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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

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O.A./T.A No. 123/2007

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SECTION OFFICER (Judl.)

Kahly
03/04/17

CENTRAL ADMINISTRATIVE TRIBUNAL
COMPLAINT SECTION

ORDERS SHEET

1. Original Application No. 123 / 07

2. Miscellaneous Petition No. _____

3. Contempt Petition No. _____

4. Review Application No. _____

Applicant (S) L. Kr. Salgat VS Union of India & Ors

Advocate for the Applicant (S) Mr. Adil Ahmed,
Ms. S. Bhattacharya
.....

Advocate for the Respondent (S) CGSC

Notes of the Registry Date Order of the Tribunal

16.5.2007

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

deposited with P.B.D.

No. 366 652637

Dated 28.3.07

16.5.07
for Dy. Registrar

Heard learned counsel for the
parties. Order passed, kept in separate
sheets.

The O.A. is disposed of at the
admission stage in terms of the order. No
costs.

Vice-Chairman

/bb/

16.5.07

C copy has been
collected by the Applicant.
today.

17/5/07
add, CGSC

6

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. No.123 of 2007

DATE OF DECISION:16.05.2007

Lalit Kumar Salgat

.....Applicant/s

Mr.A.Ahmed

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

- Versus -

U.O.I. & Ors

.....Respondent/s

Mr. M.U.Ahmed, Addl.C.G.S.C.

.....Advocate for the
Respondents

CORAM

THE 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 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

16/5/07

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 123 of 2007.

Date of Order: This, the 16th day of May, 2007.

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

Shri Lalit Kumar Salgat
Son of Shri Anand Rao Salgat
Executive Engineer (Electrical)
Civil Construction Wing
All India Radio, Rajgarh Road
Chandmari, Guwahati-3.

...Applicant.

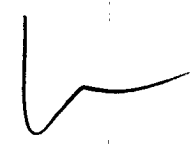
By Advocates Mr.A.Ahmed & Ms. S. Bhattacharjee.

- Versus -

1. The Union of India
Represented by the Secretary
to the Government of India
Ministry of Information & Broadcasting
A Wing, Sashtri Bhawan
New Delhi-1.
2. The Director General
All India Radio
Akaswani Bhawan
Parliament Street
New Delhi-1.
3. The Director General
All India Radio
(Civil Construction Wing)
6th Floor, Sookhana Bhawan
Lodhi Road, New Delhi-3.


... Respondents.

By Mr.M.U.Ahmed, learned Addl.C.G.S.C.



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

The Applicant is presently working as Executive Engineer (Electrical), Civil Construction Wing in the office of the All India Radio, Guwahati. He was transferred to Guwahati from Delhi vide order dated 29.03.2005 (Annexure-A). According to him, before his transfer to Guwahati he had served in several stations like Hyderabad, Nagpur, Bhubaneswar, Mumbai and Delhi. The Applicant averred in the O.A. that as per Office Memorandum dated 14.12.1983 (Annexure-B) the Central Govt. civilian employees who is saddled with all India transfer liability are entitled to their choice station posting after serving for a fixed tenure in the North Easter Region. Applicant claimed that as per the said OM he is entitled to get his choice place of posting since he has already completed his fixed tenure of two years at difficult station i.e., at Guwahati,. Therefore, on completion of his two years tenure posting he submitted his option for choice station in order of preference at (i) Mumbai and (ii) Delhi which was forwarded to the Respondents vide letter dated 22.03.2007 (Annexure-D). But in contravention of the provisions of




tenure/posting of O.M. dated 14.12.1983 Respondents are seeking to transfer the Applicant to Nagpur vide order dated 14.05.2007 (Annexure-E) without considering his option which is under challenge in this O.A. On receipt of the said impugned transfer on 15.05.2007 Applicant immediately filed a representation by fax on 15.05.2007 itself to the third Respondent for reviewing his transfer. Being aggrieved with the action of the Respondents he has filed this O.A. seeking the following main reliefs:-

“8.1) To set aside and quash the impugned transfer order No.A-22013/2/2007/EE-CW.I/864 dated 14.5.2007, in so far as the Applicant is concerned, issued by the Office of the Respondent No.3.

