due to repatriation of the deputationists to the office of their choice will be filled up by the concerned offices as per provisions contained in the Recruitment Rules for the concerned posts.

VII. The promotions to Group 'B' posts after the separation of cadre shall be made by the concerned offices from amongst the eligible officers of their office. However, in surplus offices no further promotion will be made till all the surplus optees posted to deficit offices on deputation basis are accommodated in these offices.

VIII. Direct recruitment will be done in the deficit offices only against the requisition already placed to be placed to Staff Selection Commission.

IX. With a view to implement the above scheme of separation of cadres of Group 'B' posts, all the present Group 'B' officers (Section Officers to Senior Accounts Officers including these on deputation and on foreign service) of this office are hereby directed to exercise their options in the enclosed "FORM OF OPTION" and submit the same to the Senior Accounts Officer/Admn. of this office by 15th April 2006 positively. He should also prepare a list of officers on leave and ensure sending of this circular with 'Option Form' to them by Registered post.

Sd/-

Sr. Deputy Accountant General (Admn.)

[Handwritten signature]

OFFICE OF THE SR. DEPUTY ACCOUNTANT GENERAL (A&E)
TRIPURA :: AGARTALA

CIRCULAR

Circular No. Estt.(A&E)/11.

Dated:- 17-05-2006

Subject :- Separation of Common Group B cadre amongst the Accounts & Entitlement Office of the North East.

With reference to the D.O letter No. AG/Sep/ Gr-B/2006/35 dated 17-05-2006 on the subject cited above, all concerned Officers are hereby requested to submit the FORM OF OPTION in the prescribed Proforma regarding deputation to other deficit offices by 19-05-2006 positively to the Senior Accounts Officer (Admn.) for onward transmission of the same to the cadre controlling authority.

(Authority:- DAG's order dt. 17-05-2006 at P/22^N of file no Estt.(A&E)/Cadre separation/2003-06)

Sd/-
Sr. Accounts Officer/Admn.

Memo No. Estt(A&E)/Cadre Separation/2003-06/202-06. Dated:- 17-05-2006

Copy to :-

1. The Secretary to A.G.
2. The P.A. to DAG(A&E)
3. AAO/TMC
4. All Officers by name
5. Notice Board.

Sr. Accounts Officer(Admn)

AAO.Cadre.Sep29

*for
forward to
PCW*

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

Circular No. AG/Sep/Gr.'B'/2006/25

May 16, 2006

As per clause V of policy for Separation of Common Cadre of Group 'B' officers in the A&E offices in N.E. Region as circulated vide Circular No. AG/Sep/Gr.'B'/2006/141 dated 30/03/2006 if the number of optees for a particular office is more than the required strength of that office, the excess persons in each cadre(Sr. A.O./A.O./A.A.O/S.O.), who cannot be accommodated in the office of their preference against the required strength of that office as per their seniority, shall be posted on deputation basis to the office for which number of optees is less than the required strength of that office i.e. deficit offices as mentioned in the option form. As such, the following surplus Gr. 'B' officers are hereby asked to give their preference for posting to the deficit offices on deputation basis. Posting, however, will be made on the basis of seniority and preference. Preference for deputation (if any) may kindly be given on or before 24th May, 2006 in the enclosed 'Form of Option'.

