

FORM NO. ②
(See Rule 42)
CENTRAL ADMINISTRATIVE TRIEUNAL
GUWAHATI BENCH.

ORDER SHEET

39106

Original Application No.

Misc. Petition No.

Contempt Petition No.

Review Application No.

Applicant(s)

Dr. Samit Kumar Das

Respondent(s)

U.O. I form

Advocate for the Applicants M. Chanda, G.N. Chakrabarty
S. Nath

Advocate for the Respondent(s) A.K. Chaudhury Addl. CGSC
Rly St. Counsel

Notes of the Registry

Date

Order of the Tribunal

This application is in form
is filed/C. F. I. x Rs. 50/-
deposited 10/2/06
No. 26.07.31.91.44.

Dated 7.2.06

N. Das
10/2/06
1/c Dy. Registrar

Mentioned in Court &
allowed to move as
enlisted

10/2/06
CO.

10.02.2006 Present: Hon'ble Sri K.V. Sachidanandan,
Vice-Chairman.

Heard Mr. M. Chanda, learned
counsel for the applicant and Mr. A.K.
Chaudhury, learned Addl. C.G.S.C. for the
respondents.

The applicant is now working as Sr.
Scientist claiming the benefit of tenure
choice station posting. He has had the
occasion to work in Andhra Pradesh and
other places. The applicant is a permanent
resident of West Bengal. He was posted
and transferred at ICAR, Umiam, Shillong
from Makhdoom, U.P. and presently, he is
working at Umiam, Shillong. He has made
representations for posting in his home
town on compassionate grounds which is
still pending for disposal. The impugned
order dated 19.01.2006 was passed by the
respondents transferring the applicant to

Contd/-

Contd....

Contd/-

10.02.2006

ICAR, Tripura Centre at Lembucherra in the State of Tripura without considering his option for choice station.

The contention of the applicant is that Sri S. Naskar, Sr. Scientist has already been posted at ICAR, Tripura Centre as far back as 20.08.2000. This order is still subsisting. The applicant has now been directed to hand over the charge to Sri S. Naskar, Sr. Scientist with immediate effect. Counsel for the applicant also submitted that this is unnecessary exercise and transfer of the applicant will adversely affect the personal life of the applicant since his wife is also not well.

When the matter came up for admission as unlisted, Mr. A.K. Chaudhuri, learned Addl. C.G.S.C. submits that he has to take instruction in the matter and notice may be issued to the respondents. From the records, he has submitted that the applicant has been transferred by impugned order dated 19.01.2006 on temporary basis till the position of Sr. Scientist is filled up at Tripura Centre.

Let the notice be issued to the respondents. Considering the entire aspects, this Court directs that the impugned order dated 19.01.2006, as far as the applicant is concerned, will be stayed till the next date, if the applicant has not already been relieved. Counsel for the applicant also pointed out that by order dated 08.02.2006 the applicant is directed to be relieved with immediate effect in the afternoon of 10.02.2006,

Contd/-

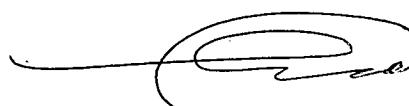
O.A. 39/2006
Contd/-

3

10.02.2006

which is at hand. Therefore, this order also will be kept in abeyance till the next date.

Post on 13.03.2006. Issue copy of this order forthwith.



Vice-Chairman

/mb/

13.03.2006.

Await notice. Post on 24.4.2006.

Interim order dated 10.02.2006 shall continue till the next date.



Vice-Chairman

Notice & order sent to D/section for issuing to resp. nos. 1 to 6 by regd. A/D Post.

17/2/06. D/No=226 to 231
DT= 21/2/06.

Notice duly served on resp. no-6.

3/3/06.

9-3-06

- ① Notice duly served on P No-6, other respondent awaited.
- ② No W/Ls have been filed.

My

1. copy order dated

13.3.06.

NS
(6.3.06)

order dt. 13/3/06 issuing to learned advocates for both the parties. CFH

21-4-06

① Notice duly served on R.No-6.
② Other respondent awaited.

22/4

Pd. copies order
dated 24.4.06

22/4/06

order dt. 24/4/06
issuing to learned
advocate's for both
the parties.

24/4/06

23 - 5 - 06

① Notice duly served on R.No-6, other respondent awaited
② No. W.Ls has been filed.

24

Pd. copies order dt.

24.5.06

25
25.5.06

order dt. 24/05/06
issuing to learned
advocate's for both
the parties.

25/5/06

26 - 6 - 06

No W.Ls has been filed.

26/6/06

order dt. 27/06/06 issuing
to learned advocate's for
both the parties.

24.4.2006

Further four weeks time is granted to the respondents to file reply statement. Post on 24.5.2005. Interim order will continue till the next date.

Vice-Chairman

mb

24.05.2006

Mr. G. Rahil, learned counsel for the respondents wanted a time to file reply statement.

Post on 27.06.2006. Interim order will continue till such time.

Vice-Chairman

mb

27.06.2006

Learned counsel for the respondents sought for time to file reply statement.

Post on 13.07.2006. Interim order will continue till the next date.

Vice-Chairman

mb

order dt. 24/05/06
issuing to learned
advocate's for both
the parties.

25/5/06

26 - 6 - 06

No W.Ls has been filed.

26/6/06

order dt. 27/06/06 issuing
to learned advocate's for
both the parties.

Notes of the Registry	Date	Order of the Tribunal
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12-7-06

No Wts has been
filed.

My

13.07.2006

Mrs. R.S. Chowdhury, learned
counsel for the respondents submitted that
during the pendency of this proceeding
some developments have taken place and the
applicant has been transferred to Patna
and the applicant has joined as per the
order. Copy of the order has been produced
by the learned counsel for the respondents
which is kept on record. Learned counsel
for the applicant submitted that he would
like to take instructions from his client.

Post on 18.07.2006.

*Sub
Advocate
17/7*

Vice-Chairman

17-7-06

No Wts has been
filed.

My

18.07.2006

Heard learned counsel for the
parties. The application is closed in
terms of the order passed in separate
sheets.

21.7.06

Copies of the judgment
has been collected
by the L/Advocates
for the parties.

sls

mb

Vice-Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

39 of 2006

O.A. No.

18.07.2006

DATE OF DECISION

Dr. S.K. Das
.....

Applicant/s

Mr. M. Chanda Mr. G.N. Chakrabarty Mr. S. Nath
..... Advocate for the
Applicant/s.

- Versus -

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

Mr K.N. Chowdhury Mrs. R.S. Chowdhury Mr. G. Rahul
..... Advocate for the
Respondents

CORAM

HON'BLE MR K.V. SACHIDANANDAN, VICE-CHAIRMAN

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
9/7/06

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 39 of 2006.

Date of Order: This the 18th day of July 2006.

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

Dr. Samir Kumar Das
S/o - Late Santosh Kumar Das
Sr. Scientist (Live Stock Production Management)
ICAR Research Complex, (For NEH Region)
Umroi Road, Umiam
Meghalaya - 793103.

... Applicant
By Advocates Mr. M. Chanda, Mr. G.N. Chakrabarty & Mr. S. Nath.

- Versus -

1. The Union of India
Represented by Secretary to the
Government of India,
Ministry of Agriculture,
New Delhi.
2. The Secretary
Indian Council of Agricultural Research
Krishi Bhavan
New Delhi - 110 001.
3. The Director General
Indian Council of Agricultural Research
Krishi Bhavan
New Delhi - 110 001.
4. The Director
Indian Council of Agricultural Research
ICAR Research Complex, (For NEH Region)
Umroi Road, Umiam
Meghalaya - 793103.
5. The Administrative Officer
ICAR Research Complex, (For NEH Region)
Umroi Road, Umiam
Meghalaya - 793103.
6. Dr. K.M. Buzarbaruah
Director
ICAR Research Complex, (For NEH Region)
Umroi Road, Umiam
Meghalaya - 793103.

... Respondents
By Mr K.N. Choudhury, Sr. Advocate, Mrs. R.S. Chowdhury & Mr G. Rahul, Advocates.

ORDER (ORAL)

K.V. SACHIDANANDAN (V.C.)

The applicant, who is working as Sr. Scientist (Live Stock Production Management) ICAR Research Complex, (For NEH Region), Umroi Road, Umiam, Meghalaya was transferred to Agartala vide order dated 19.01.2006. Aggrieved by the said action of the respondents, the applicant has filed this application seeking the following reliefs:-

- 8.1 That the Hon'ble Tribunal be pleased to set aside and quash the impugned order of transfer and posting bearing letter No. RC(E)2/2003 dated 19.01.2006 (Annexure - 3) so far the applicant is concerned as well as the impugned Office order relieving the applicant vide letter No. RC(E)2/03 dated 08.02.2006.
- 8.2 That the Hon'ble Tribunal be pleased to direct the respondent to allow the applicant to continue in the present place of posting till consideration of his choice posting in any of the 5 choice places indicated in his representation dated 15.07.2005 as per the O.M. dated 14.12.1983, 01.12.1988, 12.07.98 issued by the Govt. of India.
- 8.3 Cost of the application.
- 8.4 Any other relief(s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper."

2. Heard Mr M. Chanda, learned counsel for the applicant and Mrs. R.S. Chowdhury, learned counsel for the respondents.

3. Mrs. R.S. Chowdhury, learned counsel for the respondents submitted that during the pendency of this application, vide order dated 26.05.2006 the applicant has been transferred to Patna and the applicant has joined as per the said order. Mr M. Chanda, learned

counsel for the applicant submitted that so far as the cause of action in this application is concerned, the applicant has already got the relief. The applicant has further grievance as to the point of choice stations that he has already opted. However, Mr Chanda, learned counsel for the applicant submitted that he will withdraw the O.A. and will not pursue, if liberty is given to the applicant to file representation for further grievance, if any, for which the respondents may be directed to consider the same. The above submission of the learned counsel for the applicant is recorded.

4. Since the O.A. has become infructuous by recording the withdrawal submission, the O.A. is closed.



(K. V. SACHIDANANDAN)
VICE-CHAIRMAN

/mb/

FROM

FAX NO. 91-11-23382666

Jul. 12 2006 06:45AM P1



भारतीय कृषि अनुसंधान परिषद् INDIAN COUNCIL OF AGRICULTURAL RESEARCH

कृषि भवन, डॉ राजेन्द्र प्रसाद रोड, नई दिल्ली 110001
Krishi Bhawan, Dr. Rajendra Prasad Road, New Delhi 110 001.
Mobile / Telefax: 91-11-23382666
E-Mail: jravi_icar@yahoo.co.in

F.No. 31-2/01-Per.II

April 21st, 2006

OFFICE ORDER

Approval of the Competent Authority of the Council is hereby conveyed for the transfer of Dr. Samir Kumar Das, Sr. Scientist (Animal Reproduction) from ICAR Research Complex for NEH Region, Barapani to ICAR Research Complex for ER, Patna.

The transfer would be effective from the date he joins duty at the new place of posting and he shall be entitled for T.T.A./joining time etc. as per rules.

(J. RAVI)
Deputy Secretary (P)

Distribution:

- ✓ Director, ICAR Research Complex for NEH Region, Barapani with a copy of the order to be delivered to Dr. S.K. Das, Sr. Scientist (Animal Reproduction).
- ✓ Director, ICAR RC for ER, Patna. The actual date of joining of Dr. S.K. Das, Sr. Scientist (Animal Reproduction) may be intimated to the Council.
- ✓ Dr. S.K. Das, Sr. Scientist (Animal Reproduction), ICAR RC for NEH Region, Barapani.
- ✓ DDG (NRM), ICAR, New Delhi.
- ✓ Sr. F & A O, ICAR RC for NEH Region, Barapani/F&AO, ICAR RC for ER, Patna.
- ✓ Sr. AO, ICAR RC for NEH Region, Barapani/AO, ICAR RC for ER, Patna.
- ✓ Computer Unit/Vig. (Vig. (D))/ ICAR.
- ✓ Guard file.

- 2 -

Advocate

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
 ICAR RESEARCH COMPLEX FOR N.E.H. REGION
 UNROI ROAD, UMIAH -793103 (MEGHALAYA)

No. RC(P)29/93/483. Dated Umiam, the 26th May, 2006.

OFFICE ORDER

In pursuance of Committee's Office Order No. IR. NO. 37-2/
 01-Per. II dtd. 21.4.2006, Dr. S. K. Das, Senior Scientist (A.R.)
 of this Complex, Umiam is hereby released in the
 afternoon of 31.5.2006 so as to enable him to join his new
 place of posting at ICAR Research Complex for Eastern Region,
 Patna.