8.2) To give the choice place of posting to the Applicant to Mumbai in terms of Office Memo No.20014/3/83-D-IV dated 14th December 1983 issued by the Ministry of Expenditure, Govt. of India and also vide Office Memorandum dated July 22, 1998 issued by the Ministry of Finance, Department of Expenditure as he had already completed his fixed tenure at North Eastern Region.”

2. Heard Mr.A.Ahmed, learned counsel for the Applicant and Mr.M.U.Ahmed, learned Addl. Central Govt. Standing Counsel for the Respondents. When the matter came up for consideration, learned counsel for the Applicant submitted that since the



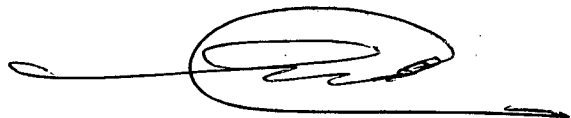
Applicant has completed his full tenure posting i.e. of two years in North Eastern Region he is entitled for his choice place of posting and against the impugned transfer order dated 14.05.2007 Applicant had submitted a representation by fax on 14.5.2007 before the third Respondent requesting for review of his transfer to Nagpur and to post him to his choice station at Mumbai or intermediate station at Delhi (so that studies of his daughter do not suffer) till vacancy arises at Mumbai. He further submitted that he would be satisfied if a direction is given to the third Respondent to consider and dispose of his representation by passing appropriate orders within a time frame. Mr.M.U.Ahmed submits that since the Applicant is saddled with all India transfer liability he can be transferred to any place.

3. However, considering the fact that the Applicant has already completed his two years tenure posting in the North Easter Region and his option for choice place of posting has not been considered by the Respondents I am of the view that justice will be met if a direction is issued to the third Respondent to consider and dispose of representation filed on 15.05.2007 as per rules within a time frame. The Applicant is at liberty to file a comprehensive representation along with copies of this order and



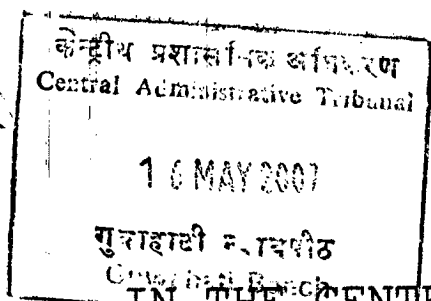
O.A. with all relevant documents before the concerned Respondent forthwith. Accordingly, this Court directs the third Respondent to consider and dispose of the Annexure-F representation dated 15.05.2007 and also the comprehensive representation, if filed by the Applicant, by passing appropriate orders thereon in accordance with rules and communicate the Applicant within a time frame of three months from the date of receipt of this order. In the interest of justice, the Respondents are directed not to disturb the Applicant till disposal of his representation, as directed above.

4. The Original Application is disposed of as above at the admission stage itself. There shall, however, be no order as to costs.



(K.V.SACHIDANANDAN)
VICE CHAIRMAN

/BB/



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

(An Application Under Section 19 of The Administrative
Tribunal Act 1985)

ORIGINAL APPLICATION NO. 123 OF 2007.

Shri Lalit Kumar Salgat

...Applicant

- Versus -

The Union of India & Others

...Respondents

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Date: 16-05-2007.

Filed By:

Smita Bhattacharjee
Advocate

K a

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
GUWAHATI BENCH, GUWAHATI.

