

2

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

CP 6/2007 (OA 70/07 overh)
pgs - 1 closed
on 3.4.07

INDEX

✓
O.A/T.A No. 70/2007
RA/C.P No. 6/2007 (OA 70/07)
E.P/M.A No. 34/2007

1. Orders Sheet..... OA Pg. 1 to 1
MP 34/2007 Pg. 1 to 1
pgs - 1 closed on 3.4.07
2. Judgment/Order dtd 1.5.3.2007 Pg. 1 to 3 4/0
3. Judgment & Order dtd Received from H.C/Supreme Court
4. O.A. 70/2007 Pg. 1 to 18
5. E.P/M.P. 34/2007 Pg. 1 to 7
6. R.A/C.P. 6/2007 Pg. 1 to 10
7. W.S. Pg. to
8. Rejoinder Pg. to
9. Reply Pg. to
10. Any other Papers / objection filed by the respondent in MP 34/2007 Pg. 1 to 2
11. Memo of Appearance
12. Additional Affidavit
13. Written Arguments
14. Amendment Reply by Respondents
15. Amendment Reply filed by the Applicant
16. Counter Reply

SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDER SHEET

1. Original Application No. 70/07
2. Misc Petition No.
3. Contempt Petition No.
4. Review Application No.

Applicant(S) Mr. S. Chakrabarti VS Union of India & Ors

Advocate for the Applicant(S) Adil Ahmed
Smita Bhattacharya

Advocate for the Respondant(S) CAFC

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

Application is in form
is filed/C.F. for Rs. 50/-

d paid vide IPO/PD
No. 346.65/390

Dated 26.2.07

[Signature]
Dy. Registrar

[Signature]

NT
14/3/07

15.3.07

Heard counsel for the parties.

By consent of the parties the
application is taken up for disposal
at the admission stage itself and
disposed of accordingly in terms of
the order recorded separately.

No order as to costs.

[Signature]
Member(A)

[Signature]
Vice-Chairman

pg

Petitioner's Copies
for issue notices with
envelopes are received

[Signature]

Received
Shashan
Addl. Secy
16/3/07

C. Copy has been collected
by the 2/Adv. from the applicant
on 16.3.07 [Signature]

3

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI

O.A. No. 70 of 2007

DATE OF DECISION : 15.03.2007

Sri Subhrajit Chakraborty.

..... Applicant/s

Mr.A. Ahmed

..... Advocate for the
Applicant/s.

- Versus -

U.O.I & Others

..... Respondent/s

Ms.U.Das, Addl, C.G.S.C

Advocate for the
Respondents

CORAM

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

HON'BLE MR.TARSEM LAL, ADMINISTRATIVE MEMBER

- | | | |
|----|-------------------------------------------------------------------------------------------------------|--------|
| 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 compiled at Jodhpur Bench & Other Benches ? | Yes/No |
| 4. | Whether their Lordships wish to see the fair copy of the Judgment ? | Yes/No |

Vice-Chairman/Admn. Member

14/3/07

4

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 70 of 2007

Date of Order: This the 15th day of March 2007.

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

THE HON'BLE MR TARSEM LAL, ADMINISTRATIVE MEMBER

Shri Subhrajit Chakraborty,
Son of Late Manoranjan Chakraborty,
Film/ Video Editor,
Office of the Director,
Doordarshan Kendra, Guwahati
P.O. Zoo Road, Guwahati-24.

.....Applicant

By Advocate Sri A. Ahmed

- Versus -

1. Union of India
represented by the Secretary to the
Govt. of India,
Ministry of Information & Broadcasting,
New Delhi.
2. The Director General,
Doordarshan,
Doordarshan Bhawan
Copernicus Marg,
New Delhi-110 001.
3. The Deputy Director General,
(NER-II), Doordarshan Kendra,
Guwahati-24.

.....Respondents

By Advocate Miss U. Das, Addl. C.G.S.C.