Sd/- K. N. Bujarbarua
 Director

Mem No. RC(P)29/93/483. Dated Umiam, the 26th May, 2006.

Copy for information and necessary action to :-

1. Dr. S. K. Das, Senior Scientist (A.R.), ICAR Research Complex for N.E.H. Region, Umiam. He is requested to hand over all the relevant papers of the Projects handled by him to the Head of the Division including the charge of the post.
2. The Head & Incharge, Division of Animal production, ICAR Research Complex, Umiam with a request to take over the charge from Dr. S. K. Das, Sr. Scientist (A.R.).
3. The Director, ICAR Research Complex for Eastern Region, Patna.
4. The Dy. Secretary (P), Indian Council of Agricultural Research, Krish Bhawan, New Delhi.
5. The Finance & Accounts Officer, ICAR Research Complex, Umiam alongwith no dues certificate.
6. The Sr. Administrative Officer, ICAR Research Complex, Umiam.
7. The Asstt. Administrative Officer (Extt), ICAR Research Complex for N.E.H. Region, Umiam alongwith no dues certificate.
8. The Asstt. Administrative Officer (Admn), ICAR Research Complex, Umiam.
9. The Asstt. Administrative Officer (L.C) ICAR, Research Complex, Umiam.
10. The Asstt. Administrative Officer (Recruitment Cell), ICAR Research Complex for N.E.H. Region, Patna ACR File for record.

rkd/-

26/5/06
 (N. J. Kharawphlang)
 Administrative Officer

FROM

FAX NO. :

Jul. 12 2006 06:39AM P1



ICAR RESEARCH COMPLEX FOR EASTERN REGION
(INDIAN COUNCIL OF AGRICULTURAL RESEARCH)
WALMI COMPLEX, P.O. PHULWARI SHARIF
PATNA - 801 505 (BIHAR) INDIA

Ph : (0612) 2452231, 2452241

Fax : 0612-2452232

F. No.: 5(168)/PF/2006-07/Estt./1656

Dated: 12.06.2006

To,

The Deputy Secretary (P)
ICAR, Krishi Bhawan
Dr. Rajendra Prasad Road,
New Delhi-1

Sub: Transfer of Dr. S.K. Das, Sr. Scientist (L.P.M.) from ICAR-NEH Region, Barapani to ICAR-RCER, Patna

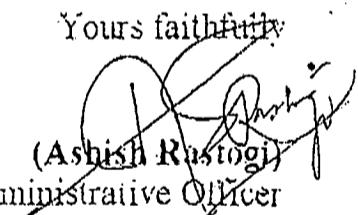
Ref : Council's Office Order 31-12/01-Per. II dated 21.04.06

Sir,

With subject and reference mentioned above it is to inform that Dr. S.K.Das, Sr. Scientist (L.P. M.) has joined in this institute as on 02.06.06 (F.N.). Discipline of Dr. Das is *L.P.M.* but in council's office order cited above *Animal Reproduction* has been written as his discipline. Hence it may kindly be seen and modified.

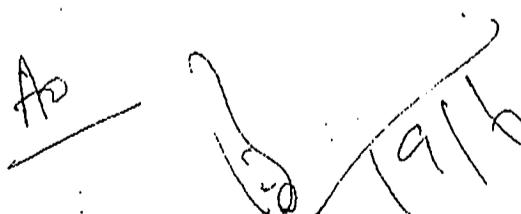
This is for your kind information please.

Yours faithfully


(Ashish Rastogi)
Administrative Officer

Copy to:-

1. The Under Secretary (NRM), ICAR, KAB-II, New Delhi-12
2. The Director, ICAR-Research Complex for NEH Region,
Umroi Road, Umiam-793103, Meghalaya


A/C
ADM (R/C)


W.B.
A/C

CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

G. A. R. 6

[See Rule 22 (1)]

RECEIPT

No. 1787

Date... 10/2/2006...

Received from Dr. S. K. Das with

Letter No..... G.A. 39/06 dated..... 20.....

the sum of Rupees..... Five only

In cash/by IPO on account of service charge for excess respd.
by bank draft in payment of.....

Signature

Rs. 5/-

Abby
Cashier

14

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

39/06

ORIGINAL APPLICATION

1. a) Name of the Applicant:- Dr. S. K. Das
b) Respondents :- Union of India & Ors
c) No. Of applicant:-
2. Is the application in the proper form :- Yes/No.
3. Whether name & Desxription and address of all the 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 annexures parties are impleades:- YES/NO.
8. Whether Enlish translation of documents in the Language:- YES/NO.
9. Is the apllication is in time :- YES/NO.
10. Has the Vakalatname/MEMO/of Appearnce/Authorisation filed:- YES/NO.
11. Is the application by IPO/BD/FOR.Rs.50/- 266319144
12. Has the application is maitanable :- YES/NO.
13. Has the impugned order orignal 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 numeroer 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 dely is filed is it supported:- YES/NO.
21. Whether this case can be heard by SINGLE BENCH/DIVISION BENCH:-
22. Any other points :-
23. Result of the scrutiny with initial of the Scrutiny Clerk:-
The application is in order

L.N. OFFICER

N. Sengupta
10/12/06
DEPUTY REGISTRAR

SRI

10 FEB 2006

গুৱাহাটী ব্যারেণ্ড
Guwahati Bench

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH: GUWAHATI

(An application under Section 19 of the Administrative Tribunals Act, 1985)

O. A. No. 39 /2006

Dr. Samir Kumar Das

-Vs-

Union of India and Others.

LIST OF DATES AND SYNOPSIS OF THE APPLICATION

14.12.1983, 01.12.1988, 22.07.1998- Govt. of India issued Office Memorandum, wherein it is stated that a civilian Central Govt. employee posted from outside the N.E Region, on completion of fixed tenure of 2/3 years service in the NE Region shall be entitled to a choice station posting. (Annexure-1)

21.01.1992- Applicant was initially appointed as Scientist (Live stock Production and Management, in short LPM) and joined at NAARM, Hyderabad, Andhra Pradesh. He is a permanent resident of Hashnabad, 24 Pargana, West Bengal.

29.01.1993- Applicant was transferred and posted in the office of the ICAR, Umiam, Shillong from Makhdoom, U.P. He is presently serving at ICAR, Umiam, Shillong as Sr. Scientist.

24.02.2000, 31.08.2000- Applicant submitted representation praying for his transfer and posting at any of 5 places near to his home town on compassionate ground but to no result.

15.07.2005- Applicant submitted representation indicating 5 choice stations in the State of West Bengal for consideration of his transfer and posting. The said representation was forwarded by the office of the Director, Umiam on 03.09.2005 and is still pending with the office of the Director General, New Delhi. (Annexure- 2 series)

19.01.2006- Office of the ICAR, Research Complex, NEH Region, Umiam, Shillong have issued the impugned office order of transfer and posting, whereby the applicant is now sought to be transferred and posted from ICAR (RC) NEH Region, Umiam to ICAR, Tripura Center at Lembucherria in the state of Tripura, without considering any of the option of the applicant submitted through his representation dated 15.07.2005. (Annexure- 3)

Dr Samir Kumar Das

16/10

20.08.2000- Shri S. Naskar, Sr. Scientist was appointed and posted at Tripura Center from ICAR, Umiam, Shillong by the HQ Office, New Delhi but said Shri Naskar was never posted to Lembucherra i.e. at the Tripura Center and till date he is working at Barapani at the blessing of the present Director, ICAR, Umiam, Shillong. (Annexure-4)

21.01.2006- Applicant submitted a representation to the Director, ICAR Research Complex, Umiam, Meghalaya, for cancellation of his transfer order on the ground that his request for posting at nearer to his home town may be materialized in the meanwhile but to no result. (Annexure- 5)

28.01.2006- Principal Scientist and in-charge, Animal Production Division issued an office order dated 28.01.06, whereby the applicant has been directed to hand over the charge to Dr. S. Naskar, Sr. Scientist immediately. (Annexure-6)

30.01.2006- Applicant made request to the Director that he is submitting another representation to the DG, ICAR, New Delhi for cancellation of his transfer order with the request to post him in any station nearer to his home town and accordingly the applicant submitted one more representation on 30.01.06 addressed to the DG, ICAR, New Delhi for consideration of his choice station posting as per Govt. of India's rule. (Annexure-7, 8, 9)

08.02.2006- Impugned Office order dated 08.02.06 was issued, whereby it has been informed that applicant is hereby stand relieved with immediate effect in the Afternoon of 10.02.06 without considering representations of the applicant for his choice posting at any of the 5 places in the state of West Bengal. (Annexure- 11)

Hence this Original Application.

P R A Y E R S

Relief (s) sought for

1. That the Hon'ble Tribunal be pleased to set aside and quash the impugned order of transfer and posting bearing letter No. RC (E) 2/2003 dated 19.01.2006 (Annexure- 3) so far the applicant is concerned as well as the impugned Office order relieving the applicant vide letter No. RC (E) 2/03 dated 08.02.2006 (Annexure- 11).

Dr. Sanjeev Kumar Das

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

(An application under Section 19 of the Administrative Tribunals Act, 1985)

Title of the case : O.A. No. 39 /2006

Shri Samir Kumar Das : Applicant.

-Versus-
Union of India : Respondents.

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Date: 10.02.06.

Filed By:
Sabirah Nath
Advocate

Dr Samir Kumar Das

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

(An application under Section 19 of the Administrative Tribunals Act, 1985)

O.A. No. 39 /2006

BETWEEN:

Dr. Samir Kumar Das,
S/o- Late Santosh Kumar Das,
Sr. Scientist (Live stock Production Management),
ICAR Research Complex, (For NEH Region)
Umroi Road, Umiam
Meghalaya- 793103.

-----Applicant.

-AND-

1. The Union of India,
Represented by Secretary to the
Government of India,
Ministry of Agriculture,
New Delhi.
2. The Secretary,
Indian Council of Agricultural Research
Krishi Bhavan,
New Delhi - 110001.
3. The Director General,
Indian Council of Agricultural Research
Krishi Bhavan
New Delhi - 110001.
4. The Director,
Indian Council of Agricultural Research
ICAR Research Complex, (For NEH Region)
Umroi Road, Umiam
Meghalaya- 793103.
5. The Administrative Officer
Indian Council of Agricultural Research
ICAR Research Complex, (For NEH Region)
Umroi Road, Umiam
Meghalaya- 793103.
6. Dr. K.M Buzarbaruah,

Filed by the applicant
through Advocate
10.02.2006

Dr Samir Kumar Das

Director,
Indian Council of Agricultural Research
ICAR Research Complex, (For NEH Region)
Umroi Road, Umiam
Meghalaya- 793103.

..... Respondents.

DETAILS OF THE APPLICATION

1. Particulars of the order (s) against which this application is made:

This application is made against the impugned transfer order issued under letter dated 19.10.2006 (Annexure-3), as well as impugned relieving order dated 08.02.2006 which has been issued in violation of transfer policy issued by the Govt. of India, Ministry of Finance O.M dated 14.12.1983, 01.12.88, 01.12.1997, without considering the option of the applicant submitted for choice station posting on completion of fixed tenure in NE Region and further praying for a direction upon the respondents to direct the respondents to consider the case of the applicant for choice station posting on extreme compassionate ground in the light of the transfer policy issued by the Govt. of India.

2. Jurisdiction of the Tribunal:

The applicant declares that the subject matter of this application is well within the jurisdiction of this Hon'ble Tribunal.

3. Limitation:

The applicant further declares that this application is filed within the limitation prescribed under Section- 21 of the Administrative Tribunals Act 1985.

4. Facts of the case:

- 4.1 That the applicant is a citizen of India and as such he is entitled to all the rights, protections and privileges as guaranteed under the Constitution of India.

Dr Samir Komardan

4.2 That the applicant was initially appointed as Scientist (Live stock Production and Management, in short LPM). He was initially joined on 21.01.1992 at NAARM, Hyderabad, Andhra Pradesh, thereafter he was posted at CIRC, Makhdoom, in the state of U.P. The detailed particulars of his transfer and posting are quoted below:

Post	Place of posting	From	To
Scientist	NAARM, Hyderabad, A.P	21.01.1992	30.06.1992
Scientist	CIRC, Makhdoom, UP	01.07.1992	28.01.1993
Scientist	ICAR Research Com. For NEH Region, Umium, Meghalaya.	29.01.1993	26.07.1998
Scientist	ICAR Research Com. For NEH Region, Umium, Meghalaya	27.07.1998	20.01.2001
Senior Scale			
Scientist	ICAR Research Com. For NEH Region, Umium, Meghalaya	21.01.2001	Till date

The applicant is a permanent resident of Hashnabad, District- 24 Parganas, North West Bengal. The applicant was subsequently promoted to the cadre of Senior Scientist. The applicant being a permanent resident of state of West Bengal entitled to choice station posting in terms of the Govt. of India, Ministry of Finance, Dept. of Expenditure's O.M No. 20014/2/83/E-IV dated 14.12.1983, wherein it has been provided that a civilian Central Govt. employee having all India Transfer liability entitled to choice station posting on completion of the fixed tenure in the NE Region.