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

ORIGINAL APPLICATION NO. 123 OF 2007

BETWEEN

Shri Lalit Kumar Salgat

...Applicant

-Versus-

The Union of India & Others

...Respondents

LIST OF DATES AND SYNOPSIS

1986	Applicant was appointed as Assistant Engineer (Electrical) and was posted at Hyderabad.
Sept, 1988	He was transferred to Nagpur.
Feb, 1992	He was further transferred to Bhubneswar and he served there upto April, 1993.
May, 1993	Applicant was transferred to Mumbai
June, 2004	He was transferred to Delhi
29.3.2005	He was transferred to Guwahati vide Order No.A-22012/5/04-CW.I 305 (Annexure-A)
14.12.1983	Office Memorandum issued by the Govt. of India regarding tenure posting at N.E.Region, allowance and other special facilities for Civilian Employees of the Central Government

in the States and Union Territories of the N.E. Region. In the said O.M. tenure posting for Officer with service of 10 years or less and for Officer with more than 10 years of service were fixed 3 years and 2 years respectively.

(Annexure-B)

22.7.1998 O.M. issued by the Ministry of Finance, Deptt. of Expenditure clarifying that the provisions of regarding tenure of posting contained in O.M. dated 14.12.1983 will continue to be in force.

(Annexure-C)

22.03.2007 The Applicant submitted his option of choice place of posting in order of preference as Mumbai and Delhi before the Respondent No.3 through Superintending Engineer (E), Metro, Civil Construction Wing, All India Radio, New Delhi vide his letter No. GHY-EE (E)/1 (3)/06-07/S/8-7 dated 22.03.07 for consideration of his choice posting.

(Annexure-D)

14.05.2007 The Applicant was transferred to SW(E), Nagpur vide Order No.20 issued under Memo No.A-22013/2/2007/EE-E/CW.I/864 dated 14.05.2007 issued by the Office of the Respondent No.3 in total violation of O.M. 14.12.1983 (Annexure-B) without considering his request for choice place of posting to Mumbai or Delhi despite the fact that the Applicant had completed his tenure posting of two years at difficult station in North East Region.

Hence this Original Application filed before this Hon'ble Tribunal for seeking justice in this matter.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

16 MAY 2007

गुवाहाटी न्यायपीठ

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI.

FILED BY

Shri Lalit Kr. Salgat

... Applicant

Through: Smita Bhattacharya
(Advocate)

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

ORIGINAL APPLICATION NO. 123 OF 2007.

BETWEEN

Shri Lalit Kumar Salgat
Son of Shri Anand Rao Salgat
Executive Engineer(Electrical)
Civil Construction Wing,
All India Radio, Rajgarh Road
Chandmari, Guwahati-3.

...Applicant

-AND-

- 1) The Union of India
Represented by the Secretary to
the Government of India,
Ministry of Information &
Broadcasting, A wing
Sashtri Bhawan
New Delhi-1.
- 2) The Director General
All India Radio
Akaswani Bhawan
Parliament Street
New Delhi-1.
- 3) The Director General
All India Radio
(Civil Construction Wing)
6th Floor, Soochana Bhawan
Lodhi Road
New Delhi - 3.

...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.20 issued under Memo No.A-22013/2/2007/EE-E/CW.I/864 dated 14.05.2007 issued by the Office of the Respondent No.3 by which the Applicant was transferred and posted to Nagpur from Guwahati in total violation of Office Memorandum dated 14.12.1983 and ignoring his choice place of posting i.e. ① Mumbai, ② New ^{Kolkata} Delhi despite completion of his fixed tenure at North East Region. The Applicant further prays before this Hon'ble Tribunal to give direction to the Respondents to give him choice place of posting as per Government of India Office Memorandum No.20014/3/83-D-IV dated 14.12.1983 and also vide Office Memorandum dated 22.07.1998 issued by the Government of India, Ministry of Finance, Department of Expenditure.

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.

[Handwritten signature]

4) FACTS OF THE CASE:

Facts of the case in brief are given below:

- 4.1) That your Applicant is a citizen of India and as such he is entitled to all rights and privileges guaranteed under the Constitution of India.
- 4.2) That your Applicant begs to state that he was appointed as Assistant Engineer (Electrical) on 17.05.1986 and posted to Hyderabad. Thereafter, he was transferred to Nagpur in the month of September, 1988 and Bhubaneswar in February, 1992. He was promoted to the post of Executive Engineer (Electrical) on 22.12.1995 and posted at Mumbai. Thereafter, he was transferred to New Delhi in June, ¹⁹⁹⁷~~2004~~. The Applicant was again ¹⁹⁹⁷~~2004~~ transferred to Guwahati as Executive Engineer (Electrical) vide Office Order No.8/2004/CW-I under Memo No.A-22012/5/04-CW.I 305 dated 29.03.2005 issued by the Office of the Respondent No.3.

