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**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**  
**GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (Judl.)

Salita  
21.9.17

CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH:

ORDERSHEET

1. Original Application No. 43/07
2. Miscellaneous Petition No.
3. Contempt Petition No.
4. Review Application No.

Applicant(s) Mr. C. Mandal VS Union of India & Ors

Advocate for the Applicant(s) S. Sarma

Ms. B. Devi, H-K. Das

Miss U. Das

Advocate for the Respondent(s) SA CASE

Notes of the Registry	Date	Order of the Tribunal
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This application is filed/C.F. for Rs. 50/- deposited vide IPO/DD No. 286933/05

Dated 12.2.07

Heetho  
Dy. Registrar

Dei

NS  
12-2-07

14.2.2007

Post the case on 23.2.2007.

/bb/

Vice-Chairman

15.2.07

The claim of the applicant is that he the applicant is presently working holding the post of SDO-III at Guwahati. He was promoted to the post of S.D.O-II and transferred him to Jorhat from Guwahati. He made representation before the respondent, which was rejected by Annexure 5 dated 29.12.06. Thereafter, he has filed another representation dated 08.2.07(Annexure 8) which is pending before the respondent No.2. The grievance of the applicant is that though he was promoted to the post of SDO-II his choice station are Guwahati and Calcutta where are existing vacancy. Transferring

2  
the applicant and putting into Jorhat the applicant will loose tenure posting and he made representation for considering his prayer to forgo his promotion but there is no reply as yet.

I have heard Mr.S.Sarma learned counsel for the applicant and Ms.U.Das learned Addl.C.G.S.C. for the Respondents. Counsel for the respondents has submitted that she would like to take instructions. Let it be done. Three weeks time is granted to the counsel for the respondents to take instructions.

It is made clear that pendency of the O.A. shall not be a bar for the respondents. Issue notice on the respondents. Post the matter on 18.3.07.

Vice-Chairman

L.M.

15.2.07. The claim of the applicant is that he the applicant is presently working holding the post of SDO-III at Guwahati. He was promoted to the post of S.D.O-II and transferred him to Jorhat from Guwahati. He made representation before the respondent, which was rejected by Annexure 5 dated 29.12.06. Thereafter, he has filed another representation dated 08.2.07(Annexure 8) which is pending before the respondent No.2. The grievance of the applicant is that though he was promoted to the post of SDO-II his choice station are Guwahati and Calcutta where are existing vacancy. Transferring the applicant and putting into Jorhat the applicant will loose tenure posting and

contd/-

15.2.07

he made representation for considering his prayer to forgo his promotion but there is no reply as yet. I have heard Mr.S.Sarma learned counsel for the applicant and Ms.U.Das learned Addl.C.G.S.C. for the Respondents. Counsel for the respondents has submitted that she would like to take instructions. Let it be done. Three weeks time is granted to the counsel for the respondents to take instructions.

In the meanwhile, the applicant shall not be disturbed by the respondents till such date.

It is made clear that pendency of the O.A. shall not be a bar for the respondents. Issue notice on the respondents. Post the matter on 18.3.07.

Vice-Chairman

L.M.

15.3.07.

Counsel for the respondents has submitted that he would like to file written statement. Let it be done. Post the matter on 25.4.07. Interim order shall continue.

Member

Vice-Chairman

24.4.07. Mr. H. K. Das learned counsel for the applicant is present. Ms.U.Das learned Addl.C.G.S.C for the respondents prays for time to file written statement. Four weeks time is granted to file written statement. Post the matter on 28.5.07. Interim order shall continue until further orders.

Member(A)

Member(J)

Notice & order sent to D/Section for issuing to R- 1 to 3 by regd. A/D post and another R-4 sent to received by hand.

Clear D/No-280 to 283  
6/3/07. Dt= 8/3/07.

Service report awaited.

20/3/07  
14.3.07.

order dt. 15/3/07 issuing to learned Counsel for both the parties.

Clear 16/3/07.

lm

Notice duly served on R-1.

Clear 23/4/07

23-4-07

① Service awaited from R.No-2804.

② No. Wls has been filed.

23.4.07.

-4- O.A-43/07

29.5.07 At the request of learned counsel for the respondents four weeks further time is granted to file written statement. Post the matter on 29.6.07. Interim order shall continue.

order dt. 24/4/07  
issuing to learned  
advocate's for  
both the parties. lm

Vice-Chairman

29.6.07. Counsel for the respondents has submitted that the transfer order has already cancelled and the relief has granted. Post the matter on 2.7.07. Interim order shall continue.

Vice-Chairman

No Ws has been  
biled.

25.5.07.

order dt. 29/5/07  
issuing to learned  
advocate's for both  
the parties. lm

Three weeks further time is granted to the Applicant to file rejoinder.

Post the case on 24.7.2007. Interim order shall continue till then.

Vice-Chairman

Wls not yet biled.

/bb/

28.6.07.

24.7.07.

The claim of the applicant is for challenging the transfer order of the applicant.

I have heard Ms. B .Devi learned counsel for the applicant and Ms.U.Das learned Addl.C.G.S.C. for the respondents. The Respondent has filed their written statement, wherein the transfer order has already been cancelled and the relief has already been granted to the applicant. Counsel for the applicant has submitted that he does not want to press the matter and she may be permitted to

28.6.07

Wls biled by the

Respondents page  
1 to 4. ~~C~~ Under taking is  
enclosed for service. DD

order dt. 2/7/07 issuing  
to both the parties.

3/7/07.

Rejoinder not biled.

23.7.07.

08.43/07

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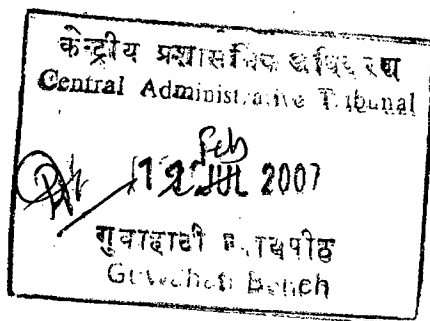
24.7.07

withdraw the O.A. Permission is  
granted. Accordingly, the O.A.  
dismissed as withdrawn.

Received  
30/7/07  
Ashdon  
Adviser

Vice-Chairman

R  
31/7/07  
Dini  
Advocate



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

Title of the case :

O.A. No. 43 of 2007

BETWEEN

Sri Chittaranjan Mandal,

..... Applicant.

AND

Union of India & ors

..... Respondents..

SYNOPSIS

The applicant who is presently holding the post of SDO - III and posted under the respondents at Guwahati have completed about 22 years of service in hard station but his case for choice place of posting is yet to be considered by the respondents. The representations filed by the applicant has been rejected by a cryptic order without taking into consideration the OM dated 14.12.1983. The applicants prayer for even forgoing his promotion in the event of not posting at his choice place of posing has been rejected compelling him to take the promotion. the applicant in such a situation has come under the protective hands of the Hon'ble Tribunal seeking redressal of his grievances.