4.3 That the Govt. of India, Ministry of Finance, Department of Expenditure, New Delhi, issued an Office Memorandum bearing No. 20014/2/83/E-IV dated 14.12.1983, wherein it is stated that a civilian Central Government employee posted from outside the N.E. Region, on completion of fixed tenure of 2 years service in the North Eastern Region shall be entitled to a choice station posting. Eventually, the benefit/privilege contained in the

Dr. Savitri Kumar Das

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said O.M dated 14.12.1983 was extended by the Govt. of India vide office memorandum dated 01.12.1988 and further by O.M dated 22.07.1998.

In view of the above office memorandum the present applicant has acquired a valuable legal right for posting in any of his choice station since he has already completed the stipulated tenure of 2 years in this region as such he is legitimately entitled for transfer to his choice station at any of the 5 station pointed by the applicant in his representation.

Copy of the extract of O.M dated 14.12.83, 01.12.88 and O.M dated 22.07.98 is enclosed herewith perusal of Hon'ble Tribunal and marked as Annexure-1

4.4 That it is stated that while the father of the applicant late Santosh Kumar Das, was suffering from cancer in the year 2000, the applicant submitted 2 representations on 24.02.2000 again on 31.08.2000 for his transfer and posting on extreme compassionate ground. He has stated in his representation that he has served in this Region about 7 years and he has participated in various development activities in this Region in course of discharging his duties besides taking part in the development of technology on pig and rabbit production since his joining in this Region apart from the other activities as such applicant requested to consider his case for posting on compassionate ground in any of the following 5 choice places in the state of West Bengal:

- (i) NDRI (ERS), Kalyani, Nadia, WB
- (ii) IVRI (ERS), Belgachia, WB
- (iii) CIFE (ERS), Salt Lake, WB,
- (iv) CICFRI, Barrackpore, WB and
- (v) TOT (Zone- II), Salt Lake, WB.

But surprisingly the case of the applicant was not considered for choice station posting even on extreme compassionate ground and during the year 2000, the father of the applicant expired, who was suffering from cancer. Be it stated that the applicant is the only son of late Santosh Kumar

Dr Somnath Kumar Das

Das and now there is none to look after his aged ailing mother at Hasnabad. In this connection it may be stated that there is lack of medical facilities at Barapani, therefore mother of the applicant does not prefer to stay at Barapani, Meghalaya, similarly there is no medical facilities available at Lembucherra, Tripura Center.

4.5 That your applicant again submitted another representation on 15.07.2005, indicating 5 choice station in the state of West Bengal for consideration of his transfer and posting on the ground that his mother is very old and suffering from heart ailment and there is none to look after her at this old stage. The applicant in his representation submitted details of his transfer and posting since his joining in service and also indicated his project involvement but surprisingly the said representation was although forwarded by the Office of the Director vide letter bearing No. RC (P) 29/93 dated 03.09.2005 to the Deputy Director (P) although the representation was addressed to the Director General, ICAR, Krishi Bhawan, New Delhi, and the aforesaid representation dated 15.07.2005 is still pending with the office of the Director General, New Delhi even without a reply. It is relevant to mention here that representation of the applicant dated 15.07.05 was forwarded by the Administrative Officer only on 03.09.05 i.e. after a lapse about 2 months with a ulterior motive which smacks malafide.

Copies of the representation dated 15.07.05 and forwarding letter dated 03.09.05 are enclosed herewith for perusal of Hon'ble Tribunal as Annexure- 2 (Series).

4.6 That most surprisingly, the office of the ICAR, Research Complex for NEH Region, Umium, Meghalaya have issued the impugned office order of transfer and posting bearing letter No. RC (E) 2/2003 dated 19.01.2006, whereby the applicant is now sought to be transferred from ICAR (RC) NEH Region, Umium to ICAR (RC) NEH Region, Tripura Center at

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Lembuchera, in the state of Tripura, without considering his representation for choice station posting on compassionate ground. The name of the applicant appeared at Sl. No. 6 of the impugned transfer order dated 19.01.2006. In the impugned order it has been stated that applicant has been transferred temporarily till the position of Senior Scientist is filled up. In this connection it may be stated that one Dr. Syamal Naskar, Scientist was infact appointed and posted at the Tripura Center, ICAR Research Complex for NEH Region, Barapani, vide Headquarter, ICAR, New Delhi, letter F. No. 31(3)/2002/PR.II dated 20.08.2002 but surprisingly said Sri Syamal Naskar was never posted to Lembuchera i.e. at the Tripura Center due to the blessings of the Director, ICAR, Barapani, Shillong in violation of the Headquarter Order dated 20.08.2002 and till date said Shri Naskar is working at Barapani at the blessings of the present Director and now an attempt is made to shift the applicant from Barapani to Tripura Center at Lembuchera at the instance of the Director, ICAR, Shillong to accommodate Dr. Naskar at Barapani as such contention of the respondent that it is a temporary posting till the position of Senior Scientist is filled up is not factually correct. The applicant immediately after receipt of the impugned transfer and posting order dated 19.01.2006 submitted a representation on 21.01.2006 to the Director, ICAR Research Complex for NEH Region, Umiam, Meghalaya for cancellation of his transfer order on the ground that his request for posting at nearer to his home town may be materialized in the meanwhile applicant may be allowed to continue at Umiam, Barapani since mother of the applicant is suffering from sickness and she is staying alone in his home town at Hasnabad and his father died due to carcinoma in 2000.

Copy of the impugned transfer order dated 19.01.06, appointment order of Dr. S. Naskar dated 20.08.02 and representation dated 21.01.06 are enclosed herewith for perusal of Hon'ble Tribunal as Annexure- 3, 4 and 5 respectively.

Dr. Sanjiv Kumar Dass

4.7 That it is stated that on 28.01.2006, the Principal Scientist and in-charge, Animal Production Division issued an office order bearing letter No. RC/AP/Cor-14 (b)/2005/1580 dated 28.01.06, whereby applicant has been directed to hand over the charge to Dr. S. Naskar, Sr. Scientist and Animal Production Division, ICAR Research Complex for NEH Region, Umium immediately. The applicant then made a request to the Director on 30.01.2006 requesting him that he is submitting another representation to the DG, ICAR, New Delhi for cancellation of his transfer order with the request to post him in any station nearer to his home town and accordingly the applicant on 30.01.06 submitted one more representation addressed to DG, ICAR, New Delhi through proper channel, wherein he requested that as per Govt. of India's rule the tenure in NE Region is a fixed tenure of 3 years and as such his posting may be considered in any of the 5 places namely: (i) NDRI (ERS), Kalyani, Nadia, WB, (ii) IVRI (ERS), Belgachia, WB, (iii) CIFE (ERS), Salt Lake, WB, (iv) CICFRI, Barrackpore, WB and (v) TOT (Zone- II), Salt Lake, WB, in the state of West Bengal. The applicant further pointed out that Dr. S. Naskar, Sr. Scientist was appointed for Tripura Center but due to the blessings of the Director, Dr. Naskar has been allowed to retain at Barapani at the cost of the applicant, moreover, his wife is also suffering from ailment. Surprisingly on 30.01.06 it has been informed to the applicant by the Administrative Officer, through Memo bearing letter No. RC (E) 2/03 dated 30.01.06, wherein it is stated that his request cannot be acceded to in exigencies of the Institute's work and accordingly he is to be relieved by 4th February 2006 with the instruction to report to the Joint Director, ICAR Tripura Center without any further delay. The applicant immediately on receipt of the letter dated 30.01.06 submitted another representation addressed to the Director, ICAR, Umium, requesting him not to implement the memorandum dated 30.01.06 since his representation is pending with the ICAR, Headquarter Office, New Delhi.

Dr. Srinivas Kumar Das

Copy of the office order dated 28.01.06 and representation dated 30.01.06 addressed to Director as well as his representation dated 30.01.06 addressed to DG, ICAR, New Delhi, memorandum dated 30.01.06 and representation dated 31.01.06 are enclosed herewith for perusal of Hon'ble Tribunal as Annexure- 6, 7, 8, 9 and 10 respectively.

4.8 That it is stated that by the impugned Office order bearing letter No. RC (E) 2/03 dated 08.02.2006, it has been informed that in continuation of Office order of even Number dated 19.01.06, the applicant is hereby stands relieved with immediate effect in the Afternoon of 10.02.2006. The aforesaid order of release has been issued in a very arbitrary and unfair manner inspite of repeated representations of the applicant to provide him reasonable opportunity to stay at Barapani till a final decision is taken on his representation for choice station pending with the Headquarter Office, New Delhi, the undue haste in relieving the applicant from Barapani itself smacks malafide and on that score alone the impugned order of transfer and posting order dated 19.01.2006 as well as impugned order dated 08.02.2006 are liable to be set aside and quashed.

Copy of the impugned order dated 08.02.06 is enclosed herewith for perusal of the Hon'ble Tribunal as Annexure- 11.

4.9 That in the similar facts and circumstances this Hon'ble Tribunal entertained series of transfer and posting cases and passed orders directing the respondents to provide choice station posting to the Central Government civilian employees who are posted in this region from outside the N.E Region and also passed interim orders staying the operation of the impugned transfer and posting order till consideration of the cases of choice posting by the authority. At this stage mention may be made regarding interim order dated 20.02.2004 as well as order dated 25.03.2004

Dr Samir Kumar Das

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in the case of K.K. Singh - Vs- Union of India & Ors., in O.A. No. 38/2004. Similarly, mention may be made of the judgment and order dated 16.12.2002 passed by the Hon'ble Gauhati High Court in the case Shri Bhagwan Menghani - Vs- Union of India & Ors.

Copy of interim order dated 20.02.2004, order dated 25.03.2004 in O. A. No. 38/04 and judgment and order dated 16.12.2002 passed in W.P (c) No. 3577/99 are enclosed herewith and marked as Annexure- 12 (Series) and 13 respectively.

4.9 That it is stated that the representation dated 15.07.2005 of the applicant was forwarded by office of the Director, after lapse of about 2 months deliberately, moreover, it is learnt from reliable source that transfer proposal was initiated from the office of the Director, ICAR, Research Complex, NER, Shillong for routine transfer and posting of the Scientists and in the said proposal name of the applicant was deliberately included for his transfer for his transfer and posting at Lembucherra at the instance of the Director, Dr. K.M Buzarbaruah, knowing fully well that applicant submitted representations for choice station posting on extreme compassionate ground in any of the 5 places in the state of West Bengal indicated in his representation. It is also known to the Director that the representation of the applicant dated 15.07.2005 is still pending with the office of the Director General, Headquarter Office, New Delhi, even then his name was proposed for transfer and posting from Umiam to Lembucherra at Tripura Center but name of Dr. S. Naskar, Sr. Scientist has not been included deliberately by the Director knowing fully well that Dr. S. Naskar was recruited for Tripura Center at Lembucherra as per order dated 20.08.2002 issued by the HQ Office, ICAR, Krishi Bhawan, New Delhi with specific direction to report at Tripura Center at Lembucherra as such the transfer proposal of the applicant initiated at the instance of the Director smacks malafide.

Dr Samin Kumar Das

In view of such transfer proposal, the applicant is now sought to be transferred from Umiam, Barapani to Tripura Center at Lembucherra with malafide intention to accommodate Dr. S. Naskar at the instance of Director at ICAR, Umiam, more so when the applicant has completed about 13 years service at Umiam, Shillong and on that score alone the impugned transfer order dated 19.01.2006 as well as impugned order dated 08.02.2006 are liable to be set aside and quashed so far the applicant is concerned.

4.10 That it is stated that as per the impugned order of transfer and posting dated 19.01.2006 no one is posted in place of the applicant. Moreover, the impugned order dated 19.01.2006 has not yet been executed till filing of this application. However, in terms of the impugned relieving order dated 08.02.2006 applicant is going to be relieved in the Afternoon of 10.02.2006 as such the Hon'ble Court be pleased to pass an interim order staying the operation of impugned order dated 19.01.2006 as well as impugned order dated 08.02.2006 so far the applicant is concerned till disposal of Original Application and further be pleased to direct the respondents to consider his choice posting in terms of the option submitted by the applicant on 15.07.2005 and till consideration of his choice posting the applicant be allowed to continue in the present place of posting.