Photocopy of the Office Order No.8/2004/CW-I under Memo No.A-22012/5/04-CW.I 305 dated 29.03.2005 issued by the Office of the Respondent No.3 is annexed hereunto and marked as **ANNEXURE-A.**

- 4.3) That your Applicant begs to state that the Government of India has issued an Office Memorandum No. 20014/3/83-D-IV New Delhi dated
- [Handwritten signature]*

14th December 1983 regarding tenure posting at North Eastern Region, allowance and other special facilities for Civilian Employees of the Central Government Servants serving in the States and Union Territories of the North Eastern Region. This North Eastern Region includes the State of Assam, Meghalaya, Manipur, Nagaland, Tripura, Mizoram and Arunachal Pradesh. In the said Office Memorandum in paragraph II it has been stated that "Their will be a fixed tenure of posting of 3 years at the time of Officer with service of 10 years or less and of 2 years at the time for Officers with more than 10 years of service. Periods of leave, training, etc. in cases 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 station of their choice as far as possible. The period of deputation of the Central Govt. 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 the interest of public services as well as when the employees concerned is prepared to stay long. The admissible deputation allowance will also be continue and be paid during the period of deputation of extended." The said Office memorandum shall be continued to be applicable which was made vide Office Memorandum dated July 22, 1998 issued by the Ministry Of Finance, Department of Expenditure.

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Photocopy of Office Memorandum No. 20014/3/83-D-IV New Delhi dated 14th December 1983 is annexed herewith and marked as ANNEXURE- B.

Photocopy of Office Memorandum dated July 22, 1998 issued by the Ministry Of Finance, Department of Expenditure is annexed herewith and marked as ANNEXURE- C.

- 4.4) That your Applicant begs to state that, he has already completed his full tenure of his service at North Eastern Region (Guwahati) i.e. two years as fixed by the Government of India. As such, he became entitled for his choice place of posting as per the aforesaid memorandum. Accordingly, he submitted his option of choice place of posting before the Respondent No.3 through Superintending Engineer (E), Metro, Civil Construction Wing, All India Radio, New Delhi vide his letter No. GHY-EE (E)/1 (3)/06-07/S/8-7 dated 22.03.07 with prescribed Proforma (ANNEXURE-1) on completion of his tenure at difficult station at Guwahati in North Eastern Region. In this proforma he has given his choice place of posting in order of preference at Mumbai and Delhi.

Photocopy of letter No. GHY-EE (E)/1 (3)/06-07/S/8-7 dated 22.03.07 is annexed herewith and marked as ANNEXURE- D.

[Handwritten signature]

4.5) That your Applicant begs to state that the Office of the Respondent No.3 vide his Office Order No.20 issued under Memo No.A-22013/2/2007/EE-E/CW.I 864 dated 14.05.2007 transferred him to Nagpur without considering his request for choice place of posting to Mumbai or Delhi. The said impugned order was received by him only on 15.05.2007. Being aggrieved by this impugned order, he immediately filed a representation on 15.05.2007 before the Respondents for cancellation of his transfer and to give him choice place of posting at Mumbai or intermediate station at Delhi till vacancy arises in Mumbai. Now, he apprehends that at any moment his reliever may join at his place at Guwahati. Hence, he is compelled to approach this Hon'ble Tribunal for a direction to the Respondents to give him his choice place of posting and also praying for an Interim Order from this Hon'ble Tribunal to stay his impugned transfer order till his transfer to his choice place of posting as per his earlier request dated 22.03.2007 (at **ANNUEXURE-D**).