SDO II.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Title of the case :

O.A. No. 43 of 2007

BETWEEN

Sri Chittaranjan Mandal,

..... Applicant.

AND

Union of India & ors

..... Respondents.

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Filed by :

*Di*

Regn.No.:

File :c:\WS\chittaranjan

Date

: 12/2/07



*Filed by:-  
The Applicant  
through  
Bondana Devi  
Advocate  
12/2/07*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH

(An application under section 19 of the Central  
Administrative Tribunal Act.1985)

O.A.No. .... *44* .... of 2007

BETWEEN

Sri Chittaranjan Mandal  
s/o Late P. Mandal  
Presently residing at Noonmati  
Guwahati-21

..... Applicant.

- AND -

1. Union of India represented by  
the Secretary to the Govt. of India  
Ministry of Defence  
New Delhi.
2. The Director General (Defence Estate)  
New Delhi-10.
3. The Principal Director  
Ministry of defence  
Eastern Command  
Kolkata-17.
4. The Defence Estate Officer  
Ministry of Defence  
Guwahati Circle  
Silpukhuri, Ghy- 3

..... Respondents.



DETAILS OF THE APPLICATION

1. THE PARTICULARS AGAINST WHICH THIS APPLICATION IS MADE:

The applicant in this present OA is aggrieved by the impugned order dated 29.12.06 which was communicated to him by letter dtd. 18/1/2007 and the order dated 7/2/2007 by which his prayer relating to modification of the order of promotion dtd. 18/7/2006 so far it relates to posting of the applicant is concerned has been rejected.

2. LIMITATION:

The applicant declares that the instant application has been filed within the limitation period prescribed under section 21 of the Central Administrative Tribunal Act.1985.

3. JURISDICTION:

The applicant further declares that the subject matter of the case is within the jurisdiction of the Administrative Tribunal.

4. FACTS OF THE CASE:

4.1. That the applicant is a citizen of India as such he is entitled to the rights protections and privileges as guaranteed under the constitution of India and laws framed thereunder.



4.2. That the applicant is a permanent resident of village- Marjada, P.O:- Hotar, Dist:-24, Parganas(south) West Bengal. The applicant in the year 1977 got his initial appointment under the respondents in the cadre of SDO-III at Kolkata. Thereafter the applicant was transferred to one of the hard station at Andaman Nicobar at 8/10/1977 where he continued till 1981 and after that he was posted back to Kolkata again in the year 1981. The applicant was thereafter in the month of July, 1984 transferred to another hard station located at Arunachal Pradesh. The applicant completed his prescribed tenure at Arunachal Pradesh and after such completion of the tenure he made requests to the authority concerned for his posting at his native place i.e. Kolkata in terms of the OM dtd. 14/12/1983 but his request was not considered and he was posted in his present place of posting instead of posting him in his native place.

Since the posting and transfer of the applicant as stated above are not in dispute the applicant craves leave of this Hon'ble Tribunal to produce the documents relating to the same at the time of hearing of the case.

4.3. That the applicant as stated above has been continuing in his present place of posting and he made several requests to the authority concerned to transfer him back to his native place in west Bengal where vacancies are very much available. In spite of the repeated requests and even after completion of prescribed tenure in N.E Region the applicant is yet to be transferred back to his native place. (choice place of posting).



4.4. That the applicant on completion of prescribed length of service in the Cadre of SDO- III under the respondents became due to get the benefit of the Scheme introduced by the DOPT namely Assured Career Progression Scheme, (ACP Scheme) and the respondents having found him eligible in all respect have extended the benefit of the said scheme..

4.5. That the applicant as stated above have been continuing since 1987 at his present place of posting and he made several requests for his posting back to his native place i.e the choice place of posting. The Ministry of Personnel on 14/12/1983 issued an OM providing certain facilities to the civilian employees of Central govt. serving in the North Eastern Region. In fact the said OM was issued with an objective of attracting and retaining the services of the competent officers in N.E Region. In the said OM the concern Ministry has extended various benefits to the Central Govt. employees on their posting at N.E. Region. Among these benefits there is a special mention regarding tenure of posting and the benefit of placing choice place of posting after completion of such tenure. The tenure fixed in the said OM is 3 years.

A copy of the said OM dtd. 14/12/1983 is annexed herewith and marked as Annexure-1.

4.6. That the applicant in the instant application has completed his such tenure in the year 1990 and he placed his choice place of posting number of times before the



respondents but his such prayer has not been considered as on date. It is noteworthy to mention here that in the said OM dtd. 14/12/1983 there is mention regarding the benefit of grant of Special Duty Allowance (SDA) and the applicant is presently getting SDA in terms of the said OM. It is stated that the respondents have extended the benefit of the said OM partly in respect of the applicant whereas the benefit of consideration of his case for choice place of posting has virtually been rejected by not posting him at his native place.

4.7. That the applicant who was due for his next promotion to the Grade of SDO-II got his such promotion and to that effect the respondents have issued an order dtd. 18/7/2006 promoting him to the post of SDO-II. The applicant by the said order of promotion has been given the posting at Jorhat.

A copy of the order dtd. 18/7/2006 is annexed herewith and marked as Annexure-2.

4.8. That the applicant begs to state that in the aforesaid order of promotion the respondents have mentioned in para-3 regarding placing of willingness to accept the order of promotion. As stated above the applicant is constantly pursuing his matter relating to his transfer back to his native place-choice place of posting at Kolkata, but same is yet to be considered. Adding insult to his injury the respondents have not even considered his case at the time of issuance of the promotion order dtd. 18/7/2006. It is stated that there are vacancies available at Kolkata and

even at his present place of posting where the applicant could have been suitably accommodated even after promotion. The applicant ventilating his such grievance made a representation to the concern authority on 5/8/2006 requesting modification of the order of promotion dtd. 18/7/2006, posting him to his home town. In the said representation the applicant indicated the fact that he has completed about 22 years of service in the hard station and as such his case for Choice place of posting may be considered. The representation submitted by the applicant was forwarded by the Defence Estate Officer, Guwahati Circle to the Principal Director (DE), Kolkata by a communication dtd. 29/8/2006. It is stated that in the said representation the applicant has made an alternative prayer requesting the authority to retain him at Guwahati as SDO-III if his case for choice place of posting is not considered.

A copy of the representation along with forwarding letter is annexed herewith and marked as Annexure-3& 4

4.9. That the applicant begs to state that in the aforesaid representation dated 5.8.06, it is indicated that he has already served 22 yrs. of service in hard stations and his case has not been considered for choice place of posting at Kolkata. The applicant also indicated that in the event of not posting him at Kolkata or to retain him at Guwahati, on promotion, he is ready to forego his promotion for want of choice place of posting. It is further stated that the order of promotion dated 18.7.06 indicates in para 3 regarding willingness of the promoted officers.



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4.10. That the respondents on receipt of the representation submitted by the applicant issued an order dated 29/12/2006 rejecting his case for choice place of posting by a cryptic order. The said order dtd. 29/12/2006 has been communicated to the applicant by a communication dtd. 18/1/2007.