In support of the aforesaid contention the applicant relies on the judgment and order dated 01.03.02 passed in O.A. No. 10/2002 (Shri T.K. Chakraborty -Vs- U.O.I & Ors.) as well as judgment and order dated 05.08.2005 passed in O.A. No. 206/2005 (Shri H.R. Saha -Vs- U.O.I & Ors.) by this Hon'ble Tribunal.

Copy of the judgment and order dated 01.03.02 and 05.08.05 are enclosed herewith for perusal of Hon'ble Tribunal as Annexure- 14 and 15 respectively.

Dr Samir Kumar Das

- 4.11 That it is a fit case for the Hon'ble Tribunal to interfere with to protect the right and interest of the applicant by passing an appropriate order granting the adequate relief to the applicant.
- 4.12 That this application is made bonafide and for the cause of justice.

5. Grounds for relief (s) with legal provisions:

- 5.1 For that, the O.M dated 14.12.1983, 01.12.1988, 22.07.1998 issued by the Govt. of India, framing the transfer policy fixing 2/3 years tenure in N.E Region for consideration of choice posting, on completion of fixed tenure.
- 5.2 For that, the applicant has acquired a valuable and legal right for consideration of his choice posting in any of the 5 places indicated in his representation dated 15.07.2005 as well as in his subsequent representations submitted to the Director General, HQ office, ICAR, New Delhi.
- 5.3 For that, applicant is at least entitled to posting on extreme compassionate ground, in any of the 5 places indicated in his representation dated 15.07.2005 after serving about 13 years at Umiam, Barapani in NE Region.
- 5.4 For that, the order of transfer has been issued by the impugned order dated 19.01.2006 at the instance of the Director, Dr. K. M Buzarbaruah in order to accommodate Dr. S. Naskar, Sr. Scientist at Umiam, Barapani who was in fact appointed for Tripura Center by the order dated 20.08.2002 by the HQ Office, New Delhi but he is retained at Umiam, Barapani at the instance of the Dr. K. M Buzarbaruah, Director.
- 5.5 For that, transfer proposal has been initiated at the instance of the Director, where name of the applicant has been included for his transfer at

Dr. Samir Kumar Das

Lembucherria, Tripura with malafide intention to accommodate Dr. S. Naskar at Barapani at the time when representation is pending.

5.6 For that representations submitted by the applicant on 15.07.2005 and subsequent representations are still pending with the HQ Office without any consideration.

5.7 For that in place of the applicant no one is posted as such there will be no difficulty on the part of the respondents to continue the applicant till consideration of his representation for choice station posting.

5.8 For that deliberate violation of the transfer policy without administrative exigency, such action is itself malafide.

6. Details of remedies exhausted.

That the applicant declares that he has exhausted all the remedies available to and there is no other alternative remedy than to file this application.

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 before any Court or any other Authority or any other Bench of the Tribunal regarding the subject matter of this application nor any such application, Writ Petition or Suit is pending before any of them.

8. Relief (s) sought for:

Under the facts and circumstances stated above, the applicant humbly prays that Your Lordships be pleased to admit this application, call for the records of the case and issue notice to the respondents to show cause as to why the relief (s) sought for in this application shall not be granted and on perusal of the records and after hearing the parties on the cause or causes that may be shown, be pleased to grant the following relief(s):

Dr. Samir Kumar &

8.1 That the Hon'ble Tribunal be pleased to set aside and quash the impugned order of transfer and posting bearing letter No. RC (E) 2/2003 dated 19.01.2006 (Annexure- 3) so far the applicant is concerned as well as the impugned Office order relieving the applicant vide letter No. RC (E) 2/03 dated 08.02.2006 (Annexure- 11).

8.2 That the Hon'ble Tribunal be pleased to direct the respondent to allow the applicant to continue in the present place of posting till consideration of his choice posting in any of the 5 choice places indicated in his representation dated 15.07.2005 as per the O.M dated 14.12.1983, 01.12.1988, 12.07.98 issued by the Govt. of India.

8.3 Cost of the application.

8.4 Any other relief (s) to which the applicant is entitled as the Hon'ble Tribunal may deem fit and proper.

9. Interim order prayed for:

During pendency of the application, the applicant prays for the following interim relief: -

9.1 That the Hon'ble Tribunal be pleased to stay the operation of the impugned order of transfer and posting bearing letter No. RC (E) 2/2003 dated 19.01.2006 (Annexure- 3) so far the applicant is concerned as well as the impugned Office order bearing letter No. RC (E) 2/03 dated 08.02.2006 (Annexure- 11) till disposal of the Original Application.

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11. Particulars of the I.P.O

i) L.P.O No. : 26G 319144.
 ii) Date of issue : 7.2.2006.
 iii) Issued from : G P O, Guwahati.
 iv) Payable at : G P O, Guwahati.

12. List of enclosures:

As given in the index.

Dr Samir Kumar Das

VERIFICATION

I, Dr. Samir Kumar Das, S/o- Late Santosh Kumar Das, aged about 40 years, working as Sr. Scientist (Live stock Production Management), ICAR Research Complex, (For NEH Region), Umroi Road, Umiam, Meghalaya-793103, working as Deputy Commissioner, Central Excise, Jorhat, in the office of the Division office of the Central Excise, do hereby verify that the statements made in Paragraph 1 to 4 and 6 to 12 are true to my knowledge and those made in Paragraph 5 are true to my legal advice and I have not suppressed any material fact.

And I sign this verification on this the 10th day of February, 2006.

Dr Samir Kumar Das

APPENDIX - 9

INCENTIVES FOR SERVING IN REMOTE AREAS

(i) G.I. M.F. O.M. No. 20014/3/83-E/IV, dated the 14th December, 1983, read with O.M. No. 20014/3/83-E/IV, dated the 30th March, 1984; 27th July, 1984, G.I. M.F. O.M. No. 3943-E/IV/84, dated the 17th October, 1984, O.M. No. F. 20014/3/83-E/IV, dated the 31st January, 1985, 25th September, 1985, U.O. No. 324-E/IV/86, dated the 15th April, 1986, O.M. No. 20014/3/83-E/IV, dated the 29th October, 1986, O.M. No. 20014/3/83-E/IV/E II (B), dated the 11th May, 1987, 28th July, 1987; 15th July, 1988 and O.M. No. F. 20014/16/86-E/IV/E II (B), dated the 1st December, 1988 and O.M. No. 11(2)/97-E/II (B), dated the 22nd July, 1998.

Allowances and facilities admissible to various categories of civilian Central Government employees serving in the North-Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland and Tripura and the Union Territories of Arunachal Pradesh and Mizoram, Andaman and Nicobar Islands and Lakshadweep Islands. These orders also apply *mutatis mutandis* to officers posted to N-E Council, when they are stationed in the N-E Region and to the civilian Central Government employees including officers of All India Services posted to Sikkim.

(i) Tenure of posting/deputation:

There will be a fixed tenure of posting 3 years at a time for officers with service of 10 years or less and of 2 years at a time for officers with more than 10 years of service. Periods of leave, training, etc., in excess of 15 days per year will be excluded in counting the tenure period of 3 years. Officers, on completion of the fixed tenure of service mentioned above may be considered for posting to a station of their choice as far as possible.

The period of deputation of the Central Government employees to the States/Union Territories of the North-Eastern Region, will generally be for 3 years which can be extended in exceptional cases in exigencies of public service as well as when the employee concerned is prepared to stay longer. The admissible deputation allowance will also continue to be paid during the period of deputation so extended.

(ii) Weightage for Central deputation/training abroad and special mention in Confidential Reports:

Satisfactory performance of duties for the prescribed tenure in the North-East shall be given due recognition in the case of eligible officers in the matter of—

- (a) promotion in cadre posts;
- (b) deputation to Central tenure posts; and
- (c) courses of training abroad.

The general requirement of at least three years service in a cadre post between two Central tenure deputations may also be relaxed to two years in deserving cases of meritorious service in the North-East.

A specific entry shall be made in the CR of all employees who rendered a full tenure of service in the North-Eastern Region to that effect.

Cadre authorities are advised to give due weightage for satisfactory performance of duties for the prescribed tenure in the North-East in the matter of promotion in the cadre posts, deputation to Central tenure post and courses of training abroad.

(iii) Special (Duty) Allowance:

Central Government civilian employees who have All India transfer liability will be granted Special (Duty) Allowance at the rate of 12½% of basic pay on posting to any station in the North-Eastern Region. Special (Duty) Allowance will be in addition to any special pay and/or deputation (duty) allowance already being drawn without any ceiling on its quantum. The condition that the aggregate of the Special (Duty) Allowance plus Special Pay/Deputation (Duty) Allowance, if any, will not exceed Rs. 1,000 per month shall also be dispensed with from 1-8-1997. Special Allowances like Special Compensatory (Remote Locality) Allowance, Construction Allowance and Project Allowance will be drawn separately.

The Central Government civilian employees who are members of Scheduled Tribes and are otherwise eligible for the grant of Special (Duty) Allowance under this para. and are exempted from payment of Income Tax under the Income Tax Act will also draw Special (Duty) Allowance.

NOTE 1.— Special duty allowance will not be admissible during periods of leave/training beyond 15 days at a time and beyond 30 days in a year. The allowance is also not admissible during suspension and joining time.

NOTE 2.— Central Government civilian employees, having 'All India Transfer Liability' on their posting to Andaman & Nicobar Islands and Lakshadweep Islands are, with effect from 24th May, 1989, granted 'Island Special Allowance' in lieu of 'Special (Duty) Allowance'. See Orders in Section V of this Appendix.

(iv) Special Compensatory Allowance:

The recommendations of the Fifth Pay Commission have been accepted by the Government and Special Compensatory Allowance at the revised rates have been made effective from 1-8-1997.

For orders regarding current rates of Special Compensatory allowance—See Part V of this Compilation - HRA and CCA

(v) Travelling Allowance on first appointment:

In relaxation of the present rules (SR 105) that travelling allowance is not admissible for journeys undertaken in connection with initial appointment, in

Attested
S. K. Acharya

Division of Animal Production
ICAR Research Complex for NEH Region
Umium-793103, Meghalaya

To,
The Director General,
Indian Council of Agricultural Research (ICAR)
Department of Agricultural Research and Education (DARE)
Krishi Bhawan, New Delhi - 110001

Sub: Prayer for the transfer of Dr S K Das, Senior Scientist - Reg

Ref No: RC (P) 29/93 Dt. 24.02.2000, RC (P) 29 / 93 Dt. 31.08.2000.

Sir,

With due respect I would like to inform you that I joined to ARS service on 21.01.1992 and after successful completion of one year training I joined this institute on 29.01.1993. I applied for transfer on 7.2.2000, which was, forwarded to the honorable DG, ICAR through proper channel by the institute vide letter NO. RC (P) 29/ 93 Dt. 24.02.2000 on the ground of my father's illness due to dreaded disease hypopharyngeal carcinoma, so that I could continue treatment of my father properly. But my appeal was not considered due to unavailability of post. My father was diagnosed and treated at Christian Medical College & Hospital, Vellore. But after one year when it progressed to last stage doctor discharged him and advised to undertake treatment i.e. chemotherapy at Kolkata as per their guidelines. So, I applied for transfer second time in the same year on 26.05.2000 mentioning four places near my hometown from where I would continue treatment of my father properly. Ultimately my father died on 17.07.2000 due to lack of proper treatment, care and management. My application was forwarded by the then Director to the honorable DG, ICAR vide letter NO. RC (P) 29/ 93 Dt. 31.08.2000. But this time also council did not keep my request, as I had no push and pulling.

*Affected
Lif
Adhikar*

Sir I had no brother / sister to look after my aged mother of 65 years old who is alone after my father's death. Moreover she is a cardiac patient who is under treatment of cardiac specialist at my native place. Sometimes I thought to bring my mother here, but due to lack of treatment facility at this place it was not possible to bring my mother here and to continue treatment. Therefore I badly need transfer to anywhere near my hometown.

Sir, I served sincerely for this institute more than twelve years and took part in the developmental, research and extension work on the aspect of pig, rabbit and goat in spite of lot of pros and cons. Presently there are six scientists of all categories including me. So, in case of my transfer there is no hamper of work. Moreover since last year you have streamlined transfer policy. So, with great hope I am again praying to you for my transfer mentioning five nearby places of my hometown from where I would look after my aged mother in her critical situation, simultaneously I would continue my research and extension work comfortably. Once I lost my father due lack of care and management, so I cannot repeat the same thing for my mother. The choice of places of posting in order is as follows: -i)

NDRI (ERS), Kalyani, Nadia, WB; ii) IVRI (ERS), Belgachia, WB; iii) CIFE (ERS), Salt Lake, WB; iv) CICFRI, Barrackpore, WB and v) TOT (Zone-II), Salt Lake, WB.