ORDER (ORAL)

SACHIDANANDAN K.V.(V.C)

The applicant who is now working as Film & Video Editor under Doordarshan Kendra, Guwahati since 1996. His wife Mani Chakraborty is also working as Make Up Assistant in Doordarshan Kendra, Guwahati alongwith their 7 year old son. Now vide Annexure -A impugned order dated 27.10.2006 the applicant has been transferred to DDK, Jalpaiguri. According to the applicant the said order has not been


✓

issued in public interest or administrative exigencies but that was issued to accommodate a similarly situated person who has made request for his transfer to Guwahati. Aggrieved by certain action of the respondents the applicant has filed this O.A. seeking for the following reliefs :

The impugned transfer order No.36/2006 under No.21/1/2006-S.I dated 27.10.2006 (at Annexure-A) issued by the respondent No.2 may be set aside and quashed.


2. Heard Mr A. Ahmed, learned counsel for the applicant and Miss U.Das, learned Addl.C.G.S.C for the respondents. When the matter came up for consideration the learned counsel for the applicant has taken our attention to the Rule pertaining to the posting of husband and wife at the same station. In clause 2 of the said rule it has been specifically mentioned that a husband and wife are, as far as possible and within the constraint of administrative convenience, posted at the same station. He further submitted that the son of the applicant is only 7 years old and required to be attended by his father. He also submitted that the representation of the applicant is still pending before the Director General, respondent No.2 and he will be satisfied if a direction is given to respondent No.2 to consider and dispose of the representation and pass a speaking order communicating the same to him. Learned Counsel for the respondents submitted that she has no objection if such course of action is adopted.

3. In the interest of justice, we direct the 2nd respondent or any other competent authority to consider and dispose of the representation within a time frame and at any rate within one month from the date of receipt copy of this order. The applicant is also permitted to file fresh representation, if any, within two weeks from today. The said representation will also be considered alongwith the earlier representation.



3
6
O.A is accordingly disposed. However, considering the interest of justice we direct that Annexure-A transfer order 27.10.2006 shall be kept in abeyance as far as the applicant is concerned till disposal of his representation.

There will be no order as to costs.



(TARSEM LAL)
ADMINISTRATIVE MEMBER



(K.V.SACHIDANANDAN)
VICE CHAIRMAN

pg

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH GUWAHATI.

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

ORIGINAL APPLICATION NO. 70 OF 2007.

Shri Subhrajit Chakrabarty,
...Applicant

- Versus -

The Union of India & Others
...Respondents

INDEX

SL No.	Annexure	Particulars	Page No.
1	...	Application	1 to 10
2	...	Verification	11
3	A	Photocopy of the Office Order No.36 / 2006 under No.21/1/2006-S.I. dated 27.10.2006.	12
4	B	Photocopy of the Representation dated 16.11.2006 submitted by the Applicant with recommendation of the Production Assistant, Doodarshan Kendra, Guwahati and Assistant News Editor, In-charge of Regional News Unit, Doordarshan Kendra, Guwahati.	13 - 15
5	C	Photocopy of the Recommendation of Office of the Respondent No.3 before the Respondent No.2 dated 04.12.2006	16
6	D	Photocopy of the Office Memorandum No.28034/2/97-Estt.(P) dated 12 th June 1997 and O.M.No.28034/23/2004-Estt. (A) dated 23.08.2004 issued by the Government of India, Ministry of Personnel, Public Grievances and Pensions (Department of Personal Training).	17 - 18

Date: 14-3-2007,

Filed By:

Smita Bhattacharjee
Advocate

10

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH :..... GUWAHATI.

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

ORIGINAL APPLICATION NO. 70 OF 2007.