Copies of the order dtd. 29/12/2006 and the forwarding letter dtd. 18/1/2007 are annexed herewith and marked as Annexure- 5 & 6.

4.11. That the Defence Estate Officer, Guwahati Circle having receipt of the communication dtd. 18/1/2007 communicated the applicant the aforesaid two orders by a communication dtd. 7/2/2007 requesting him to submit transfer T.A.

A copy of the said communication dtd. 7/2/2007 is annexed herewith and marked as Annexure- 7.

4.12. That the applicant begs to state that the aforesaid impugned orders dtd. 29/12/2006 and 7/2/2007 are totally silent about the alternative prayer made by the applicant whereby he expressed his unwillingness to accept the promotion. The applicant ventilating his grievances made a representation dtd. 8/2/2007 before the concerned authority but same is yet to be replied to.

A copy of the said representation dtd. 8/2/2007 is annexed herewith and marked as Annexure- 8.

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4.13. That the applicant begs to state that the reasons indicated in the impugned order dtd. 29/12/2006 is legally not sustainable as the said authority while rejecting the case of the applicant has failed to take into consideration the fact that the applicant is legally entitled for consideration of his case for choice place of posting in terms of the OM dtd. 14/12/1983 as he served 22 years in hard stations. Apart from that the alternative prayer made by the applicant regarding his unwillingness to accept the promotion and to transfer him back in the same capacity to kolkata or to retain him in Guwahati in the same capacity without effecting the promotion has not been taken into consideration by the respondents. Further it is stated that the representation dtd. 8/2/2007 has been kept pending by the respondents without any rhymes and reasons. And on the other hand by the impugned communication dtd. 7/2/2007 the respondents are putting constant pressure on the applicant to submit transfer T.A and to accept the promotion order.

It is under this peculiar fact situation of the case the applicant has come under the protective hands of this Hon'ble Tribunal seeking redressal of his grievances.

4.14. That the applicant begs to state that the grievance raised by him through his representation dated 8.2.2007, is yet to be disposed of and the respondents on the other hand without taking into consideration the said grievance of the applicant is pressurizing him to accept the promotion order dated 18.7.2006, by directing him to submit TA advance. It is therefore, the applicant through this application has prayed for an appropriate interim order



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directing the respondents not to release him from his present place of posting i,s, SDO -III at Guwahati till disposal of the O.A.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISION :-

5.1 For that the action/inaction on the part of the respondents in issuing the impugned orders is not sustainable in the eye of law and liable to be set aside and quashed.

5.2 For that the respondents have acted illegally in rejecting the case of the applicant for his choice place of posting more so when he has completed about 22 years of service in hard stations and as such the impugned orders are liable to set aside and quashed.

5.3 For that the applicant who has expressed his mind even for forgoing the promotion to the grade of SDO -II in the event of not posting him in his choice place of posting, but the respondents have failed to take into consideration that aspect of the fact and illegally rejected his case whereas persons of their choice have been kept in the same station even after the promotion.

5.4 For that the respondents have failed to take into consideration various guidelines issued by the respondents streamlining the matter pertaining to transfer and posting while issuing the impugned orders and as such same are liable to be set aside and quashed.

5.5. For that in any view of the matter the impugned action of the respondents are not sustainable in the eye of law and liable to be set aside and quashed.

The applicant craves leave of the Hon'ble Tribunal to advance more grounds both legal as well as factual at the time of hearing of the case.

6. DETAILS OF REMEDIES EXHAUSTED:

That the applicant declares that he has exhausted all the remedies available to them and there is no alternative remedy available to him.

7. MATTERS NOT PREVIOUSLY FILED OR PENDING IN ANY OTHER

COURT:

The applicant further declares that he has not filed previously any application, writ petition or suit regarding the grievances in respect of which this application is made before any other court or any other Bench of the Tribunal or any other authority nor any such application, writ petition or suit is pending before any of them.

8. RELIEF SOUGHT FOR:

Under the facts and circumstances stated above, the applicant most respectfully prayed that the instant application be admitted records be called for and after hearing the parties on the cause or causes that may be shown and on perusal of records, be grant the following reliefs to the applicant:-



8.1. To set aside and quash the impugned orders dated 7.2.2007 and 29.12.2006 and to modify the order of promotion dated 18.7.2006 posting the applicant to his choice place of posting as SDO -II i,e, in Kolkatta or at Guwahati.

22 year 2 sem

8.2. To direct the respondents to retain him at Guwahati as SDO - III or to transfer him to Kolkatta as SDO -III ( if the prayer made in 8.1. is not granted)

8.3. Cost of the application.

8.4. Any other relief/reliefs to which the applicant is entitled to under the facts and circumstances of the case and deemed fit and proper.

9. INTERIM ORDER PRAYED FOR:

Pending disposal of this application the applicant prays for an interim order restraining the respondents from releasing the applicant from his present place of posting i.e. Guwahati as SDO - III during the pendency of this application.

10. ....

11. PARTICULARS OF THE I.P.O.:

1. I.P.O. No. : 28 Gz 933105  
2. Date : 12/2/07  
3. Payable at : Guwahati.

12. LIST OF ENCLOSURES:

As stated in the Index. 11



VERIFICATION

I, Sri Chittaranjan Mandal, aged about 45 years, son of late P.Mandal, presently resident of Noonmati Guwahati- 21, do hereby solemnly affirm and verify that the statements ..... made ..... in paragraphs ..... 4.1 ..... are true to my knowledge and those made in paragraphs .... 4.2-4.14 ..... are also matter of records and the rest are my humble submission before the Hon'ble Tribunal. I have not suppressed any material facts of the case.

I am the applicant in the instant application and as such well convergent with the facts and circumstances of the case and also competent to swear the verification.

And I sign on this the Verification on this the 12<sup>th</sup> day of Feb. of 2007.

*Chittaranjan Mandal.*  
Signature.

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ANNEXURE-1

ANNEXURE P-1  
NO. 20014/9/83-B.IV  
Government of India  
Department of Expenditure

New Delhi, the 14th, December, 1983.

OFFICE MEMORANDUM

Subject :- Allowance and facilities for civilian employees of the Central Government serving in the State and Union Territories of North-Eastern Region- improvement thereof.

-----

The need for attracting and retaining the services of competent officers for service in the North-Eastern Region comprising the States of Assam, Meghalaya, Manipur, Nagaland and Mizoram has been engaging the attention of the Government for some time. The Government has appointed a Committee under the Chairmanship of Secretary, Department of Personnel & Administrative Reforms, to review the existing allowances and facilities admissible to the various categories of Civilian Central Government employees serving in this region and to suggest suitable improvements. The recommendations of the Committee have been carefully considered by the Government and the President is now pleased to decide as follows :-

Attested  
By  
Advocate

(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. Period 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.

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 Records.

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

- 25
- 15-
- (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 C.R. of all employees who rendered a full tenure of service in the North Eastern Region to that effect.