So, Sir I shall remain grateful to you if you kindly grant my prayer as soon as possible on compassionate ground.

Thanking You Sir.

Enc. i) Certificate of CMC, Vellore

ii) Death certificate

iii) Biodata of self

Place. Umium

Dated. 15.07.2005

Yours faithfully


(S K Das)

Senior Scientist

Division of Animal Production

Biodata of Dr S K Das

1. Full Name : Dr S K Das
2. Name of father : Late Santosh Kumar Das
3. Date of Birth : 22.10.1965
4. ARS discipline with year : LPM, 1990
5. Date of Joining to ICAR : 21.01.1992
6. Date of joining to present Institute : 29.01.1993
7. Home Address : Vill & PO- Hasnabad, Dist – 24 Parganas (North);
West Bengal.
8. Office Address : Senior Scientist (LPM), Div. of Animal
Prod. , ICAR Research Com. For NEH Reg.,
Umium, Meghalaya.
9. Educational Qualification :

Degree	Year	University	Class / Grade
B V Sc & AH	1987	BGKV, West Bengal	1 st Class
M V Sc	1989	BCKV, West Bengal	3.87 out of 4.00 OGPA Scale
Ph D	1999	AAU, Assam	8.65 out of 10.00 CGPA Scale

10. Service Experience

Post	Place of posting	From	To
Scientist	NAARM, Hyderabad, AP	21.01.1992	30.06.1992
Scientist	CIRG, Makhdoom, UP	01.07.1992	28.01.1993
Scientist	ICAR Research Com. For NEH Region, Umium, Meghalaya	29.01.1993	26.07.1998
Scientist Senior Scale	ICAR Research Com. For NEH Region, Umium, Meghalaya	27.07.1998	20.01.2001
Senior Scientist	ICAR Research Com. For NEH Region, Umium, Meghalaya	21.01.2001	Till date

Alberto
for
Pérovante

11. Publication

: Research Paper	- 35
Popular/ Review Article	- 15
Book Chapter	- 2
Technical Report	- 16

12. Presentation of Paper in

seminar / conference

: - 10

13. Field of Research

- : i) Housing, breeding and management of rabbit, pig and goat
- ii) Behavioral study in goat, pig and rabbit
- iii) Genotype & environment Interaction
- iv) Different feed additives in pig and rabbit
- v) Unconventional feedstuffs in pig and rabbit
- vi) Qualitative and qualitative study of rabbit meat
- vii) Study of fur skin processing in rabbit

14. Project Involvement: -

Sl No	Title of Project	Year of Start	Year of Term.	Involvement %	Funding
1	Upgrading of Indigenous pig of Meghalaya	1993	1998	40% time as associate	ICAR
2	Rabbit for meat fur skin and wool Production	1993	1998	40% time as associate	ICAR
3	Genetic Improvement of selected indigenous under reciprocal crossing with Hampshire	1998	2001	20% time as associate	ICAR
4	Study on general and specific combining ability of Rabbit	1998	2003	40% time as CO PI	ICAR
5	Farming System Research Project	1999	2001	20% time as associate	ICAR
6	Improvement of Broiler Rabbit for Meat in Eastern Himalayas	2000	2003	50 % time as CCPI	World Bank
7	Artificial Insemination in Rabbit	2001	2003	25% time as associate	ICAR
8	Adaptive trial on UG pig in hilly tribal area of Mijoram	2003	2005	25% time as associate	ICAR
9	Adaptive trial on the performance of pig, rabbit and goat in the watershed at Nongstoin in West Khasi Hills	2003	2006	25% time as CO PI	ICAR

10	On farm trial on rabbit and pig production technology in Meghalaya	2004	2006	40% time as PI	ICAR
11	Soil- Plant- Animal relationship in respect of infertility problem of cattle	2005	2007	25% time as CO PI	ICAR

15. Participation in Training :-

Sl No	Name of Programme	Place	Duration	Year
1	Specialized Training on APM	CIRG, Makhdoom, UP	6 months	1992
2	Training on computer	ICAR Research Com. For NEH Reg Umium Meghalaya	7 days	1998
3	Training on skin processing and product preparation	CLRI, Chennai (CSIR), TN	7 days	2000
4	Agribased entrepreneurship Development	RAU, Pusa, Bihar	30 days	2001
5	Advances in structure and function of productive and reproductive behaviour of animals of high altitude	HPKVV, Palampur, HP.	21 days	2002

16. Technology Developed

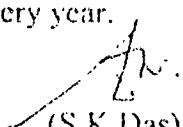
- : i) Development of upgraded pig with 87.5 % Hampshire inheritance
- ii) Package of production for pig rearing
- iii) Package of practices for rabbit production
- iv) Fur skin processing

17. Training Imparted to farmers/ officers

- : i) Rabbit Prod and Mgmt. - 21 trainings
- ii) Pig Prod and Mgmt - 12 trainings
- iii) Watershed Development - 2 trainings
- iv) Farming System Research - 2 trainings

18. Demonstration Imparted

- : Around 100 farmers/ educated unemployed youths in each and every year.


(S K Das)

Senior Scientist

Division of Animal Production

ANNEXURE - 2 (Series)

67

SPEED POST

RC(P) 29/93.

03.9.05.

To,

The Dy. Director (P),
Indian Council of Agricultural Research
Krishi Bhavan, New Delhi -1.

Sub:- Forwarding of application for transfer in respect
of Dr. S. K. Das, Sr. Scientist (LPR)-reg.

Sir,

I am forwarding herewith the application for
transfer in respect of Dr. S. K. Das, Senior Scientist (LPR),
of this Complex Hqtrs, Umiam for favour of kind necessary
action and consideration at your end please.

This issues with the approval of Director.

Yours faithfully,

U. J. Kharmanphlang
Administrative Officer

Enclo: As above.

Copy to :-

1. Dr. S. K. Das, Senior Scientist (LPR), ICAR Research Complex for NEH Region, Umiam.
2. The Head & Incharge, Division of Animal Production ICAR Research Complex for NEH Region, Umiam.

rkd/-

*After
Mr.
Advocate*

38

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
ICAR Research Complex for N.E.H. Region
"Umiam", Umrot Road, Meghalaya.

RC(E)2/2003

Dated Umiam, the 19th Jan., 2006.

OFFICE ORDER

Approval of the Competent Authority of ICAR Research Complex for N.E.H. Region, Umiam is hereby conveyed for the transfer as mentioned below with immediate effect.

Sl. No.	Name and designation	From	To
1.	Dr. Brajendra, Scientist (Soil Sc.,/ Soil Fert./ Soil Chem.)	ICAR (R.C.) for N.E.H. Region, Mizoram Centre.	ICAR (R.C.) for N.E.H. Region, Umiam.
2.	Dr. A. Kumareean, Scientist (Ani.Reprod./ Gynaecology).	ICAR (R.C.) for N.E.H. Region, Mizoram Centre.	ICAR (R.C.) for N.E.H. Region, Umiam.
3.	Dr. Meraj Haider Khan, Scientist (Ani.Reprod./ Gynaecology).	ICAR (R.C.) for N.E.H. Region, Umiam.	ICAR (R.C.) for N.E.H. Region, Mizoram Centre.
4.	Dr. I. Shakuntala, Scientist (V.P.H.)	ICAR (R.C.) for N.E.H. Region, Umiam.	ICAR (R.C.) for N.E.H. Region, Manipur Centre.
5.	Dr. L.R. Chatlod, Scientist (VPH).	ICAR (R.C.) for N.E.H. Region, Manipur Centre.	ICAR (R.C.) for N.E.H. Region, Umiam.
6.	Dr. S.K. Das, Senior Scientist (Ani.Repro./LPH).	ICAR (R.C.) for N.E.H. Region, Umiam.	ICAR (R.C.) for N.E.H. Region, Tempo Tripura Centre/Very basis till the position of Sr. Scientist is filled up.

The Scientist mentioned at Sl.No.3 and 4 shall move
first to their place of posting.

The transfer is made in public interest and the
scientists concerned will be entitled for T.T.I./Joining time etc.,
as per rules.

19/1/06.
(H. J. KHAMMUPLANG)

ADMINISTRATIVE OFFICER

Copy to :-

1. The Scientists concerned (By name)
2. The Joint Directors, ICAR (R.C.) for N.E.H. Region, Mizoram, Manipur and Tripura.
3. The Head & In-charge, Division of Soil Science, Animal Health and Animal Production, ICAR (R.C.) for N.E.H. Region, Umiam.

P.T.O.

-2-

4. The P.A.O., ICAR Research Complex for NEH Region, Utnam.
5. The Sr. A.O., ICAR Research Complex for N.H. Region, Utnam.
6. The A.A.O. (Sectt.), ICAR Research Complex for NEH Region, Utnam.
7. The A.A.O. (Admn.), ICAR Research Complex for NEH Region, Utnam.
8. The A.A.O. (Sectt.), ICAR Research Complex for NEH Region, Utnam.
9. P.A. to Director.

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
KRISHI BHAVAN : NEW DELHI

F.No. 31(3)/2002 Per. II

Dated 20.8.2002

To

The Director,
ICAR Research Complex for NEH Region,
Barapani.

S...ct: Appointment of Dr. Syamal Naskar, Scientist, ICAR Research Complex for NEH Region, Barapani to the post of Senior Scientist (Animal Reproduction) in the pay scale of Rs.12000-420-18300 at the Tripura Centre of ICAR Research Complex for NEH Region, Barapani.

On the recommendation of the Agricultural Scientists' Recruitment Board, the President, Indian Council of Agricultural Research Society has been pleased to approve the appointment of Dr. Syamal Naskar to the post of Senior Scientist (Animal Reproduction) at Tripura Centre of ICAR Research Complex for NEH Region, Barapani.

Accordingly, I am to forward herewith an offer of appointment in his/her favour in duplicate, the original of which may be delivered to him and the other copy be retained by you. If he accepts the offer of appointment, he may kindly be advised to take up his/her assignment as early as possible, preferably within one month of the date of issue of this letter.

It is presumed that Dr. Syamal Naskar has already been examined by a duly constituted Medical Board and declared fit for service while in employment under the Council/University and his character and antecedents have been verified and found satisfactory. It is also presumed that Dr. Syamal Naskar has given necessary marital status declaration and taken oath of allegiance faithfulness to the Constitution of India.

These presumptions may kindly be confirmed while conveying to this office the acceptance of the offer of his appointment.

Receipt of this letter may please be acknowledged.

Yours faithfully,


(MADAN SARUP)
UNDER SECRETARY(P)

Copy with a copy of offer to :

1. Secretary, A.S.R.B., Pusa, New Delhi with reference to his letter Sci/Secy/ASRB/02/M/77 dated 8.3.2002
2. Dr. Syamal Naskar, Scientist ICAR Research Complex for NEH Region, Barapani
3. Director, ICAR Research Complex for NEH Region, Barapani.
4. Personal File/Guard file

UNDER SECRETARY (P)

After 20/8/02

Division of Animal Production
ICAR Research Complex for NEH Region
Umium-793103, Meghalaya

No. RC/ AP/ Cor-Dir / 1/ 06 / 15 72

Dt. 21.01.2006

To

The Director

ICAR Research Complex for NEH Region
Umium-793103, Meghalaya.

Sub: Consideration for cancellation of Transfer – Reg

Ref: No. RC (E) 2 / 2003 Dt 19.1.2006.

Sir,

With reference to the subject cited above I would like to inform you that my wife is a chronic patient of hypertension and regularly taking medicine. This disease is incurable and she is carrying genetically as my father in law expired due to hypertension and cardiac failure. Moreover she suffered mild attack on 17.12.05 morning, became senseless and got injury on head, shoulder, hand and leg. If it would happen in absence of me it would be highly life risk to her. In case of my transfer she would not be able to continue her treatment, care of child and manage daily essential works. *Recently somebody told that it is drama.*

Sir, I swear to the name of almighty that it is not drama. Similar problem occurred in the year 2009 on the day of Dussera in open place. Each and everybody in the ICAR colony know it. You may confirm from any reliable person residing in colony. *I am sure that my enemy also will not tell false. Afterwards at least three times same things happened in quarter, native place, during journey in railway station.* I never told all these to you or earlier Director because I don't like to make any hue and cry on my personal problem. But this time you compelled me to delineate all these things. So, I am not in a position to go Tripura.