Shri Subhrajit Chakrabarty,

...Applicant

- Versus -

The Union of India & Others

...Respondents

LIST OF DATES / SYNOPSIS

The Applicant was appointed as Film / Video Editor at Doordarshan Kendra, Tura in the year 1993. He was transferred to Doordarshan Kendra, Guwahati in the year 1996. His wife Smti Mamu Mani Chakrabarty, Make up Assistant, Doordarshan Kendra, Tura was also transferred to Guwahati Doordarshan Kendra in the year 2001 by the Respondent to lead normal family life at Guwahati and also to well being of their only child who is now aged about seven years. The Applicant was again transferred to Doordarshan Kendra, Jalpaiguri on 27.10.2006. The said transfer was not issued in any public interest or Administrative Exigencies. However, it was issued only to accommodate a similarly situated person who had made request for his transfer at Guwahati. The Applicant's case was strongly recommended by the Office of the Respondent No.3 for retention him at Guwahati as there are acute shortage of specialized Film / Video Editor at Guwahati. The Applicant is also entitled for benefit of husband and wife posting at same station as per Government of India Policy. Moreover, there are more similarly situated senior station persons are still serving at Doordarshan Kendra, Guwahati without any

Shakmleahy

disturbance. The Respondent No.2 has not disposed his Representation for consideration of his transfer to Jalpaiguri (West Beagal).

Hence this Original Application for seeking justice in this matter.

Shabnam

1.

FILED BY
Shri Subhrajit Chakrabarty
... Applicant
Through - Smita Bhattacharyee
(Advocate) 12

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

(AN APPLICATION UNDER SECTION 19 OF THE ADMINISTRATIVE
TRIBUNAL ACT 1985)

ORIGINAL APPLICATION NO. 70 OF 2007.

BETWEEN

Shri Subhrajit Chakrabarty,
Son of Late Manoranjan
Chakrabarty,
Film / Video Editor,
Office of the Director,
Doordarshan Kendra, Guwahati
P.O.-Zoo Road, Guwahati-24.

...Applicant

-AND-

1. The Union of India represented by the Secretary to the Government of India, Ministry of Information & Broadcasting, New Delhi.
2. The Director General, Doordarshan, Doordarshan Bhawan Copernicus Marg New Delhi-110 001.
3. The Deputy Director General (NER-II), Doordarshan Kendra, Guwahati-24.

...Respondents

DETAILS OF THE APPLICATION

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

This Application is made against the Impugned Office
Order No.36/2006 under No.21/1/2006-S.I. dated

Shakuntla

27.10.2006 issued by the Office of the Respondent No.2 by which Applicant is transferred to DDK, Jalpaiguri, West Bengal from DDK, Guwahati.

2) JURISDICTION OF THE TRIBUNAL

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

3) LIMITATION

The Applicant further declares that the subject matter of the instant application is within the limitation prescribed under Section 21 of the Administrative Tribunal Act 1985.

4) FACTS OF THE CASE:

Facts of the case in brief are given below:

4.1) That your humble Applicant is a citizen of India and as such he is entitled to all rights and privileges guaranteed under the Constitution of India. He is now aged about 37 years.

4.2) That your Applicant begs to state that he was appointed as Film / Video Editor of Doordarshan Kendra and he was posted at Doordarshan Kendra, Tura in the year 1993. He was transferred to Doordarshan Kendra, Guwahati in the year 1996 from Doordarshan Kendra, Tura. It is pertinent to mention here that his wife Smti Mamu Mani Chakrabarty, who was working as Make up Assistant of Doordarshan Kendra, Tura was also transferred to PPC (NE), Doordarshan, Guwahati in the year 2001. Thereafter, both of them are working at Doordarshan Kendra, Guwahati and maintaining

Chakrabarty

a normal family life. They are also having one son, who is aged about 7 years and studying at Faculty School, Gitanagar, Guwahati in Class I.

4.3) That your Applicant begs to state that the Office of the Respondent No.2 vide Office Order No.36 / 2006 under No.21/1/2006-S.I. dated 27.10.2006 transferred him from Doordarshan Kendra, Guwahati to Doordarshan Kendra, Jalpaiguri, West Bengal. It is to be stated that in the aforesaid transfer order no where it was mentioned that the said transfer order was issued in public interest or administrative exigencies. The said transfer order was issued only to accommodate one Shri Bhaskarjyoti Hazarika, Doordarshan Kendra, Jalpaiguri to Doordarshan Kendra, Guwahati who had made request for his transfer to Guwahati.