(iii) Special (Duty) Allowance :

Central Government civilian employees who have All-India transfer liability will be granted a Special (Duty) Allowance at the rate of 25 per cent of basic pay subject to a ceiling of Rs.400/- per month on posting to any station in the North Eastern Region. Such of those employees who are exempt from payment of income tax will, however, not be eligible for this Special (Duty) Allowance. Special (Duty) Allowance will be in addition to any special pay and/or Deputation (Duty) Allowance already being drawn subject to the condition that the total of such Special (Duty) Allowance plus special pay/Deputation (Duty) Allowance will not exceed Rs.400/- p.m. Special Allowances like Special Compensatory (Remote Locality) Allowance, .

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Construction Allowance and Project Allowance will be drawn separately.

(iv) Special Compensatory Allowance :-

1. Assam and Meghalaya

The rate of the allowance will be 5% of basic pay subject to a maximum of Rs.50/- p.m. admissible to all employees without any pay limit. The above allowance will be admissible with effect from 1.7.1982 in the case of Assam.

2. Manipur

The rate of allowance will be as follows for the whole of Manipur :-

Pay upto Rs. 260/-	Rs. 40/- p.m.
Pay above Rs. 260/-	15% of basic pay subject to a maximum of Rs. 150/- p.m.

3. Tripura

The rates of the allowance will be as follows:-

(a) Difficult Areas 25% of pay subject to a minimum of Rs.50/- and a maximum of Rs.150/- p.m.

(b) Other Areas

Pay upto Rs.260/-	Rs.40/- p.m.
Pay above Rs.260/-	15% of basic pay subject to a maximum of Rs. 150/- p.m.



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There will be no change in the existing rates of Special Compensatory Allowances admissible in Arunachal Pradesh, Nagaland and Mizoram and the existing existing rate of Disturbance Allowance admissible in specified rate of Mizoram.

(v) Travelling Allowance on first appointment :

In relaxation of the present rules (S.R. 106) that travelling allowance is not admissible for journeys undertaken in connection to initial appointment, in case of journeys for taking up initial appointment to a post in the North-Eastern region, travelling allowance limited to ordinary bus fare/second class rail fare for road/rail journey in excess of first 400 kms. for the Government servant himself and his family will be admissible.

(vi) Travelling Allowance for journey on transfer:

In relaxation of orders below S.R. 116, if on transfer to a station in the North-Eastern region, the family of the Government servant does not accompany him, the Government servant will be paid travelling allowance on tour for self only for transit period to join the post and will be permitted to carry personal effects upto 1/3rd of his entitlement or the difference in weight of the personal effects he is actually carrying and 1/3rd of his entitlement as the case may be, in lieu of

5

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the cost of transportation of baggage. In case the family accompanies the Government servant on transfer, the Government servant will be entitled to the existing admissible travelling allowance including the cost of transportation of the admissible weight of personal effects according to the grade to which the officer belongs, irrespective of the weight of the baggage actually carried. The above provisions will also apply for the return journey on transfer back from the North Eastern Region.

(vii) Road mileage for transportation of personal effects on transfer :

In relaxation of orders below S.R. 116, for transportation of personal effects on transfer between two different regions in the North-Eastern region, higher rate of allowance admissible for transportation in 'A' class cities subject to the actual expenditure incurred by the Government servant will be admissible.

(viii) Joining Time with leave :

In case of Government servants proceeding on leave from a place of posting in North-Eastern region, the period of travel in excess of two days from the station of posting to outside that region will be treated as joining time. The same concession will be admissible on return from leave.

(ix) Leave Travel Concession :

A Government servant who leaves his family behind at the duty station or another selected place of residence and has not availed of the transfer travelling allowance for the family will have the option to avail of the existing leave travel concession of journey to home town once in a block period of 2 years, or in lieu thereof, facility of travel for himself once a year from the station of posting in the North East to his home town or place where the family is residing and in addition the facility for the family (restricted to his/her spouse and two dependent children only) also to travel once a year to visit the employee at the station of posting in the North Eastern region. In case the option is for the latter alternative, the cost of travel for the initial distance (400 kms./150 kms.) will not be borne by the officer.

Officers drawing pay of Rs.2250/- or above, and their families, i.e., spouse and two dependent children (upto 18 years for boys and 24 years for girls) will be allowed air travel between Imphal/Silchar/Agartala and Calcutta and vice-versa, while performing journeys mentioned in the preceding paragraph.

(x) Children Education Allowance/Hostel Subsidy:

Where the children do not accompany the Government servant to the North-Eastern Region, Children Education Allowance upto class XII will be admissible in respect of children studying at the last station of posting of the employee concerned or any other station where the children reside, without any restriction of pay drawn by the Government servant. If children studying in schools are put in hostels at the last station of posting or any other station, the Government servant concerned will be given hostel subsidy without other restriction.

2. The above orders except in sub-para (iv) will also mutatis mutandis apply to Central Government employees posted to Andaman and Nicobar Islands.

3. These orders will take effect from 1st November, 1983 and will remain in force for a period of three years upto 31st October, 1986.

4. All existing special allowances, facilities and concessions extended by any special order by the Ministries/Departments of the Central Government to their own employees in the North Eastern Region will be withdrawn from the date of effect of the orders contained in this office Memorandum.

29

5. Separate orders will be issued in respect of other recommendations of the Committee referred to in paragraph 1 as and when decisions are taken on them by the Government.

6. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders issue after consultation with the Controller and Auditor General of India.

Sd/-

(S.C. MAHALIK)

JOINT SECRETARY OF THE  
GOVERNMENT OF INDIA.

To,  
All Ministries/Departments of the Government of India, etc.  
Copy (with spare copies) to C. & A. G., U.P.S.C. etc.

No.102/194/ADM/DE/2003-04  
Govt. of India, Min. of Defence  
Dte.General of Defence Estates  
Raksha Sampada Bhawan,  
Palam Road, Delhi Cantt.,  
New Delhi - 110 010.

Dated : 16<sup>th</sup> July 2006.

To

The Principal Director/Director, DE,  
Ministry of Defence,  
Central /Southern/ Eastern/ Western /Northern /SW Command/NIDEM,  
Lucknow/ Pune / Kolkata/ Chandigarh/Jammu/Jaipur/ Delhi Cantt.

Subject: REGULAR PROMOTION FROM SDO GRADE-III TO SDO  
GRADE-II AND CONSEQUENTIAL PROMOTION/TRANSFER  
AND POSTING IN DEFENCE ESTATES ORGANISATION.