Sir, you are aware that I already applied for transfer to nearby place of my hometown on the ground of my mother's sickness due to cardiovascular problem. She is 65 years old

*Attested
for Advocate*

and alone after my father's death due to carcinoma in 2000. So due to this transfer to remote place I would not be able to continue treatment of my mother and to manage everything in three different locations.

Sir, you know very well that I had been working here last thirteen years sincerely on all aspects of pig, rabbit and goat depending on available facilities. Moreover I regularly go to farm even on Sunday, holiday, during strike, curfew, picketing in spite of life risks. Even it happened number of times that due to surprise visit of higher authority / minister / dignitaries, while nobody is available, myself kept ready to keep farm presentable and highlighted activities of the division. I presented achievements during the visit of Honorable Chief minister of Manipur in the year 1995, during the visit of Dr M S Swaminathan in the year 1999, during the visit of Honorable Union Minister of State, Ministry of Agriculture in the year 1999, during the visit of Honorable State Agriculture Minister in the year 2003 etc. Besides taking part in the development of technology on pig and rabbit production since my joining, I have been involved actively on dissemination of technology on rabbit and pig production since 2001. Around eight farmers in Mawlankhar watershed, fifteen farmers in Saiden, twenty farmers in Mawkrih and thirteen farmers in Atawlasnai adopted rabbit and pig production technology. Therefore, I am regularly visiting sites in their need as and when it is necessary. Even I have given free treatment service to farmer and animal lover as and when it was required or due to request of higher authority. I am delineating all these facts due to the reason, my heads definitely never told all these things to you, only they have complained against me. So, you should also know the reality.

Dr Naskar is selected Senior Scientist of Tripura Center from August 2002. He never kept his wife with him at Shillong during last 5 - 6 years of marriage. On the contrary my family is settled here since 1993. So, my family will be disturbed severely. Due to chronic hypertension problem of my wife and cardiac problem of my mother, my problem will not be solved easily until and unless I am able to go nearby place of my hometown. In spite of all these problems I never stopped to continue my scheduled work in the division / institute even in odd hour.

So, Sir I am unable to go Tripura and I would like to request you to think again for consideration of canceling my transfer to Tripura. If you don't like me, very well but, at least give me ~~reasonable~~ time, so that I may materialize my transfer to anywhere near my hometown.

Thanking you Sir,

Enc. 1. Certificate/ prescription of MO, ICAR.

2. Certificate of cardiologist

Yours faithfully


(S K Das)

Senior Scientist

(Livestock Production and Management)

Division of Animal Production

*Abdul
Ghaffar
Awan*

26-



ANIMAL PRODUCTION DIVISION
ICAR RESEARCH COMPLEX FOR NEH REGION
UMROI ROAD, UMIAM
MEGHALAYA - 793 103

WY

NO: RC/AP/Cor - 14 (b)/2005/ 1580

Dated the 28th January 2006.**OFFICE ORDER**

Dr. S. K. Das, Sr. Scientist (Animal Reproduction) Animal Production Division, ICAR Research Complex for NEH Region, Umiam, is hereby directed to hand over the official charges held by him to Dr. S. Naskar, Sr. Scientist of Animal Production Division, ICAR Research Complex for NEH Region, Umiam immediately. This is in reference to the office order No. OC (E) 2/2003 dated 19.01.2006.

(R. K. Bardoloi)
 28/01/06

Principal Scientist & In - Charge
 Animal Production Division

Copy to :

The Director, ICAR Research Complex for NEH Region, Umroi Road, Umiam - 793 103 for favour of his kind information please.

(R. K. Bardoloi)
 Principal Scientist & In - Charge
 Animal Production Division

Dr. S. K. Das.
 Dr. Scientist
 Animal Reproduction
 ICAR Research Complex for NEH Region
 Umroi Road, Umiam - 793 103

After 2nd
 Feb
 private

Division of Animal Production
 ICAR Research Complex for NEH Region
 Umium-793103, Meghalaya

No. RC/ AP/ Cor-Dir / 1 / 05 / 1586

Dt. 30.01.2006

✓ To,

The Director
 ICAR Research Complex for NEH Region
 Umium-793103, Meghalaya

Sub: Request for forwarding of representation to the Director General, ICAR and same copy to Secretary, ICAR and Director (P), ICAR, New Delhi.

Sir,

Herewith I am submitting one representation to honorable Director General, ICAR along with annexure I to IV for the cancellation of transfer to Tripura Center of the institute and consideration of transfer near to my hometown as per existing rules of posting of scientist in NEH Region.

So, kindly forward it to the Director General, ICAR and the same to Secretary, ICAR and Director (P), ICAR, New Delhi expeditiously.

Thanking You

Enc. same as above

Yours faithfully

(S K Das)

Senior Scientist (LPM)

Division of Animal Production

*S. K. Das
 Senior Scientist
 Division of Animal Production*

Division of Animal Production
 ICAR Research Complex for NEH Region
 Umium-793103, Meghalaya

No. RC/ AP/ Cor - DG/ 06

Dt.30.01.06.

To,

The Director General,

Indian Council of Agricultural Research (ICAR)

Department of Agricultural Research and Education (DARE)

Krishi Bhawan, New Delhi - 110001.

(Through proper channel)

Sub: 1) I have completed my fixed tenure of 3 years as per GOI Rule of posting of scientist in NEH Region

2) Request for cancellation of transfer order No. RC (E) 2/03 Dt 19.01.06 and consideration of my earlier transfer application dated 15.07.2005 as per Rule of posting of scientist in NEH Region.

Sir,

With due respect, may I humbly request you Sir to kindly refer the above mentioned reference and subject cited above which is self explanatory. It is submitted that I have completed my fixed tenure of 3 years in 1996 as per GOI Rule of posting of scientist in NEH Region, which is applicable to ICAR on mutatis mutandis basis (Annexure-1). Now I am no more interested to work further in backward remote place of NEH Region.

It is further submitted that I have requested my transfer to the place of my choice through proper channel addressed to you and the same was forwarded by the institute to the Deputy Director (Personal), ICAR vide letter No. RC (P) 29 / 93 Dt. 3.9.05 (Annexure-II). I have requested the center of my choice as under i) NDRI (ERS), Kalyani, Nadia, WB; ii) IVRI (ERS), Belgachia, WB; iii) CIFF (ERS), Salt Lake, WB; iv) CICFRI, Barrackpore, WB and v) TOT (Zone-II), Salt Lake, WB.

It is further submitted that I joined this institute on 29.01.1993 as a scientist (LPM) and now I am senior scientist (LPM). I served sincerely beyond my capability for this institute more than thirteen years and took part in the developmental, research and extension work on the aspect of rabbit, pig and goat without giving any chance of

*Afesh
Jais
Private*

Reprimandation to my higher authority. Presently I am running one project as PI regarding "On farm trial on rabbit and pig production technology". I am involved in one "Watershed project" as COPI since 2003 and two new projects since 2005 one on "Performance of Assam Local goat" and another on "Infertility problem of cattle" as COPI.

Despite of this Sir, on 19.01.06 I have been transferred illegally from Barapani to Tripura center of the institute. I requested repeatedly to Director verbally about my genuine problem and expressed inability to go to Tripura. But instead of listening to my problem he continuously pressurized me just to save his near and dear Dr S Naskar. Sir, he is selected senior scientist (Animal Reproduction) of Tripura center (Annexure -III) and he managed by any means, working here at Barapani wef 21.8.2002 in spite of going to Tripura center of institute. Moreover he was initially selected as scientist under NE special drive quota. I don't know the vested interest of the authority to retain Dr S Naskar at Barapani. Afterwards, my wife was shocked severely, became senseless, injured on head on 17.12.05. The reason is that she is a chronic patient of hypertension. Therefore I represented to Director (Annexure -IV) but everything was in vein. Today inhumanly relieve order was given to me.

So, keeping in view the facts, as mentioned above by me, my transfer order to Tripura may kindly be withdrawn immediately and consider transfer to the place of my choice as given above as per the Rules of posting of Scientist in the NEH region.

Thanking You Sir,

Enc. Annexure I – IV (Six pages document)

Place: Umium

yours faithfully

(S K Das)

Senior Scientist (LPM)

E Mail: s.k.das.65@iisg.ernet.in

Telephone @ 0364-2570429

Copy for necessary information to :-

- 1) Secretary, ICAR, Krishi Bhawan, New Delhi -110001
- 2) Director (Personal), ICAR, Krishi Bhawan, New Delhi -110001

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
 ICAR RESEARCH COMPLEX FOR N.E.H. REGION
 UMROI ROAD, UMIAM-793103, MEGHALAYA

No.RC(E)2/03

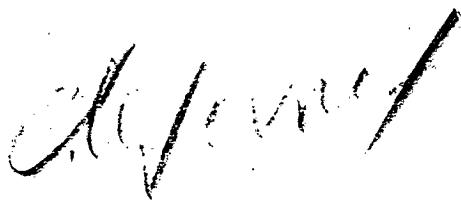
Dated Umiam, the 30th Jan., 2006

MEMORANDUM

Sub: Transfer of Dr. S. K. Das, Sr. Scientist (LPM).

With reference to above and his representation No.RC/AP/Cor-Dir/1/05 dated 21.1.06, I am directed to convey that his request was considered sympathetically by the Competent Authority. It is regretted to inform that his request cannot be acceded to in exigencies of Institute's work. Accordingly, Dr. Das, Sr. Scientist (LPM) is hereby directed to get himself relieved by 4th February, 2006 and to report to the Joint Director, ICAR, Tripura Centre without any further delay.

This issues with the approval of the Director.


 (M. J. Karmawphlang)
 30/1/06
 Administrative Officer

✓ Dr. S. K. Das,
 Sr. Scientist (LPM),
 Div. of Animal Production,
 ICAR Research Complex for NEH Region,
 Umiam.

*Attest
Smt. J. Karmawphlang*

Division of Animal Production
ICAR Research Complex for NEH Region
Umium-793103, Meghalaya

No. RC/ AP/ Cor-Dir / 1 / 05 / 1590

Dt. 31.01.2006

To,

The Director
ICAR Research Complex for NEH Region
Umium-793103, Meghalaya

Sub: Request for cancellation of memorandum / relieve order

Ref No. RC (E) 2 / 03 Dt 19.01.06 , RC (E) 2 / 03 Dt. 30.01.06

Sir,

With reference to the office order No. RC (E) 2/ 03 Dt 19.01.06 followed by present memorandum No. RC (E) 2 / 03 Dt 30.01.06 I am not in a position to accept this, since my wife is severely sick due to hypertension which I already represented to you vide letter No. RC/AP/Cor-Dir/1/05 Dt. 21.01.2006 and to Honorable Director General, ICAR vide letter No. RC/ AP/ Cor - DG/ 06 Dt.30. 01. 06 through proper channel. Hence I am returning the same in original as my case is pending under the disposal of ICAR, New Delhi.

So, I therefore humbly request you that kindly do not implement memorandum / relieve order till the disposal of my above mentioned representation from the end of council.

Enc. Same as above

Yours faithfully

(S K Das)

Senior Scientist (LPM)

Division of Animal Production

Attest
S. K. Das,
Advocate

**INDIAN COUNCIL OF AGRICULTURAL RESEARCH
ICAR RESEARCH COMPLEX FOR N.E.H. REGION
UMROI ROAD, UMIAM-793103, MEGHALAYA**

No RC(E)2/03

Dated Umiam, the 8th Feb., 2006

OFFICE ORDER

In continuation to this office order of even No. dated 19.1.06, Dr. S. K. Das, Sr. Scientist (LPM), Division of Animal Production is hereby stands relieved with immediate effect in the afternoon of 10th February, 2006.

This issues with the approval of the Director.

16/2/06
(M. J. Kharmaophlang)
Administrative Officer

✓ Dr. S. K. Das,
Sr. Scientist (LPM),
Division of Animal Production,
ICAR Research Complex for NEH Region,
Umiam.

Copy to :

1. P.S. to Director, ICAR Research Complex for NEH Region, Umiam.
2. The Joint Director, ICAR Research Complex for NEH Region, Tripura Centre, P.O. Lebmucherra, West Tripura.
3. The Finance & Accounts Officer, ICAR Research Complex for NEH Region, Umiam.
4. The Asstt. Admin. Officer (E), ICAR Research Complex for NEH Region, Umiam.
5. The Head, Div. of Animal Production, ICAR Research Complex for NEH Region, Umiam.
6. The Project Director, Project Directorate on Poultry, Rajendra Nagar, Hyderabad-500030, Andhra Pradesh.