Photocopy of the Office Order No.36 / 2006 under No.21/1/2006-S.I. dated 27.10.2006 is annexed hereunto and marked as ANNEXURE-A.

4.4) That your Applicant begs to state that immediately after receiving the aforesaid transfer order he filed a Representation on 16.11.2006 before the Respondent No.2 praying for cancellation of his transfer order to Doordarshan Kendra, Jalpaiguri and to allow him to serve at Doordarshan Kendra, Guwahati. The Production Assistant, Doordarshan Kendra, Guwahati and the Assistant News Editor, In-charge of Regional News Unit also strongly recommended the case of the Applicant before the Respondent No.3 by stating that his service is urgently required for Doordarshan Kendra, Guwahati as he specialized in some of the Editing Format. Moreover, due to Applicant credit the most popular serial "Manashi" produced by the Doordarshan Kendra, Guwahati has earned good amount of revenue. As such the Applicant

Shashank

may not be released from Doordarshan Kendra, Guwahati. The Office of the Respondent No.3 has strongly recommended the Representation of the Applicant before the Respondent No.2 vide their letter No.DDK/GUW/14 (5) /2006 /6259 dated 04.12.2006. In the said recommendation it has been stated that Doordarshan Kendra, Guwahati is facing great difficulty due to shortage of Editors. The service of the Applicant is required as a member of dedicated team of Krishi Darshan, Kalyani etc. and the Office of the Respondent No.3 has also requested the Respondent No.2 may be pleased to post Shri Bhaskar Jyoti Hazarika, Film / Video Editor, Doordarshan Kendra, Jalpaiguri along with his post to Doordarshan Kendra, Guwahati as they are facing acute shortage of Film / Video Editors.

Photocopy of the Representation dated 16.11.2006 submitted by the Applicant with recommendation of the Production Assistant, Doordarshan Kendra, Guwahati and Assistant News Editor, In-charge of Regional News Unit, Doordarshan Kendra, Guwahati is annexed hereunto and marked as ANNEXURE-B.

Photocopy of the Recommendation of Office of the Respondent No.3 before the Respondent No.2 dated 04.12.2006 is annexed hereunto and marked as ANNEXURE-C.

4.5) That your Applicant begs to state that the Government of India, Ministry of Personnel, Public Grievances and Pensions (Department of Personal Training) had issued an Office Memorandum vide No.28034/2/97-Estt.(P) dated 12th June 1997 and O.M. No.28034/23/2004-Estt.(A) dated 23.08.2004 regarding posting of husband and wife at the same station to enable them to lead a normal life and to ensure the education and welfare of their children. In the said Guideline and Memorandum Paragraph-2 it has been clearly

Shaloban

stated that husband and wife may invariably posted together especially till their children are ten years of age in order to enable them to lead a normal family life and look after the welfare of the children. In the instant case the Applicant's son is aged about only 7 years old. As such he is entitled for the benefit of husband and wife posting at same station.

Photocopy of the Office Memorandum No.28034/2/97-Estt.(P) dated 12th June 1997 and O.M.No.28034/23/2004-Estt. (A) dated 23.08.2004 issued by the Government of India, Ministry of Personnel, Public Grievances and Pensions (Department of Personal Training) is annexed hereunto and marked as ANNEXURE-D.

4.6) That your Applicant begs to state that similarly situated persons who are working in the same capacity i.e. Film / Video Editor has been enjoying there posting at Doordarshan Kendra, Guwahati and PPC(NE) Doordarshan since 1990 and 1995 till dated without being disturbed. However, the Applicant in-spite of his recommendation Moreover, the said impugned Transfer Order dated 27.10.2006 was not issued by the Authority in public interest or in Administrative Exigencies. Now the Applicant apprehends that at any moment he may be released from Doordarshan Kendra, Guwahati. As such finding no other alternative your Applicant is compelled to approach this Hon'ble Tribunal for seeking justice into this matter and also with a prayer for Interim Order to stay the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006.