Sl. No.	Name	Designation	Office to which attached
1.	TRIDIB RANJAN DEY	SR. ACCOUNTS OFFICER	O/o the A.G(A&E) Assam, Guwahati.
2.	JOSHODHIR CH. GHOSH	SR. ACCOUNTS OFFICER	O/o the A.G(A&E) Assam, Guwahati.
3.	BIJOY KR. CHANDA	SR. ACCOUNTS OFFICER	O/o the Sr. D.A.G(A&E) Tripura, Agartala.
4.	JAGAT JYOTI TOY(II)	SR. ACCOUNTS OFFICER	O/o the Sr. D.A.G(A&E) Tripura, Agartala.
5.	RATHINDRA KUMAR DAS	SR. ACCOUNTS OFFICER	O/o the A.G(A&E) Meghalaya, Shillong.
6.	MEGNAD SAHA	SR. ACCOUNTS OFFICER	Deputation.
7.	RATHINDRA CH. DHAR	SR. ACCOUNTS OFFICER	O/o the Sr. D.A.G(A&E) Tripura, Agartala.
8.	LOKAPRIYA DAS	SR. ACCOUNTS OFFICER	O/o the A.G(A&E) Assam, Guwahati.
9.	DILIP KUMAR DAS (III)	SR. ACCOUNTS OFFICER	O/o the A.G(A&E) Assam Guwahati.

*for further info
see page 2*

(15)

To
 The Accountant General (A&E) Assam
 Maidamgaon, Beltola
 Guwahati 781029
 (Through proper channel)

Subject: Option for posting on deputation basis in deficit office(s) in N.E. Region.

Sir,

With reference to your circular No. AG/Sep/Gr-'B'/2006/25 dated 16.05.2006, on the above subject, I am to state that I made an appeal in regard to the separation of Gr-'B' cadres on 25.10.2004 and 14.02.2006 to the cadre controlling authority. A copy of the appeal dated 25.10.2004 was also endorsed to HQs Office but reply in this regard is still awaited.

Now keeping aside the existing transfer policy without considering the problems of a good number of existing staff, the option for posting in deficit office(s) on deputation basis from a prospective date as called for in your circular under reference, I am to state that I have already attained 56 years of age which as per G.I. Dept. of per.& Trg., O.M. No. AB 14017/48/92-Estt.(RR), dated 17.11.92 is not desirable for appointment by deputation/transfer. Moreover, one may not be placed on deputation unilaterally beyond his willingness.

However to adhere the order of my superior authority, I exercise my option provisionally to the Office of the ... Sr. D.A.G. (A&E) Nagaland, Kohima ... and accordingly my option/placement there may not be considered as final till receipt of reply from my higher authorities.

In view of the above and as per G.I. O.M. dated 17.11.92, I would request your kind honour to consider to accommodate me in the Office of the Sr.D.A.G.(A&E) Tripura, Agartala which is my first choice of posting.

Yours faithfully,

22/5/06
 (BIJOY KUMAR CHANDA)
 Sr. Accounts Officer

Received
 22/5/06
 22/5/06

Copy to the Principal Director(Staff), Office of the Comptroller & Auditor General of India, 10 Bahadur Shah Zafar Marg, New Delhi-110002. This has a reference to my application dated 25.10.2004. Considering the above position my humble submission to the highest authority of our department to place me in the Office of the Sr.D.A.G.(A&E) Tripura, Agartala which is my first choice of posting.

22/5/06
 (BIJOY KUMAR CHANDA)

Swamy's compilation of
 FRSR - Part-I General Rules
 incorporating orders received
 up to June 2004

My
 further
 W
 SC

(16)

2X

OFFICE OF THE ACCOUNTANT GENERAL (A&E) ASSAM, MAIDAMGAON,
BELTOLA, GUWAHATI-781029

No. AG/Sep/Gr.B/2006/65

28 July, 2006

Consequently on their Promotion to the cadre of SO/AAO/AU/Sr. AOs, the officers were liable to be transferred and posted to any of the offices of the Accountant General (A&E) Assam, Nagaland, Tripura, Manipur, Meghalaya etc. or any other offices likely to be opened in future in the N.E. Region.