To,
The Administrative Officer
ICAR (RC) - Umiam.

Madam, I am returning this in original as my
case is pending under the disposal of ICAR.

New Delhi. Thanking you, *Akela* *private* *Yours faithfully*
S. K. Das *(S. K. Das)*

1. F. NO. 4
2. FILE NO. 12
CENTRAL ADMINISTRATIVE TRIBUNAL
GOURADEVI BENCH.

ORDER SHEET

Or. App/ Misc. Petn/ Cont. Petn/ Rev. App. No. 38706,
In O. No.

Name of the Applicant(s) K. K. Singh

Name of the Respondent(s) DR. B. P. Roy

Advocate for the Applicant M. Chanda, M.C.S.
Counsel for the Railway/ C.R.S.C. S. Maiti, Sr.C.G.S.C.

CGSCT

OFFICE NOTE

1. DATE

ORDER OF THE TRIBUNAL

20.2.2004: Heard Mr. M. Chanda, learned counsel for the applicant and Mr. A. Deb Roy, learned Sr.C.G.S.C. for the respondents.
Issued notice to the parties, returnable by four weeks. List the case on 23.3.2004 for admission.
In the meanwhile the transfer order No.F.No.5-3/89 Admin. dated 10.2.2004 is stayed until further order.

Certified to be true copy
Anupam xPatashu

Sd/MEMBER(ADM)

20/2/04
Section Officer (S)
C.A.T. GOURADEVI BENCH
Guwahati-781005

Attested
Anupam
Patashu
Postbox

SL. No. 67

-36-

Annexure 12
(Series)

CENTRAL

ADMINISTRATIVE TRIBUNAL
OF INDIA

Office Note

Case No. 12/66
Date of App/ Misc. Petn/Com. Ldn/ R.W. A.R.L. (12/66)

In O.A.

Name of the Applicant(s) K. K. Singh

Name of the Respondent(s) 12/66

Advocate for the Applicant M. M. Chanda, M.A.
Counsel for the Railway I.C.C.C. S.C.G.S.C.

CGSC

OFFICE NOTE

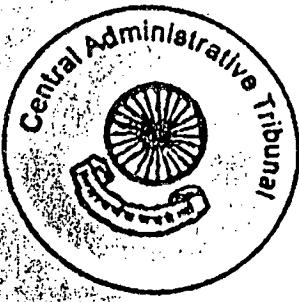
DATE	ORDER OF THE TRIBUNAL
------	-----------------------

25.3.2004 present: The Hon'ble Shri K.V. Prahladan
Administrative Member.

Heard Mr. M. Chanda, learned counsel
for the applicant and also Mr. A. Deb Roy,
learned Sr.C.G.S.C., for the respondents
at length.

Considering the facts and circum-
stances of the case, I am of the view of

Cont. /2



Altered
and
Generated

25.3.2004 that ends of justice will be met, if a direction is issued to the applicant to file a fresh representation before the respondents. Accordingly, applicant is directed to file a fresh and detailed representation mentioning his choice place of posting to the respondents within a period of one week from the date of receipt of this order. If such application is made, respondents shall consider the same and pass a reasoned order within one month's time thereafter. Adequate ~~pre-dictated~~ opportunity for hearing shall also be given to the applicant.

With this, the O.A. is disposed of. NO COSTS.

Till the completion of the exercise, interim order dated 20.2.2004 will continue.

Sd/MEMBER(ADM)

Replied to be true Cop.
सत्याग्रह

26/3/04

Section Officer (J)

CIA T. GUWAHATI BANCH

Guwahati, 26/3/04

16/3/04
26/3/04

NOTIFICATION DATE	DATE OF DELIVERY	DATE OF COPY READY	DATE OF OVER
20/12/02	20/12/02	21/12/02	21/12/02

— 38 —

Annexure - 13

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

WRIT PETITION (C) NO. 3577 OF 1999

Shri Bhagwan Menghani
Senior Accounts Officer,
Office of the Inland Water Authority of India,
Ministry of Surface Transport,
Government of India,
Parameswari Building,
5th Floor, Chouribatri, A.T. Road,
Guwahati - 781 001.

..... PETITIONER

-VERSUS-

1. Union of India,
Through Secretary to the Govt. of India,
Ministry of Surface Transport,
Government of India, Parameswari Building,
5th Floor, Chouribatri, A.T. Road,
Guwahati - 781 001.
2. The Chairman,
Inland Waterways Authority of India,
B-109/112
Commercial Complex, Section 18,
Noida (UP).
3. Deputy Secretary,
Inland Water Ways Authority of India,
Minister of Surface Transport,
Government of India,
Head Office B/109-112,
Commercial Complex, Section-18
(Dist. Gautam Budh Nagar)
PIN 201301, Uttar Pradesh.
4. Shri S. Jayaraman,
Chief Accounts Officer,
Inland Water Ways Authority of India
B-109-112, Commercial Complex,
Section 18, Noida,
Uttar Pradesh - 201301.

..... RESPONDENTS

Atul Kumar
Advocate

P R E S E N T
THE HON'BLE MR. JUSTICE D. BISWAS

For the petitioner : Mr. B.K. Sarma,
Mr. M. Chanda, Advocates.

For the respondent : Mr. C. Choudhury,
C.G.S.C.

Date of hearing : 16.12.2002

Date of Judgment and Order : 16.12.2002

JUDGMENT AND ORDER
(ORAL)

Heard Mr. B.K. Sarma, learned Counsel for the petitioner assisted by Mr. M. Chanda, learned counsel and also Mr. C. Choudhury, learned Central Government Standing Counsel for the Union of India.

2. This petition has been filed controverting the legality and validity of the order of transfer dated 11.6.1999 (Annexure-5) and consequent release order of the same date. By the aforesaid order of transfer the petitioner who was serving as Senior Accounts officer in the Head Quarter Office at Noida was transferred to Guwahati. The challenge is on the ground that the advertisement issued pursuant to which the petitioner was appointed was meant for staff in the Head Quarter of the Inland Waterways Authority of India which is at Noida. According to Shri B.K. Sarma, learned Senior Counsel the petitioner pursuant to the above advertisement offered his candidature and on selection and appointment joined the post at Noida with the expectation that he would be allowed to continue there till superannuation. Besides, Shri Sarma, further pointed out that the petitioner in a departmental proceeding initiated against the respondent No.1 deposed against the latter. It was on his evidence that

the respondent No.1 was imposed with a penalty in that departmental proceeding. Out of vengeance, the respondent No.1 initiated the proposal for transfer of the writ petitioner to Guwahati in his personal file which is contrary to the procedure of office administration.

3. Materials on record clearly justify the above submission of the writ petitioner. The advertisement (Annexure-1) and the order of penalty imposed on the respondent No.1 vindicate the grounds on the premises of which the writ petition has instituted.

4. It would appear that the order of the writ petitioner was issued on 11.6.1999 and the petitioner assumed duties at Guwahati without loss of time. By now he has completed three years. Therefore, it would be of no consequence at this belated stage to interfere with the order of transfer which has been complied with.

5. Shri Sarma submitted that the office Memorandum dated 11th December, 1993 provides for transfer and posting of civilian employee of the Central Government posted in the States and Union Territories of North Eastern Region to posting of his choice. The relevant provisions of the aforesaid office Memorandum, Shri Sarma, submits render the writ petitioner eligible for reconsideration for his choice posting. The relevant provision of the office memorandum dated 11th December, 1983 is quoted below : -

"I) Tenure of posting/deputation : -

There will be a fixed tenure of posting of 3 years at a time for officers with service of 10 years or less and of 2 years at a time for officers with more than 10 years of service. Periods of leave, training, etc., in excess of 15 days per year will be excluded in counting the tenure period of 2/3 years. Officers, on completion of the fixed tenure of service mentioned above, may be considered for posting to a station of their choice as far as possible.

6. There was no dispute at the bar that the aforesaid memorandum is applicable in respect of the Inland Waterways Authority of India and hence, on completion of two years in the North Eastern Region the petitioner is entitled to consideration for posting to a place of his choice. In fact, the respondent authority has also given choice of posting to other employees, namely, Shri M.K. Saha, Director, Shri S.K. Sharma, Senior Accounts Officer and Shri Mahesh Kumar, U.D.C. In the facts and circumstances of the case, this Court is of the opinion that the petitioner's case for transfer to a place of his choice (Noida) is just and proper.

7. This writ petition is disposed of with the direction to the respondents, particularly, Respondent No.2, the Chairman, Inland Waterways Authority of India to consider the representation of the writ petitioner submitted on 10.6.2002 in accordance with the provisions of the Memorandum dated 14th December, 1983 and pass appropriate orders for his transfer to a place of his choice (Noida) within a period of two months from the date of receipt of a copy of this judgment.

The petitioner is permitted to submit a copy of this Judgment along with other necessary documents to the Chairman, immediately.

RECORDED & INDEXED
Date 21.12.2012
Superintendent (Copying Section)
Court of Civil Court
Mumbai U/S 16, Oct 1, 1978

P N 22778
20/12/02

October, 2002

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Swamysnews

promotion order at Secunderabad. In the first representation, dated 9-10-2000, it was not stated that the applicant had any family problem. So also, in the representation, dated 27-11-2000, it was not stated that he had some specific problems. Only it was stated that he was transferred from Trichy to Ichapur during September, 1994, on compassionate grounds and the same grounds existed. It is obvious that no specific ground for not proceeding to Secunderabad, was mentioned. In the representation, dated 22-12-2000, also the applicant did not say that he was facing some problems, only it was stated that due to domestic problem he was not in a position to avail of the opportunity of promotion. It is not that every domestic problem even of trifling nature requires to be considered by the employer. If the applicant had really any problem, he should have pointed out the same which could be considered by the respondents.

The respondents have considered the representations of the applicant and have declined the request of the applicant for foregoing the promotion, which they had a right to do in terms of O.M., dated 1-10-1981. The applicant is a Gazetted Officer. It is seen that he wants to avoid the transfer from the existing place. Transfer is not only incidence of service but is also a condition of service. The contention of the applicant that there is no exigency for his posting at Secunderabad cannot be appreciated. It is a matter which is to be considered by the employer and not by the employee as to whether exigency exists or not.

The Tribunal is not the Appellate Authority to consider the administrative exigency. The legal position is well settled on this point *vide N.H.P. Corporation Ltd. v. Sri Bhagwan and Shiv Prakash (2001 (2) SCSLJ 396), State of Madhya Pradesh and another v. S.S. Kourav and others (1995 SC 1056) and SBI v. Anjan Sanyal and others (JT 2001 (5) SC 203)*. The applicant cannot be granted the relief of considering his promotion at the places mentioned by him in this O.A. No direction can also be given by the Tribunal for allowing the applicant to stay at local station. Consequently, the application is dismissed. No order as to costs.

[Ranjit Kumar Biswas v. Union of India and others, 10/2002, Swamysnews 83, (Calcutta), date of judgment 5-2-2002.]

O.A. No. 234 of 2001

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The department cannot deny the application for transfer of choice of posting, if the employee has completed the required number of years of service in the transferred office

Facts: The applicant was initially appointed as Lower Division Clerk under the Kolkata Regional Office of the Kendriya Vidyalaya Sangathan. Thereafter, on his selection through Departmental

Attent
Shiv
Advocate

Swamysnews

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October, 2002

Examination he was appointed to the post of UDC at Kolkata Regional Office. By order, dated 15-9-1995, the applicant was promoted to the post of Assistant and transferred to Silchar Regional Office as such. He joined at Silchar on 31-10-1995. In this application under Section 19 of the Administrative Tribunals Act, the applicant has challenged the transfer order, dated 13-11-2000, and order, dated 4-12-2001, whereby the respondents have rejected the representation of the applicant for his choice of posting. The applicant has been transferred from Regional Office, Silchar to Regional Office, New Delhi. The applicant is working as Assistant in the KVS Regional Office, Silchar. The order has been challenged on the ground that the applicant, having completed more than 5 years' service in the N.E. Region had acquired right for his choice of posting at Kolkata in conformity with the transfer and posting guidelines. The respondents have not followed the direction of this Tribunal in O.A. No. 423 of 2000, dated 5-6-2001 directing the respondents to consider the case of the applicant for his choice of posting. The applicant submitted that the applicant had challenged the transfer order, dated 13-11-2000, in O.A. No. 423 of 2000. In the proceedings before this Tribunal, the Respondents had stated that the case of the applicant for transfer to Kolkata could not be considered because of pendency of disciplinary proceedings. Considering the fact that the applicant had completed his tenure in N.E. region, this Bench, by order, dated 5-6-2001, in the aforementioned O.A. directed the respondents to reconsider the case of the applicant for reposting to Kolkata without being influenced by the pendency of the departmental proceeding. The respondents have arbitrarily rejected the claim of the applicant for his choice posting in violation of the direction of this Tribunal in O.A. No. 423 of 2000.