4.7) That your Applicant begs to state and submit that he is serving this Department with utmost sincerity and with full satisfaction to the Authority concerned. For this reason the Office of the Respondent No.3 has strongly recommended the case of the Applicant before the Respondent No.2. Further it

Shakunleashy

is also submitted that there are acute shortage of Film / Video Editor at Doordarshan Kendra, Guwahati. In spite all of these Applicant is transferred to Jalpaiguri by the Respondents particularly the Respondent No.2 without following any Government Policy and Guidelines. Now, he apprehends that he has been discriminated by the Respondent Authority only to accommodate their interested persons at Guwahati.

4.8) That your Applicant submits that the Respondents have deliberately done serious injustice to him and put him into a great mental trouble.

4.9) That your Applicant submits that the action of the Respondents is highly illegal, improper, and whimsical and also against the fair play of Administrative justice.

4.10) That in view of the facts and circumstances narrated above, it is a fit case for this Hon'ble Tribunal to interfere with to protect the right and interest of the Applicant by passing an appropriate Interim Order by staying the operation of the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006.

4.11) That your Applicant has demand justice and the same has been denied.

4.12) That this application is filed bonafide and for the interest of justice.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISION:

5.1) For that, due to the above reasons narrated in detail the action of the Respondents is in prima facie illegal, malafide, whimsical, arbitrary and without jurisdiction. Hence the

Shakunika

Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006 issued by the Respondent No.2 is liable to be set aside and quashed.

5.2) For that, the Respondents have violated their own guideline of transfer policy. Hence the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006 issued by the Respondent No.2 is liable to be set aside and quashed.

5.3) For that, it is satisfied proposition of law that when the same principle have been laid down in given cases, all the persons who are similarly situated should be granted the said benefits. Hence the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006 issued by the Respondent No.2 is liable to be set aside and quashed.

5.4) For that, the applicant having been denied the benefit of Government of India Policy for Husband and Wife posting at same station without any reasonable excuse by the Respondent No.2 and as such, proper reliefs ought to be granted to the Applicant. Hence the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006 issued by the Respondent No.2 is liable to be set aside and quashed.

5.5) For that, the Respondents before transferring the Applicant ought to have considered their own Transfer Guidelines about seniority in particular station and as such, impugned transfer order is bad in the eye of the law and is liable to be set aside and quashed.

5.6) For that, the Respondent No.2 have not applied his proper mind before transferring the Applicant from Guwahati

Shalish

to Jalpaiguri (West Bengal). Hence the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006 issued by the Respondent No.2 is liable to be set aside and quashed.

5.7) For that in spite of strong recommendation by the Office of the Respondent No.3 for retaining the Applicant at Guwahati and also shortage of Film / Video Editor at Doordarshan Kendra, Guwahati, the Respondent No.2 has not cancelled the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006 issued by the Respondent No.2 is liable to be set aside and quashed.

5.8) For that the said Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006 was not issued in any public interest or Administrative Exigencies by the Respondent No.2. Hence the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006 issued by the Respondent No.2 is liable to be set aside and quashed.

5.9) For that, the Respondents have violated the principle of natural justice as well as the fundamental rights of the Applicant guaranteed under the Constitution of India.

5.10) For that, in any view of the matter, the action of the respondents are not sustainable in the eye of law as well as facts of the case and hence the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006 issued by the Respondent No.2 in case of the Applicant may be set aside and quashed.

Shakraborty

The Applicant craves leave of this Hon'ble Tribunal advance further grounds the time of hearing of this instant application.

6. DETAILS OF REMEDIES EXHAUSTED:

That there is no other alternative and efficacious and remedy available to the applicant except the invoking the jurisdiction of this Hon'ble Tribunal under Section 19 of the Administrative Tribunal Act, 1985.

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

That the Applicant further declares that he has not filed any application, writ petition or suit in respect of the subject matter of the instant application before any other court, authority, nor any such application, Writ Petition of suit is pending before any of them.

8. RELIEF SOUGHT FOR:

Under the facts and circumstances stated above the applicant most respectfully prayed that Your Lordship may be pleased to admit this application, call for the records of the case, issue notices to the Respondents as to why the relief and relieves sought for the applicant may not be granted and after hearing the parties may be pleased to direct the Respondents to give the following relieves.