A DPC was held on 11.07.2006 to recommend the names of SDOs Grade-III for regular promotion to the post of SDOs Grade-II in the pay scale of Rs.5000-150-8000 in Defence Estates Organisation. The following panel in the order of seniority has been drawn by the DPC :-

1. SC Das, SC (Retiring on 30.11.2006)
2. G.C.Neog
3. P.R. Roy
4. S.K.Banerjee
5. Mohd. Unis Ali Khan
6. K.Angamuthu, SC
7. M.Krishnan
8. AN Dhanapune
9. ST Pawar
10. S.G.Kulkarni
11. DS Raju, SC
12. Parameshwar Mishra (Retiring on 30.11.2006)
13. JK Pandey
14. B.B.Hembram, ST
15. Ram Kumar, ST
16. K.Balan
17. G.S.Rawat
18. K.K.Reddy
19. C.R.Mondal, SC
20. Bishamber Dass, SC
21. Purushotham Lal Das
22. SC Pant
23. RK Srivastava
24. Zulfi Ram Moudgil
25. SK Kulkarni

Contd...2/-

Attested  
By  
Advocate



26. VS Pawar
27. Balji Raina
28. RK Gadroo
29. S.D.Dogra, **SC**
30. Sansar Chand, **SC**
31. Sodhi Singh
32. Rajinder Singh
33. RK Sharma
34. Makhan Singh
35. ✓ Nareswar Saikia
36. Altaf Hussain Khan
37. Nand Kumar
38. Syed Kayan Inam
39. Hub Raj Gautam, **SC**
40. MK Sharma
41. Madan Lal Manhas
42. KC Talukdar
43. Mazail Singh
44. Mohan Lal
45. Bal Krishna Mehta
46. Smt.TN Leela, **SC**
47. Suneel Kr. Saxena
48. Dimbeswar Das, **SC**
49. Vijay Kumar
50. Ashok Kumar, **SC**
51. K.B.Paunikar, **ST**
52. Rajesh Nikhar, **ST**
53. Faiz Ahmed Buch
54. C.Surinder
55. Vijay Kumar Sood
56. J.H.Sayyed
57. DD Salunkhe
58. Kailash Chandra, **SC** (To be promoted on 01.10.2006 after retirement of Shri Mahendra Prasad on 30.09.2006)
59. BK Srivastava (To be promoted on 01.12.2006 after retirement of Shri SC Das, **SC** on 30.11.2006)
60. N.P.Goyal (To be promoted on 01.12.2006 after retirement of Shri Parameshwar Mishra on 30.11.2006)

2. The recommendations of DPC have been accepted by the Director General Defence Estates and consequently the following SDOs Grade -III are promoted on regular basis w.e.f. the date of assumption of charge in the higher grade of Rs.5000-150-8000 and posted as under :-



Contd...3/-

Sl. No.	Name(S/Shri)	From	To	Remarks
1.	SC Das, SC ✓	DEO, Kolkata	DEO, Kolkata	
2.	G.C.Neog ✓	DEO, Jorhat	DEO, Jorhat	
3.	P.R.Roy ✓	DEO, Kolkata	DEO, Kolkata	
4.	S.K.Banerjee	DEO, Kolkata	ADEO, Agartala	
5.	Mohd. Unis Ali Khan	DEO, Secunderabad	DEO, Sec bad	
6.	K.Angamuthu, SC	DEO, Chennai	ADEO, Port-Blair	
7.	M.Krishnan	DEO, Chennai	Sub-office Karwar	
8.	AN Dhanapune	DEO, Pune	DEO, Mhow	
9.	ST Pawar ✓	DEO, Mumbai	DEO, Mumbai	
10.	S.G.Kulkarni ✓	DEO, Pune	DEO, Pune	
11.	DS Raju, SC	DEO, Udhampur	DEO, Pathankot	
12.	Parameshwar Mishra	DEO, Jabalpur	DEO, Allahabad	
13.	JK Pandey	DGDE	DEO, Meerut	
14.	B.B.Hembram, ST	ADEO, Bhubaneshwar	ADEO, Bhubaneshwar	
15.	Ram Kumar, ST	DEO, Bareilly	Dte.CC, Lucknow	
16.	K.Balan	DEO, Secunderabad	Sub-office Kampotec	
17.	G.S.Rawat	DEO, Meerut	DEO, Agra	
18.	K.K.Reddy ✓	DEO, Sec bad	DEO, Sec bad	
19.	C.R.Mondal, SC	DEO, Guwahati	DEO, Jorhat	
20.	Bishamber Dass, SC	DEO, Pathankot	DEO, Bhatinda	
21.	Purushotham Lal Das	DEO, Secunderabad	DEO, Vizag	
22.	SC Pant	DEO, Meerut	DEO, Agra	
23.	RK Srivastava	DEO, Ambala	DEO, Ambala	
24.	Zulfi Ram Moudgil	DEO, Jalandhar	DEO, Jalandhar	
25.	SK Kulkarni	Dte.DE, SC, Pune	Dte. SC, Pune	
26.	VS Pawar	DEO, Pune	ADEO, Goa	
27.	Balji Raina	DEO, Meerut	Dte.NC, Jammu	
28.	RK Gadroo	DEO, Bangalore	DEO, Bangalore	
29.	S.D.Dogra, SC	DEO, Pathankot	DEO, Bhopal	
30.	Sansar Chand, SC ✓	DEO, Jalandhar	DEO, Jalandhar	
31.	Sodhi Singh	DEO, Jalandhar	DEO, Ambala	
32.	Rajinder Singh	DEO, Pathankot	ADEO, Leh	
33.	RK Sharma	DEO, Jammu	Dte.SWC, Jaipur	
34.	Makhan Singh ✓	DEO, Jalandhar	DEO, Jalandhar	
35.	Nareswar Saikia ✓	DEO, Tezpur	DEO, Tezpur	
36.	Altaf Hussain Khan	ADEO, Jodhpur	DEO, Jodhpur	
37.	Nand Kumar	DEO, Chandigarh	DEO, Bikaner	
38.	Syed Kayan Inam	DEO, Lucknow	DEO, Lucknow	
39.	Hub Raj Gautam, SC	DEO, Agra	DGDE, New Delhi	
40.	MK Sharma ✓	DEO, Udhampur	DEO, Udhampur	



Sl. No.	Name(S/Shri)	From	To	Remarks
41.	Madan Lal Manhas	Sub-office Rajouri	Sub Office Rajouri	Held against SDO-I vacancy
42.	KC Talukdar	DEO, Tezpur	ADEO, Agartala	
43.	Mazail Singh	DEO, Chandigarh	DEO, Jalandhar	
44.	Mohan Lal	DEO, Jammu	DEO, Bhopal	
45.	Bal Krishna Mehta ✓	DEO, Delhi	DEO Delhi	
46.	Smt. TN Leela, SC	ADEO, Cochin	Sub-office Trivendrum	
47.	Suneel Kr. Saxena	DEO, Bareilly	DEO, Bareilly	
48.	Dimbeswar Das, SC	DEO, Guwahati	Sub-office Silchar	
49.	Vijay Kumar ✓	DEO, Srinagar	DEO, Srinagar	
50.	Ashok Kumar, SC	Sub-office Rajouri	DEO, Jammu	
51.	K.B. Paunikar, ST ✓	DEO, Jabalpur	DEO, Jabalpur	
52.	Rajesh Nikhar, ST	DEO, Mumbai	DEO, Ahmedabad	
53.	Faiz Ahmed Buch ✓	ADEO, Baramulla	ADEO, Baramulla	
54.	C. Surender, SC	DEO, Vishakhapatnam	DEO, Ahmedabad	
55.	Vijay Kumar Sood	DEO, Chandigarh	Dte DE Western Command, Chandigarh	
56.	J.H. Sayyed	DEO, Mumbai	DEO, Lucknow	
57.	DD Salunkhe	DEO, Pune	DEO, Jabalpur	

The posting orders in respect of the officials at serial number 58, 59 & 60 in para 1 above will be issued separately.