Photocopy of the Order No.20 issued under Memo No.A.22013/2/2007/EE-E/CW.I/864 dated 14.05.2007 is annexed hereunto and marked as **ANNEXURE-E**.

Photocopy of the representation dated 15.05.2007 for reviewing his transfer

Dr

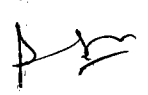
order is annexed hereunto and marked as **ANNEXURE-F**.

- 4.6) That your Applicant begs to state that he has all along carried out his transfer orders without any protest. He has already completed his tenure at Guwahati in the North Eastern Region, as such he is entitled for choice place of posting. However, the Respondents without considering the same transferred him to Nagpur. In his representation dated 15.05.2007 the Applicant stated that one Mr. V.R.Vijayan, Executive Engineer (Electrical) Mumbai, has opted for transfer to Chennai in place of Mr. Showkat Ali, Executive Engineer (Electrical), Chennai who will retire on superannuation in the month of October 2007. In that event, the applicant can easily be accommodated at Mumbai from Guwahati in the month of October 2007 as per his choice place of posting. For the time being, the Respondents may be pleased to accommodate him at New Delhi as an intermediate transfer till vacancy arises in Mumbai in the month of October 2007 as his family is staying at New Delhi for pursuing education of his children.
- 4.7) That your Applicant begs to state that similarly situated persons who are working in the same Organisation i.e. Civil Construction Wing, All India Radio were transferred to choice place of posting after or even before completion of their normal tenure at North Eastern Region.
- [Handwritten signature]*

4.8) That your Applicant begs to state that he apprehends that if the Applicant is compelled to move to Nagpur, he will be deprived of the benefit of choice posting which is applicable only to the employees who had completed their fixed tenure at North East Region. Hence, finding no other alternative he has filed this Original Application seeking for a direction from this Hon'ble Tribunal to the Respondents to give him choice place of posting for which he is legally entitled.

4.9) That your Applicant begs to state that the action on the part of the Respondents are illegal, arbitrary, malafide and also not sustainable before the eye of law as well as in facts.

4.10) That the Applicant begs to state the Hon'ble Supreme Court in the case of Kendriya Vidyalaya Sangathan vs. Damodar Prasad Pandey, reported in 2004 (12) SCC 299 held that Courts or Tribunals can interfere with the transfer order if the same is passed with mala fide intention and in violation of transfer rules/policy guidelines. In the instant case, by the impugned transfer order dated 14.05.2007 the Respondents have sought to transfer the Applicant from Guwahati to Nagpur with a mala fide intention only to deprive him from his legitimate right to get his choice station posting at Mumbai despite the fact that he had already completed his tenure



posting at North East Region much against the provisions made in the Office Memorandum dated 14.12.1983. As such, in view of the aforesaid legal position and since the transfer order was issued against the policy guidelines, it is fit case for this Hon'ble Tribunal to interfere with the transfer order dated 14.05.2007 by staying the operation of the said order till his posting of his choice.

- 4.10) That your Applicant begs to state that the Respondents have mentally tortured your applicant and his whole family by not giving his due choice place of posting as per Government of India memorandum. The Respondents have clearly violated Government of India memorandum regarding choice place of posting after completion of fixed tenure at North Eastern Region.
- 4.11) That your Applicant submits that he has got reason to believe that the Respondents are resorting the colorable exercise of power to accommodate their interested persons in their favorable places.
- 4.12) That your Applicant submits that the action of the Respondents is in violation of the fundamental rights guaranteed under the constitution of India and also in violation of principles of natural justice.
- 4.13) That your Applicant submits that the action adopted by the Respondents in case of the
- [Handwritten signature]*

applicant is improper, mala fide, illegal and without jurisdiction.

4.15) That your Applicant submits that he has been punished by the Respondents by not considering his choice place of posting at Mumbai in spite of completing his tenure posting at North East Region and as such, the Respondents are harassing your applicant without any reason or causes.

4.16) 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 details the action of the Respondents is prima facie illegal, malafide, arbitrary and without jurisdiction.