8.1) That the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated

Shalendra

27.10.2006 (at ANNEXURE-A) issued by the Respondent No.2 may be set aside and quashed.

8.2) To Pass any other appropriate relief or relief (s) to which the Applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.

8.3) To pay the cost of the application.

9. INTERIM ORDER PRAYED FOR:

At this stage the Applicant most humbly prays for an interim order before this Hon'ble Tribunal, to direct the Respondents not to implement the Impugned Transfer Office Order No.36/2006 under No.21/1/2006-S.I. dated 27.10.2006 (at ANNEXURE-A) issued by the Respondent No.2 issued by the Respondent No.2 till disposal of this Original application.

10. Application is filed through Advocate.

11. Particulars of I.P.O.:

I.P.O. No. : 34 G 651390
Date of Issue : 26 - 2 - 2007
Issued from : Guwahati GPO
Payable at : Guwahati GPO

12. LIST OF ENCLOSURES:

As stated above.

Verification . . .

Shobkumar

VERIFICATION

I, Shri Subhrajit Chakrabarty, Son of Late Manoranjan Chakrabarty, Film / Video Editor, Office of the Director, Doordarshan Kendra, Guwahati, P.O.-Zoo Road, Guwahati-24, do hereby solemnly verify that the statements made in paragraph nos. 4.1, 4.2, 4.6 and 4.7 are true to my knowledge, those made in paragraph nos. 4.3, 4.4 and 4.5 are being matters of record are true to my information derived therefrom which I believe to be true and the rests are my humble submissions before this Hon'ble Tribunal. I have not suppressed any material facts.

And I sign this verification on this the 14th day of March 2007 at Guwahati.

Subhrajit Chakrabarty
DECLARANT

PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
DIRECTORATE GENERAL: DOORDARSHAN
DOORDARSHAN BHAWAN: NEW DELHI

No.21/1/2006-S.I

Dated: 27.10.2006

OFFICE ORDER No.36 /2006

The following transfers/postings in the category of Film/Video Editors are hereby ordered with immediate effect: -

S. No.	Name of the official	Present place of posting	Posting on transfer
1.	Shri Bhaskar Jyoti Hazarika	DDK, Jalpaiguri	DDK, Guwahati
2.	Shri Subharajit Chakraborty	DDK, Guwahati	DDK, Jalpaiguri

2. Shri Subharajit Chakraborty will be relieved first.

3. Shri Bhaskar Jyoti Hazarika, Film/Video Editor will not be entitled to TA/DA and joining time etc. as his transfer is request transfer.

4. This issues with the approval of competent Authority.

(N.P.JOSHI)

Dy. Director (Admn.)
Tele No. 23386745

Copy to:-

1. Official concerned (through Kendras).
2. Director (s) DDK, Jalpaiguri/Guwahati.
3. Pay & Account Office, Doordarshan, Guwahati/Kolkata.
4. PS to DDG (A)/ DDG (AJ).
5. Guard file/Reference folder
6. Spare copies-2

for Director General,

ATTESTED

Bhatta
ADVOCATE

To,
The Director General,
Doordarshan,
Doordarshan Bhawan,
Copernicus Marg,
NEW DELHI - 100 001.

(Through proper channel)

Sub :- Prayer for cancellation of transfer order.

Respected Sir,

With reference to the Directorate General's letter No. 21/1/2006-S.I dated 27/10/2006 and officer order No. 36/2006, regarding transfer to DDK, Jalpaiguri, I beg to invite you kind consideration to the following problems.

1) My wife Smt Mamu Mani Chakrabarty is working in PPC (NE), Doordarshan, Guwahati as a Make-up Assistant. So, sir this transfer will disturb my family life again as we were posted in different stations immediately after our marriage. From December 1998 to May 2001. She was posted at DDK, Tura and me at DDK, Guwahati.

2) I have a son of seven (7) years old and with this transfer he will miss his father again, as he has missed already once for two years in his small span of life. This will effect his mental development and growth as he will miss one of his parents every time.