3. If any of the above said officials is not willing to accept the promotion and transfer, he may be informed that he has to bear the consequences of such refusal as per existing Govt. orders/policy and will not be entitled for upgradation under ACP schemes.

4. It may also be brought to the notice of the officials that declining of promotion/transfer does not entitle them for their retention in the present station. According to All India Service Liability condition and administrative reasons/exigencies, the staff can be transferred anywhere in India in public interest.

5. The above officials may be asked to assume the charge of SDO-II immediately. If any of the above officials declines promotion or refuses to join in the new place of posting, the same should be intimated to this Dte. General within 15 days of receipt of this order.

6. The above officials have been promoted to the post carrying higher responsibilities. As such, they will have the option to get their pay fixed from the date of joining on promotion or on the date of accrual of next increment in the lower post, in accordance with provisions in FR

7. The dates (FN/AN) of relinquishment/assumption of duties shall be intimated to this Dte. General immediately after the event.

  
Addl. Director General  
(Administration),  
Defence Estates.

Copy to :-

1. The PCDA/CDA  
Southern/Central /Western /Northern/Eastern Command/HQrs./Guwahati/SWC.  
Pune/Lucknow/Chandigarh/Jammu/Kolkata/New Delhi./Guwahati/Jaipur.
2. Joint Director, DE,  
Shillong.
3. DEOs/ADEOs concerned.
4. CAO/A-2(B)
5. DGDE/Coord
6. The General Secretary, AIDEEA, C/O DEO Meerut.
7. Internal File No.102/194/ADM/DE/2003-04
8. Guard File.

From : Shri C.R.Mondal, SDO-III  
Office of the DEO, Guwahati Circle,  
PO. Silpukhuri, Guwahati-3.

To :

The Director General, DE,  
Govt. of India, Min. of Defence,  
Palam Airport Road  
Delhi Cantt. Delhi-10.

(Through proper channel)

SUB : REGULAR PROMOTION FROM S.D.O GDE-III TO  
S.D.O. GDE-II AND CONSEQUENTIAL PROMOTION/  
TRANSFER AND POSTING IN DEFENCE ESTATES  
ORGANISATION.

Respected Sir,

Reference your Directorate General letter No.102/194/  
ATM/DE/2003-04 dated 18th July, 2006.

With due respect I beg to state that I am originally belonged to Kolkata i.e. West Bengal and I was posted/transferred from DEO Kolkata Circle to the hard station i.e. A.D.E.O. Tengal Valley (Arunachal Pradesh) since July 1984. Again I was posted to another hard station i.e. DEO Guwahati Circle (Assam) from ADEO Tengal Valley (Arunachal Pradesh) w.e.f. 07.09.1987 and since then I am serving in DEO, Guwahati Circle till date although I was represented in several times for posting/transfer to my home station at Kolkata. Due to non-availability of SDO-III post at Kolkata, I had to complete the two hard stations at a time, one hard station i.e. ADEO Tengal Valley (A.P.) since 26.06.84 to 06.09.1987 i.e. above three years and another another hard station i.e. DEO, Guwahati Circle since 07.09.1987 to till date

In view of above, I am away from my home/home town for about 22 years serving in North Eastern Region as a hard station. As per your order quoted above again I was posted/transferred on promotion as a Grade-II post to DEO Jorhat Circle (Assam) which is hard station for me. Now I would like to to back to my home town i.e. Kolkata to settle some inescapable domestic affairs there.

In view of the facts stated above, I pray your honour to be kind enough to adjust me to DEO, Guwahati Circle as a SDO Gde-II post which existing vacancy at DEO Guwahati Circle is still lying vacant so far.

It is therefore, earnestly requested to kindly consider my case sympathetically. If not possible I request you to kindly retain me at DEO Guwahati as a SDO Gde-III post.

Contd... P-2

Attested  
By  
Advocate

Hope this prayer of mine would receive your due consideration.

Thanking you Sir.

Yours faithfully,



Dated the 05th Aug'06.

( Sri C. R. Mondal, SDO-III )  
O/O DRO, Guwahati Circle  
PO. Silpukhuri, Guwahati-3.

Copy to :-

The Director General, DE,  
Govt. of India, Min. of Def.,  
Palam Airport Rd.  
Delhi Cantt. Delhi-10.

- for information please.

-29-

ANNEXURE - 34 32

SPEED POST

NO. DEO/GAU/ADM/F-1/A/139  
Office of the DEO, Guwahati Circle,  
PO. Silpukhuri, Guwahati-781003,  
Dated 29 August, 2006.

To :

The Principal Director, DE,  
Min. of Def. Eastern Command,  
Kolkata - 17.

SUB : REGULAR PROMOTION FROM SDO GDE-III TO SDO GDE-III  
AND CONSEQUENTIAL PROMOTION/TRANSFER AND POSTING  
IN DEFENCE ESTATES ORGANISATION.

Sir,

Reference Dte General, DE letter No. 102/194/ADM/DE/  
2003-04 dt. 18.7.2006.

2. An application dated 05.8.06 received from Sri C.R. Mondal, SDO-III of this office is forwarded herewith in duplicate duly recommended for your further necessary action at your end please.

Yours faithfully,

*[Signature]*  
Defence Estates Officer  
Guwahati Circle

Copy to :-

The Director General, DE,  
Govt. of India, Min. of Def.  
Palam Airport Rd.  
Delhi Cantt. Delhi-10.

- Mrt. above alongwith a  
copy of representation  
dt. 5.8.06 from Sri C.R.  
Mondal, SDO-III of DEO  
Guwahati Circle.  
(DG's case file  
No. 102/194/ADM/DE/2003-04  
refers)

Attested  
Dir  
Adocate

- 30 -

ANNEXURE - 5  
14  
150  
37

10 JAN 2007

No.102/194/ADM/DE/SDO/2006  
Govt. of India, Min. of Defence  
Dte.General of Defence Estates  
Raksha Sampada Bhawan,  
Palam Road, Delhi Cantt.- 110010.  
Dated : 29 Dec.2006.

To

The Principal Director/Director, DE,  
Ministry of Defence,  
Central /Southern/ Eastern/ Western /Northern /SW Command,  
Lucknow/ Pune / Kolkata/ Chandigarh/Jammu/Jaipur.

Subject: REGULAR PROMOTION FROM SDO GRADE-III TO  
SDO GRADE-II AND CONSEQUENTIAL  
PROMOTION/TRANSFER POSTING IN DEFENCE  
ESTATES ORGANISATION.

Reference this Dte. General letter No.102/194/ADM/DE/2003-04 dated 18<sup>th</sup>  
July 2006 and No.102/194/ADM/DE/SDO/2006 dated 29.08.2006.