Held: The facts are not in dispute. The impugned order of transfer, dated 13-11-2000, has been subject matter of adjudication before this Tribunal. The direction was given to the respondents to consider the case of the applicant for choice of posting. The submission made by the Respondents that the applicant has not made any application for choice of posting cannot be accepted, because the applicant had come before this Tribunal for consideration of choice of posting. No material has been placed on behalf of the respondents to show that the transfer guidelines issued by the Respondents *vide* their letter, dated 25-1-2000, are not applicable to the applicant.

As mentioned above, it is stated in Para. 19 of the guidelines that the guidelines apply to non-teaching staff also to the extent applicable. Reference to the guidelines does not show that the staff working in Regional Office is outside the purview of transfer guidelines. The submission of the Respondents on the material before us cannot be sustained. The rejection of the claim of the applicant in the impugned order, dated 4-12-2001, is not considered justified, as the same is not

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based on any material. Normally, the transfer orders are not interfered by the Tribunal unless the orders are found to be arbitrary, *mala fide* or without jurisdiction. The applicant had come before this Tribunal earlier. The respondents were directed to reconsider his request. Again his request was turned down taking a new stand. The rejection of applicant's representation could not be supported by any material. The impugned order, dated 4-12-2001, is found to be arbitrary.

The impugned order, dated 4-12-2001, is accordingly set aside. The respondents are directed to consider the case of the applicant for transfer to his choice of posting at Kolkata as per guidelines, dated 25-1-2000, and to accommodate the applicant at Kolkata against existing available vacancy. The Respondents are directed to complete the process within a month of the receipt of this order. The interim order, dated 3-1-2002, shall continue to operate till the completion of the exercise.

Application is allowed as indicated above. There shall however, no order as to costs.

[*Tapan Kumar Chakraborty v. Union of India and others, 10/2002, Swamysnews 84, (Guwahati), date of judgment 1-3-2002.*]

O.A. No. 487 of 2001

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Casual labourers who are employed for a long period are to be regularized on Group 'D' post

Facts: This batch of applications arises out of a common cause of action and all the applicants are similarly placed. Therefore, these are being decided by this common order. The applicants in all the above O.As., except the applicant in O.A. No. 162 of 2000, are also claiming benefit with effect from the date the same was extended to their junior. The applicants were all engaged as daily-wages casual labour in the year 1979-1983. In deference to the order of the Apex Court, Department of Personnel and Training *vide* O.M., dated 7-6-1988 issued guidelines for recruitment of casual workers and persons on daily-wages. The applicants have all been granted Temporary Status under this scheme with effect from 1-9-1993, and they have all been earning their increments in the then scale of Rs. 750-940. The pay scale has also been revised consequent to implementation of the Fifth Pay Commission's recommendations. Pleas of the applicants in these O.As. are that, they are all employed against regular nature of work and have been in the service of the Department for the last more than 20 years, but they are not being regularized. They seek directions to the respondents to consider their cases for regularization on Group 'D' posts forthwith within the framework of guidelines issued by O.M., dated 7-6-1988 and

10-9-1993 and along with all consequential benefits. They are apprehensive that if they continue in service only as Temporary Status casual labour without being regularized, they will be deprived of pensionary benefits despite having put in long year of service.

Held: We have heard the learned Counsel for the parties and carefully perused the guidelines contained in O.M., dated 7-6-1988, and 10-9-1993. Para. 5 of the Scheme for grant of Temporary Status and regularization lists out certain benefits which accrue to the casual labour after they attain Temporary Status. Para. 6 states that no benefits other than those specified in Para. 5 will be admissible to casual labour with Temporary Status. Para. 5 (v) states as under:—

"50% of the service rendered under Temporary Status would be counted in the purpose of retirement benefits after their regularization" (*emphasis supplied*).

A clear meaning of this clause is that, unless the casual labour are regularized, i.e., absorbed against regular vacancies, the service rendered under Temporary Status would be of no consequence in so far as the retirement benefits are concerned. Obviously, this is the main cause of grievance to the applicants that they are not being regularized and are likely to be deprived of the pensionary benefits.

It is clear from the above that the department is required to review its need for deployment of casual labour, by reassessing the work being done by the casual workers to see whether the same could be entrusted to the regular employees. It also provides that in case where it is not possible to entrust all the items of work now being handled by the casual workers to the existing regular staff, additional regular posts may be created to the barest minimum necessary, with the concurrence of the Ministry of Finance. The applicants have continued with the department over a very long period. Obviously, it has not been possible for a department to entrust the work being handled by these casual workers to the existing regular employees. In such a situation, the respondents were required to create additional regular posts so that the need to continue the casual workers was obviated. Apparently, the respondents do not appear to have taken any step in this direction and have thus failed to follow an essential step provided in the guidelines. The consequence of such a failure on the part of the department would be that, the applicants would continue to remain as Temporary Status casual labour and may retire in that capacity without having any benefit of the pensionary benefits. The Government considered as model employer cannot let this exploitative situation to continue and must take immediate action for creating as many number of regular posts as the number of Temporary Status casual workers at least equal to those who have continued in the service of the department for more than 3 years. It is clear that they are working against work of regular nature whereas the casual labour

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH,

Original Application No.206 of 2005

Date of Order: This the 5th Day of August, 2005.

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

Shri Himangshu Ranjan Saha,
 Assistant Commissioner, Central Excise,
 Dibrugarh, Assam.
 By Advocate Mr.J.L.Sarkar, Mr.M.Chanda,
 Mr.S.Nath.

Applicant

Versus-

1. The union of India,
 Represented by Secretary to the
 Government of India,
 Ministry of Finance
 Department of Revenue,
 North Block
 New Delhi-110001

2. Central Board of Excise and Customs
 Govt. of India,
 Through its Chairman, North Block
 New Delhi.

3. The Chief Commissioner
 Central Excise and Customs,
 Shillong Zone, Meghalaya.

Respondents

By Advocate Mr.A.K.Choudhury, Addl. C.O.C.

ORDER (ORAL)SHIVARAJAN, J(V.C.):

The applicant is working as Assistant Commissioner, Central Excise at Dibrugarh, Assam. The applicant is aggrieved by the transfer order dated 01.08.2005(Annexure 4) by which he has been transferred to Shillong, CX Hqrs, ignoring the option furnished in the transfer proforma (Annexure 3). The grievance of the applicant is that though the respondents had called for options and the applicant had opted for five places as shown in the option statement Annexure 3, he has not been given transfer to any of the places opted by him. It

*Alfred
Advocate*

is stated that the transfer orders are made only on rotation basis and not on account of exigency of administration nor in public interest.

2. We have heard Mr.J.L.Sarkar, learned counsel assisted by Mr.M.Chanda, for the applicant and Mr.A.K.Choudhury, learned Addl.C.G.S.C appearing for the Respondents. Mr.J.L.Sarkar, counsel for the applicant submits that the applicant's wife is suffering from Osteoarthritis and therefore she cannot accompany the applicant to Shillong, a high altitude cold place. He submits that the respondent should have given the applicant a posting either at Silchar or at Guwahati where there were vacancies. Mr.J.L.Sarkar, further submits that the present transfer is against the norms of the transfer policy (Annexure 1) and against the options given by the applicant. He also submits that the 3rd Respondent has issued the transfer order in a mechanical way. The counsel also pointed out that even assuming that Guwahati and Silchar are not available on account of posting given to some other officers, even then four posts are still vacant as evident from the transfer order dated 1.8.2005 namely; Tezpur, Nagaon, Tinsukia and Dibrugarh where other officers are entrusted with the additional charge.

3. Mr.Choudhury on behalf of the respondents have submitted that the applicant is given a posting at Shillong which is a healthy stations and that Guwahati and Silchar were given to more deserving hand.

4. I am of the view that the application can be disposed of at the admission stage itself. Admittedly four posts are seen vacant and it is stated that the applicant will be satisfied if his case is considered for transfer either at Tezpur, Nagaon or Tinsukia. The 3rd Respondent had called for option from the applicant and the applicant had opted Silchar, Guwahati, Kolkata, Airport, JGI Airport, New Delhi, Kandla.

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The present transfer order shows that the transfers are effected to the Northeastern Region alone, of course from outside region (Kolkata) also. The applicant is a resident of Silchar and his wife is stated to be suffering from Osteoarthritis and that the climatic condition of Shillong will not suit her ailment. I find that the transfers had already been effected to Silchar and Guwahati. I also find that there are still four vacancies available at Nagaon, Tezpur, Tinsukia and Dibrugarh. Therefore, I direct the applicant to submit a detailed representation to the 3rd Respondent within a period of ten days from to-day pointing out his readiness to any of the aforesaid first three places. If such representation is made, the 3rd respondent will consider the case of the applicant for posting in any of the three places namely; Nagaon Central Excise, Tezpur Central Excise or Tinsukia Central Excise and pass orders within two weeks thereafter. If the applicant is not released already the same shall not be given effect to, so far as the applicant is concerned, till the case of the applicant is disposed of as directed herein above.

Application is disposed of as above at the admission stage

itself.

50- Vice-Chairman

Certified to be true Copy
सत्याग्रह अधिकारी

अनुभाग अधिकारी
Section Officer (Jed)

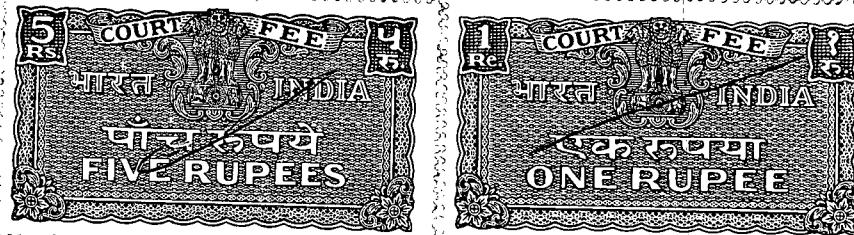
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Abesid
Advocate



VAKALATNAMA

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH: GUWAHATI

O. A. No. 39 /2006

DR. Samir Kumar Das ...Applicant(s)

-Vs-
Union of India & others ...Respondent(s)

Know all men by these presents that the above named Applicant do hereby appoint, nominate and constitute Sri Manik Chanda, Sri S. Nath S. Choudhury and Sri G. N. Chakraborty Advocate(s) and such of below mentioned Advocate(s) as shall accept this VAKALATNAMA to be my/our true and lawful Advocate(s) to appear and act for me/us in the above noted case and for that purpose to do all acts whatsoever in that connection including depositing or drawing money, filing in or taking out papers, deeds of composition etc. for me/us and on my/our behalf and I/We agree to ratify and confirm all such acts to be mine/our for all intents and purposes. In case of non-payment of the stipulated fee in full, no Advocate(s) shall be bound to appear and/or act on my/our behalf.

In witness whereof, I/We hereunto set my/our hand on this the 10th day of February 2006.

Received from the Executant, Mr. _____ And accepted
satisfied and accepted. Senior Advocate will lead me/us in the case.

Advocate

Subrata Nath
Advocate

Chanda
Advocate

Dr Samir Kumar Das

NOTICE

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From:-

S. Nath.
Advocate.

To:-

Shri G. Barshya,
Sr. C.G.S.C.

Sub: G.A. No. — 106 (Shri S.K. Das, Vs. T.U.O.I for.)

Sir,

Find please enclosed herewith a copy of the G.A. This is for your information and necessary action.

Please acknowledge receipt of the same.

Received

Yours sincerely

Subrata Nath.
Advocate.
10/2/06.

(G. Barshya).

Sr. C.G.S.C.

— B.Y.M.

of subserve to Shri S.K. Das, Vs. T.U.O.I
copy to S. Nath, Sr. C.G.S.C.
Chit. 10/2/06

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In the Central Administrative Tribunal,
Guwahati.

0 A 39/06

In the matter of:
O.A.No.39 Of 2006

Dr S.K. Das Applicant

Vs.

Union of India & ors.
Respondents

I, A. K. Chaudhuri, Addl. Central Govt. Standing Counsel, Central Administrative Tribunal, Guwahati, hereby enter appearance on behalf of the Union of India & Respondents Nos. 2-5 in the above case.

Given under my hand & seal on this the 16th day of Feb 2006.

AK Chaudhuri
16/2/06
(A.K. Chaudhuri)
Addl. C.G.S.C.