3) As my wife has an aged father and mother she has to look after them also. It will be very difficult for her to share the burden all alone.

Keeping in view the above obstacles and difficulties which can already be foreseen, I would request your kind self to please cancel my transfer to DDK, Jalpaiguri on humanitarian ground and allow me to serve at DDK, Guwahati itself.

Looking forward to your kind co-operation and oblige.

Thanking you,

Yours faithfully,

Dated Guwahati the 16th November, 2006

Subhrajit Chakrabarty

(SUBHRAJIT CHAKRABARTY)
Film / Video Editor, DDK, Guwahati.

ATTESTED

Bhatte
ADVOCATE

To,

The Deputy Director General (NER-II),
Doordarshan Kendra,
Guwahati.

Date: - 16/11/06

Sir,

With due honor I beg to state that the serial 'Manashi' which has been produced by me is earning a good amount of revenue from the very beginning of its telecast to the current date and already it has crossed more than 50 Episodes. Though it is an Inhouse serial, it is very popular for its content and mainly for compact Editing. From the first episode of Manashi the serial has been edited by Editor Mr. Subhrajeeet Chakravarty and one of important credit for the popularity of the programme should go to him also. So, Sir, I personally request you not to release him as he is getting a transfer order recently and as he only knows the pulse of editing for the very popular programme 'Manashi' and obliged.

Thanking you,

Yours faithfully,



(AJANTA DAS)
PRODUCTION ASSISTANT

~~16/11/06~~
16/11/06

ATTESTED

Bhattacharya
ADVOCATE

Note

Shri Subhrajit Chakraborty who is under transfer from Guwahati to Siliguri vide Order No. 21/1/2006-S.I Dated 27/10/2006 may be stayed as his service is urgently required in the unit and he is specialized in some of the editing formats. It may be mentioned that DDK Guwahati will shortly have more bulletins and his service will be necessitated accordingly.

[Signature] 16/11
ANE In-charge RNU

[Signature]
DDG (NER II)

[Signature]
CAO

[Signature]
HCS

[Signature]
16/11/06

[Signature]
HCS
Pl. pm on file

[Signature]
17/11

[Signature]
16/11/06

[Signature]
Suresh

ATTESTED

[Signature]
ADVOCATE

PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
DOORDARSHAN KENDRA: GUWAHATI

NO: DDK/GUW/14(5)/2006 6259

Dtd. the 4th December, 2006.

To
The Director General
(Shri N.P. Joshi, DD (A), by name)
Doordarshan,
Doordarshan Bhavan,
Copernicus Marg,
New Delhi-110 001.

Sub : Transfer in the grade of F/V Editor - forwarding of representation regarding

Sir,

A representation dtd. 16.11.2006 received from Shri Subhrajit Chakrabarty, Film/Video Editor, who is under orders of transfer in the same capacity to DDK, Jalpaiguri against Shri Bhaskar Jyoti Hazarika vide Directorate's Office Order No.36/2006 under F. No.21/1/2006-S.I dtd. 27.10.2006, requesting for cancellation of the said transfer order, is forwarded herewith for kind consideration.

In this connection, it is stated that being the Zonal Head ; increased volume of works and Centrally Sponsored Programmes such as Krishi Darshan, Kalyani etc. produced by this Kendra, the Producers are facing great difficulties due to shortage of Editors. Presently the services of Shri Chakrabarty, is required as a member of the dedicated team under Directorate's instruction as the Kendra is earning revenue from DCD and Min. of Agriculture.

Besides, keeping in view of the on coming National Games it is requested to retain Shri Subhrajit Chakrabarty at this Kendra and Shri Shaskar Jyoti Hazarika, Film/Video Editor, DDK, Jalpaiguri may be posted along with post as the Kendra is facing acute shortage of Film/Video Editors.

Yours faithfully

Encl : As above.