As per Policy on Cadre Separation issued under Circular No. AG/Sep/Gr.B/2006/ 141 dated 30/3/2006 the following Group 'B' officers are hereby transferred and posted on deputation basis to the office(s) as shown below:

SI No	Name	Designa- tion	Present place of posting O/o the A.G (A&E)/Sr. DAG (A&E)	Place of posting on deputation O/o the A.G (A&E)/Sr. DAG (A&E)
1	BIJOY KUMAR CHANDA	Sr. A.O	Tripura	Nagaland
2	JAGAT JYOTI ROY	Sr. A.O	Tripura	Meghalaya
3	RATHINDRA KUMAR DAS	Sr. A.O	Meghalaya	Meghalaya
4	MEGNAD SAHA	Sr. A.O	Assam	Meghalaya
5	RATHINDRA CH. DHAR	Sr. A.O	Tripura	Meghalaya
6	SUBHAS CHANDRA DEY	Sr. A.O	Assam	Arunachal Pradesh
7	SANKAR PAUL	Sr. A.O	Meghalaya	Mizoram
8	SWAPAN KUMAR NATH	A.O	Meghalaya	Meghalaya
9	JANARDHAN GOSWAMI	A.O	Nagaland	Nagaland
10	LIBOYAIMA SINGH	A.O	Meghalaya	Arunachal Pradesh
11	PH. JUGINDRA SINGH	A.O	Meghalaya	Nagaland
12	PAUL TIGGA	A.A.O	Assam	Arunachal Pradesh
13	MRINMOY DAS	A.A.O	Assam	Arunachal Pradesh
14	PARTHA PRATIM CHOWDHURY	A.A.O	Meghalaya	Arunachal Pradesh

b
b
b
b

(17)

15. SAIKAT DAS	A.A.O	Nagaland	Arunachal Pradesh
16. RAMAPADA ADHIKARI	A.A.O	Tripura	Nagaland
17. AJIT KUMAR DEB	A.A.O	Meghalaya	Mizoram
18. RAMAMOY BHATTACHARJEE	A.A.O	Meghalaya	Nagaland
19. AMRIT LAL DAS	A.A.O	Tripura	Nagaland
20. SUBRATA DAS CHOWDHURY	A.A.O	Tripura	Nagaland
21. SURENDRA PRASAD ROY	A.A.O	Meghalaya	Nagaland
22. DHIRESWAR BORO	S.O	Meghalaya	Arunachal Pradesh
23. PRADIP KUMAR DAS (II)	S.O	Meghalaya	Mizoram
24. KHOKAN CHANDRA ROY	S.O	Manipur	Meghalaya
25. MANDIRA PURKAYASTHA	S.O	Meghalaya	Manipur
26. NEPAL CH. BISWAS	S.O	Tripura	Nagaland

On their transfer they stand released w.e.f. 31-07-06 (AN) to enable them to join in their new place of posting on deputation basis.

[Authority A.G's Order dated 28-07-06 at p/ 21 N in file No. No. AG/ Sep/Gr 'B'/2006]

sd/-

Sr. Deputy Accountant General (Admn. & VLC)

Memo No. AG/ Sep/Gr 'B'/2006/1445

28 July, 2006

Copy forwarded to:

The Comptroller & Auditor General of India,

10, Bahadur Shah Zafar Marg,

Indraprastha Head Post Office,

New Delhi- 110 002.

sd/-

Sr. Deputy Accountant General (Admn. & VLC)

by
future
sd/-

OFFICE OF THE SR.DEPUTY ACCOUNTANT-GENERAL (A&E)
TRIPURA:: AGARTALA.

No. Estt(A&E)/Cadre Separation/2003-06/ 483

Dated 31-07-2006

In pursuance of order No. A.G./Sep/Gr.-'B' /2006/65 dt. 28-07-2006 (Copy enclosed) the following Gr.-'B' officers stand released w.e.f. 31-07-2006(A/N) to enable them to join in their new place of posting on deputation basis.