2. The following officials have been promoted from SDO-III to SDO-II vide this  
Dte. General letters under reference. On promotion to the post of SDO-II, they were  
transferred and posted as follows :-

Sl.No.	Name(S/Shri)	From	To
1.	S.K.Banerjee //	DEO, Kolkata	ADEO Agartala
2.	K.Angamuthu	DEO, Chennai	ADEO, Port Blair
3.	A.N.Dhanapune	DEO Pune	ADEO, Goa
4.	G.S.Rawat	DEO Meerut	DEO Agra
5.	C.R.Mondal =	DEO Guwahati	DEO, Jorhat
6.	S.C.Pant	DEO Meerut	DEO Agra
7.	K.C.Talukdar //	DEO, Tezpur	ADEO Agartala
8.	Dimbeswar Das //	DEO, Guwahati	Sub-office Silchar
9.	D.D.Salunkhe	DEO, Pune	DEO Jabalpur
10.	N.P.Goyal	DEO Bikaner	Sub-office Kamptee


3. The officials referred in para 2 have not yet joined their respective posting  
places. Their representation regarding change in place of posting has been  
considered and rejected by the Competent Authority. You are requested to direct the  
officials to assume the charge of SDO-II at their respective place of posting  
immediately. If any of the above mentioned officials refuses to join in the new place  
of posting before 10<sup>th</sup> January 2007 then his promotion will automatically be  
cancelled and they will not be considered for DPC for a further period of one year  
from the date of their promotion orders. They will also not be entitled for grant of  
ACP in future.

4. It may also be brought to the notice of the officials that declining of  
promotion/transfer does not entitle them for their retention in the present station.  
According to All India Service Liability condition and administrative  
reasons/exigencies, the staff can be transferred anywhere in India in public interest.

Contd....2/-

11  
10-1-07  
Attn  
Advocate  
33

5. The officials may be relieved of their duties after payment of necessary TA/DA advance.
6. The dates (FN/AN) of relinquishment/assumption of duties shall be intimated to this Dte. General immediately after the event.
7. This issues with the approval of the Director General, Defence Estates.

  
Addl. Director General (Adm)  
Defence Estates.

Copy to :-

1. The PCDA/CDA  
Southern/Central /Northern/Eastern/Western/South-Western Command.  
Pune/Lucknow/Jammu/ Kolkata/ Chandigarh/Jaipur.
2. DEOs/ADEOs concerned.
3. The General Secretary, AIDEEA, C/O DEO Meerut.
4. Internal File No.102/194/ADM/DE/2003-04
5. Guard File.

Recd!

No. 360009/LC-1/XXXIV/151  
Principal Directorate of Defence Estates  
Min. of Defence, Eastern Command  
13, Camac Street (7<sup>th</sup> floor)  
Kolkata - 17, Dt. January, 2007.

To

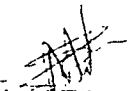
The Defence Estates Officer  
Kolkata / Guwahati / Tezpur

SUB : Regular promotion from SDO-III to SDO Grade-II and consequential promotion / transfer posting in Defence Estates Organization.

Reference Dte Genl DE letter No.102/194/ADM/DE/SDO/2006 dated 29.12.2006.

2. A copy of Dte Genl DE letter cited under reference is forwarded herewith for information and follow up instructions contained in DG DE's letter under intimation to this Dte. / Dte. Genl.

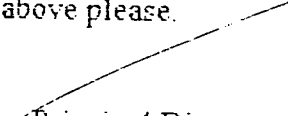
Encl : As above.

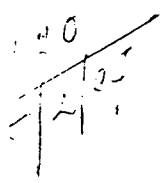
  
Principal Director  
Defence Estates  
Eastern Command

Copy to :

The Director General  
Defence Estates, Min. of Defence  
Raksha Sampada Bhawan, Palam Road  
Delhi Cantt., Pin - 110010

for information with  
reference to above please.

  
Principal Director  
Defence Estates  
Eastern Command

  
Attested  
By  
Advocate



No. DEO/GAU/ADM/F-1/A/  
Office of the DEO Guwahati Circle,  
P.O. Silpukhuri, Guwahati - 3  
Dated, the, Feb. 2007.

To,

1. Sri C.R. Mandal, SDO-III,  
O/O Guwahati Circle,
2. Sri D. Das, SDO-III  
O/O DEO, Guwahati Circle

Sub :- REGULAR PROMOTION FROM SDO GR-III TO SDO GD-II  
AND CONSEQUENTIAL PROMOTION/TRANSFER POSTING IN  
DEFENCE ESTATES ORGANISATION.

Reference PD, DE, EC, Kolkata letter No. 360009/LC-I/XXXIV/151  
dated 18 January, 2007.

2. It is to inform you that the regular promotion from SDO-III to SDO-II issued by the DG, DE, New Delhi vide letter No. 102/194/ADM/DE/SDO/2006 dt. 29.12.06 forwarded by PD, DE, EC, Kolkata letter No. 360009/LC-I/XXXIV/151 dated 18.1.07 received by this office on 5.2.07 is enclosed herewith for your information and necessary action.

3. You are therefore, directed to submit your request for Transfer TA to this office to enable us to release you immediately as directed by the PD, DE, EC, Kolkata/DG, DE, New Delhi.

*[Signature]*  
Defence Estates Officer  
Guwahati Circle.

Copy to :-

The PD, DE, EC,  
Min. of Def.  
Kolkata - 17

- For information please.

*Attested  
By  
Advocate*

The Director General, DE,  
Ministry of Defence  
Delhi Cantt.  
New Delhi - 110 10.

( Through Proper Channel )

Sub :- REPRESENTATION FOR POSTING/TRANSFER : SRI C.R.MANDAL,  
SDO-III OF DEO GUWAHATI CIRCLE : GUWAHATI-3

Respected Sir,

Reference my representation dated 16th August, 2002 vide DEO Guwahati Circle letter No. DEO/GAU/ADM/P-1/A-40 dated 19th Aug. 02 and my representation dated 17th July, 03 vide DEO Guwahati letter No. DEO/GAU/ADM/F-1/A/115 dated 31 July, 03 and DEO Guwahati letter No. DEO/GAU/ADM/F-1/A dated 07 Feb. 2007 and 09 August '06

2. With due respect I beg to state that I originally belongs to Kolkata i.e. West Bengal and I was posted/transferred ~~xxx~~ from DEO Kolkata Circle to the hard station i.e. ADEO Tenga Valley (Arunachal Pradesh) since July, 1984. Again I was posted to another hard station i.e. DEO Guwahati Circle (Assam) from ADEO Tenga Valley (Arunachal Pradesh) w.e.f. 07.09.1987 and since then I am serving in DEO Guwahati Circle till date although I originally belongs to Kolkata (W.B) and I am a person of 'Schedule Caste Community'.

3. Due to non availability of SDO-III post at Kolkata Circle, I had to complete the two hard stations at a time, one hard station i.e. ADEO Tenga Valley (Arunachal Pradesh) since 26.6.84 to 06.9.1987 i.e. above three years and another hard station i.e. DEO Guwahati Circle since 07.9.1987 to till date.