(K.A. VANI)
Drawing and Disbursing Officer,
for DDG(NER-H)

ATTESTED

Bhatta
ADVOCATE

8/12

8/12

8/12

11/12/06

POSTING OF HUSBAND AND WIFE AT THE SAME STATION

It is the policy of the Government that as far as possible and within the constraints of administrative feasibility, the husband and wife should be posted at the same station to enable them to lead a normal family life and to ensure the education and welfare of their children. It has, therefore, now been decided to lay down a broad statement of policy at least with regard to those employees who are under the purview of the Central Government/Public Sector Undertakings. An attempt has therefore, been made in the following paragraphs to lay down some guidelines to enable the Cadre Controlling Authorities to consider the requests from spouses for a posting at the same station. The guidelines given below are illustrative and not exhaustive. Government desire that in all other cases the Cadre Controlling Authority should consider such requests with utmost sympathy.

Guidelines

(i) *Where the spouses belong to the same All India Service or two of the All India Services, namely, IAS, IPS and Indian Forest Service (Group 'A').*— The spouses will be posted to the same Cadre by providing for a Cadre transfer of one spouse to the Cadre of the other spouse subject to their not being posted by this process to their home cadre. Postings within the Cadre will, of course, fall within the purview of the State Government.

(ii) *Where one spouse belongs to one of the All India Services and the other spouse belongs to one of the Central Services.*— The Cadre Controlling Authority of the Central Services may post the officer to the station, or if there is no post in that station to the State where the other spouse belonging to the All India Service is posted.

(iii) *Where the spouses belong to the same Central Service.*— The Cadre Controlling Authority may post the spouses to the same station.

(iv) *Where the spouses belong to different Central Services.*— The spouse with the longer service at a station may apply to the appropriate Cadre Controlling Authority and the said authority may post the said officer to the station, or if there is no post in that station to the State, where the other spouse belonging to the other Central Service is posted.

(v) *Where one spouse belongs to an All India Service and the other spouse belongs to a Public Sector Undertaking.*— The spouse employed under the Public Sector Undertaking may apply to the competent authority and the said authority may post the said officer to the station, or if there is no post under the PSU in that station, to the State where the other spouse is posted.

Bhattacharya
ADVOCATE

-18-

29

(vi) *Where one spouse belongs to a Central Service and the other spouse belongs to a PSU.*— The spouse employed under the PSU may apply to the competent authority and the said authority may post the officer to the station, or if there is no post under the PSU in that station, to the State where the other spouse is posted. If, however, the request cannot be granted because the PSU has no post in the said station / State, then the spouse belonging to the Central Service may apply to the appropriate Cadre Controlling Authority and the said authority may post the said officer to the station, or if there is no post in that station, to the State where the spouse employed under PSU is posted.

(vii) *Where one spouse is employed under the Central Government and the other spouse is employed under the State Government.*— The spouse employed under the Central Government may apply to the competent authority and the competent authority may post the said officer to the station, or if there is no post in that station, to the State where the other spouse is posted.

2. Each case, not covered by the above guidelines, will have to be dealt with keeping in mind the spirit in which these guidelines have been laid down and the larger objective of ensuring that a husband and wife are, as far as possible and within the constraints of administrative convenience, posted at the same station.

[G.I., Dept. of Per. & Trg., O.M. No. 28034/7/86-Estt. (A), dated the 3rd April, 1986.]

It is reiterated that all Ministries / Departments should strictly adhere to the guidelines laid down in O.M. No. 28034/7/86-Estt. (A), dated 3-4-1986 while deciding on the requests for posting of husband and wife at the same station and should ensure that such posting is invariably done, especially till their children are 10 years of age, if posts at the appropriate level exist in the organization at the same station and if no administrative problems are expected to result as a consequence.

3. It is further clarified that even in cases where only the wife is a Government servant, the concession elaborated in this O.M. would be admissible to the Government servant.

4. These instructions would be applicable only to posts within the same department and would not apply on appointment under the Central Staffing Scheme.

[G.I., Dept. of Per. & Trg., O.M. No. 28034/2/97-Estt. (A), dated the 12th June, 1997 and O.M. No. 28034/23/2004-Estt. (A), dated the 23rd August, 2004.]

ATTESTED

Bhatter
ADVOCATE

Don
7/2/04