SI No	Name	Designa tion	Present place of posting [O/o the A.G (A&E)/Sr. DAG (A&E)]	Place of posting on deputation [O/o the A.G (A&E)/Sr. DAG (A&E)]	Remarks
1.	SHRI BIJOY KUMAR CHANDA	Sr. A.O	Tripura	Nagaland	Deputation Basis
2.	SHRI JAGAT JYOTI ROY(II)	Sr. A.O	Tripura	Meghalaya	Deputation Basis
3.	SHRI RATHINDRA CH. DHAR	Sr. A.O	Tripura	Meghalaya	Deputation Basis
4.	SHRI RAMAPADA ADHIKARI	A.A.O	Tripura	Nagaland	Deputation Basis
5.	SHRI AMRIT LAL DAS	A.A.O	Tripura	Nagaland	Deputation Basis
6.	SHRI SUBRATA DAS CHOWDHURY	A.A.O	Tripura	Nagaland	Deputation Basis
7.	SHRI NEPAL CH. BISWAS S.O		Tripura	Nagaland	Deputation Basis

Sgn/
Deputy Accountant General

Memo No. Estt(A&E)/Cadre Separation/2003-06/ 484-96

Dated. 31-07-2006

Copy to:-

1. All concerned Officers.
2. Secretary to the A.G.
3. P.A.to D.A.G.
4. P.A.O.(Local)
5. A.G. (A&E) Assam, Beltola, Guwahati.
6. A.G. (A&E), Meghalaya, Shillong.
7. Sr. D.A.G (A&E), Nagaland, Kohima.

Sgn/
Sr. Accounts Officer/Admn.

You are my leave

*b
further w
sw*

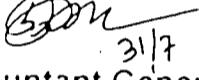
OFFICE OF THE SR. DEPUTY ACCOUNTANT GENERAL(A&E)
TRIPURA : AGARTALA.

No. Estt/A&E/Leave/Gr-B/2006/ 532

Dated 31-07-2006

OFFICE ORDER

Consequent upon Cadre Separation of Group B Officers of North East Region, it is hereby ordered that no fresh leave or extension of leave of any kind in respect of Group B officers will be entertained without prior approval of the Dy. Accountant General.


31/7
Dy. Accountant General.

Offered for publication
without comment

for future use
SCW

11. What is the specific public interest involved in the proposed extension?
12. Whether the concurrence of lending organization/ individual concerned has been obtained for the proposed extension?
13. Efforts made to select a suitable replacement for the officer?
14. According to Recruitment Rules can the post be filled up by promotion? If so, are there any eligible officers available from the feeder cadre (if there is one) and if so, why are they not being considered for promotion instead of seeking further extension for existing incumbent? ...
15. Any other relevant information considered necessary

Signature and Designation
of Administrative Authority

Deputation should be restricted to officers below 56 years of age. The Recruitment Rules in respect of a number of posts provide for appointment to the post on deputation (including short-term contract)/transfer. The existing instructions relating to cases where this method of recruitment is provided do not provide for any upper age-limit for eligibility for appointment by deputation (including short-term contract)/transfer. This sometimes results in appointment of persons who are left with very short service before retirement. It is desirable that appointments of such persons are avoided as during this short span they would be unable to contribute effectively to the organizations where they are appointed.

2. The matter has, therefore, been examined in consultation with the UPSC and it has been decided that the maximum age-limit for appointment by deputation (including short-term contract) and absorption shall be not exceeding 56 years as on the closing date of receipt of applications by the UPSC or the Ministry/Department/Office, as the case may be. This fact should, therefore, be clearly mentioned in the circular inviting applications for filling up vacancies by this method of recruitment.

[G.I., Dept. of Per. & Trg., O.M. No. AB 14017/48/92-Estt. (RR), dated the 17th November, 1992.]

SECTION II

Revision of Central Secretariat (Deputation on Tenure) Allowance (CDTA) to officers of organized Group 'A' Services on their appointment as Under Secretary, Deputy Secretary and Director in the Central Secretariat under the Central Staffing Scheme.—The Central Secretariat

Deputy Secretary

*45
Bullock Cart
OA*