4. Again, I have been posted from DEO Guwahati Circle to DEO Jorhat Circle (i.e. hard station) on promotion as SDO-II post vide DG, DE letter No. 102/194/ADM/DE/SDO/2006 dated 29.12.06 although I requested sympathetically to the DG, DE vide my application dated 5th August '06 vide DEO Guwahati letter No. DEO/GAU/ADM/F-1/A/139 dated 29th August, 2006 and the PD, DE, EC, Kolkata recommended for my representation for consideration my case in same post to retain to Guwahati i.e. as SDO-III.

5. In view of above, I am very far away from my home/home town for about twenty three years serving in North Eastern Region. Now, I would like to go back to my home town i.e. DEO Kolkata to settle some inescapable domestic affairs there.

6. In view of facts stated above, I pray your honour to be kind enough to post/transfer me to DEO Kolkata Circle, i.e. home station of existing SDO-II post at DEO Guwahati Circle or SDO-III post retain to the DEO Guwahati Circle for which I shall ever grateful to you.

Thanking you, Sir.

Yours faithfully,

Station : Guwahati

( SRI C.R. MANDAL )

Dated, the, 08th Feb. 2007.

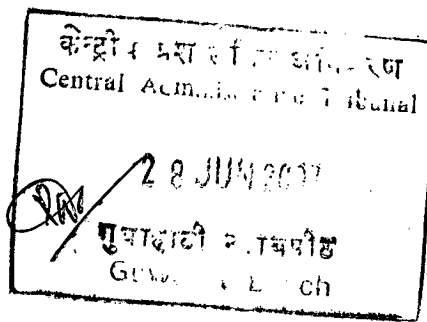
SDO-III  
o/o DEO Guwahati Circle.

Copy in advance to :-

The Director General, DE,  
Ministry of Defence  
Delhi Cantt. New Delhi- 10

I may kindly be  
excused for endorsing  
an advance copy for  
consideration please.

Attended  
By  
Advocate



Filed by  
The Respondents  
through  
Alsha Das Es  
Addl CSE  
28/6/07

1

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH GUWAHATI

OA NO 43/2007

SHRI C.R. MANDAL

.....APPLICANT

-VERSUS-

UNION OF INDIA & ORS

.....RESPONDENTS

WRITTEN STATEMENT FILED BY THE RESPONDENTS

- 1) That the respondents have received copy of the OA and have gone through the same. Save and except the statements, which are specifically admitted herein below, rest may be treated as total denial. The statements, which are not borne on records, are also denied and the applicant is put to the strictest proof thereof.
- 2) That the respondents beg to submit that the representations of the applicant has been considered to post/transfer to DEO, Kolkatta Circle, Kolkatta, his home town or to retain him at DEO Guwahati Circle against existing SDO II as SDO II or as SDO- III against SDO- II post.
- 3) That the respondents beg to submit that it is observed that there is no post of SDO II at Guwahati. There is no vacancy in SDO II post at DEO Kolkatta too. It is therefore not possible to transfer the applicant to DEO Kolkatta.
- 4) That the respondents beg to submit that it is also seen that the promotion order issued vide this Dte Gen letter No. 102/194/ADM/DE/2003-04 dated 18<sup>th</sup> July 2006 in respect of the applicant has already been cancelled vide this Directorate General letter No. 102/194/ADM/DE/SDO/2006 dated 29.3.2007. Accordingly, it has been decided to retain the applicant as SDO-III at DEO Guwahati.

2

A copy of the letter-dated 29.3.2007 is annexed herewith and marked as Annexure-R1.

- 5) That the respondents beg to submit that since the transfer order of the applicant has already been cancelled hence the Hon'ble Tribunal may be pleased to pass appropriate order considering above facts and circumstances of the case.

Annexed

44  
Annexed

45

- 3 -

VERIFICATION

I ..... G. Vijaya Bhaskar ....., aged  
about 32 years at present, working as  
..... Defence Estate Officer, Guwahati .....

....., who is one of the respondents and taking steps in this case, being  
duly authorized and competent to sign this verification for all respondents,  
do hereby solemnly affirm and state that the statement made in paragraph

1, 5 ..... are true

to my knowledge and belief, those made in paragraph

2, 3, 4 ..... being matter of records, are

true to my information derived there from and the rest are my humble  
submission before this Humble Tribunal. I have not suppressed any material  
fact.

And I sign this verification this 26th day of June 2007 at Guwahati

.....  
DEPONENT

No.102/194/ADM/DE/SDO/2006  
Govt. of India, Min. of Defence  
Dte.General of Defence Estates  
Raksha Sampada Bhawan,  
Palam Road, Delhi Cantt.- 110010.  
Dated : 28 March 2007.

11.1.46  
ANNEXURE-R.1

To

The Principal Director, DE,  
Ministry of Defence,  
Central /Southern/ Eastern/ Western /Northern Command,  
Lucknow/ Pune / Kolkata/ Chandigarh/Jammu.

Subject: REGULAR PROMOTION FROM SDO GRADE-III TO SDO  
GRADE-II AND CONSEQUENTIAL PROMOTION/TRANSFER  
POSTING IN DEFENCE ESTATES ORGANISATION.

Reference this Dte. General letter No.102/194/ADM/DE/SDO/2006 dated  
29<sup>th</sup> Dec.2006 and even No. dated 22<sup>nd</sup> Jan.2007.

2. It has been decided to cancel the promotion order with immediate effect in  
respect of the following officials mentioned below :-

Sl.No.	Name(S/Shri)	Posted at
1.	K.Angamuthu	DEO, Chennai
2.	A.N.Dhanapune	DEO Pune
3.	C.R.Mondal	DEO Guwahati
4.	S.C.Pant	DEO Meerut
5.	Rajinder Singh	DEO Pathankot
6.	K.C.Talukdar	DEO, Tezpur
7.	Dimbeswar Das	DEO, Guwahati
8.	D.D.Salunkhe	DEO, Pune
9.	N.P.Goyal	DEO Bikaner

3. The officials referred in para 2 will not be eligible for promotion for a period of  
one year till 17<sup>th</sup> July 2007.

4. It may also be brought to the notice of the officials that declining of  
promotion/transfer does not entitle them for their retention in the present station.  
According to All India Service Liability condition and administrative  
reasons/exigencies, the staff can be transferred anywhere in India in public interest.

5. The cases of the above employees who refused to take up the new  
assignments on promotion (declined promotion), will be regulated in accordance  
with condition 10 of the ACP Scheme. It should be clearly brought to the notice of  
the above mentioned employees.

Copy to :-

1. Director, DE, South Western Command, Jaipur
2. Concerned PCDA/CDA.
3. DEOs concerned. Guwahati
4. The President, AIDEEA, C/O DEO Danapur.
5. Internal File No.102/194/ADM/DE/2003-04
6. Guard File.

(A.S.Rajagopal)  
Addl.Director General (Adm)  
Defence Estates  
For Director General,  
Defence Estates.