5.2) For that the tenure for North Eastern Region has been fixed by the Government of India for two years at the time for Officers with more than 10 years of service and as such there is no justification in denying the said benefit to the Applicant and denial of choice place of posting has resulted in violation of Articles 14, 16 & 21 of the Constitution of India in as much other similarly situated employee have been granted the said benefit. As such, the impugned transfer order dated 14.05.2007 transferring him to Nagpur is bad in law and the same is passed without application of mind and against the

[Handwritten signature]

enriched policy of choice station posting as envisaged in the O.M. dated 14.12.1983 and the same is liable to be set aside and quashed.

- 5.3) For that since the Applicant had already completed his fixed tenure of two years at difficult station i.e, North East Region he is entitled for getting his choice place of posting. As such, the impugned transfer order dated 14.05.2007 transferring him to Nagpur is not sustainable in the eye of law and the same is liable to be set aside and quashed.
- 5.4) For that it is settled proposition of law that when same principles have been made applicable in case of other personal who are similarly situated then the same principle should be granted to the other person also. As such, the impugned transfer order dated 14.05.2007 is liable to be set aside and quashed.
- 5.5) For that, the Applicant having been denied the said benefit by the Respondents without any reasonable excuses and without affording any opportunity of being heard. As such, there is total violation of the principles of natural justice and accordingly, proper reliefs are required to be granted to the Applicant. Therefore, the impugned order of transfer dated 14.05.2007 is liable to be set aside and quashed.
- 5.6) For that, the Applicant having completed his tenure posting the Respondents ought to have
- [Handwritten signature]*

considered that aspect of the matter while denying him the choice place of posting at Mumbai. Hence, the impugned transfer order dated 14.05.2007 is liable to be set aside and quashed.

- 5.7) For that the Applicant all family members are suffering from mental anxiety and torture without any fault of them. Hence, the impugned transfer order dated 14.05.2007 is liable to be set aside and quashed.
- 5.8) For that in any view of the matter the action of the Respondents are not sustainable in the eye of law.

The Applicant craves leave of this Hon'ble Tribunal to advance further grounds at the time of hearing of 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,

[Handwritten signature]

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 Your Lordships 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 reliefs.

- 8.1) To set aside and quash the impugned transfer order No.A-22013/2/2007/EE/CW.I/864 dated 14.5.2007, in so far as the Applicant is concerned, issued by the Office of the Respondent No.3.
- 8.2) To give the choice place of posting to the Applicant to Mumbai in terms of Office Memo No.20014/3/83-D-IV dated 14th December 1983 issued by the Ministry of Expenditure, Govt. Of India and also vide Office Memorandum dated July 22, 1998 issued by the Ministry Of Finance, Department of Expenditure as he had already

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completed his fixed tenure at North Eastern Region.

8.3) To pass any other relief or reliefs to which the Applicant may be entitled and as may be deem fit and proper by the Hon'ble Tribunal.

8.4) To pay the cost of the application.

9) **INTERIM ORDER PRAYED:**

At this stage The Applicant most humbly prays before this Hon'ble Tribunal for an interim order as follows:-

9.1) To suspend the operation of the impugned order No.22013/2/2007/EE-E/CWI/864 dated 14.05.2007, in so far as the Applicant is concerned, till his posting to his place of choice at Mumbai;

OR

9.2) To pass any other appropriate order as this Hon'ble Tribunal may deem fit and proper.

10) Application is filed through Advocate.

11) **Particulars of I.P.O.:**

I.P.O. No. :- 34 G 6 52639

Date of Issue :- 28-03-2007

Issued from :- Guwahati GPO

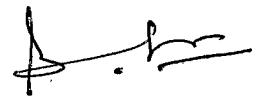
Payable at - Guwahati GPO

12. *P. S.* List of Enclosures:-
As stated above

V E R I F I C A T I O N

I, Shri Lalit Kumar Salgat, Son of Shri Anand Rao Salgat, aged about 43 years, Executive Engineer (Electrical), Civil Construction Wing, All India Radio, Chandmari, Guwahati-3 do hereby solemnly verify that the statements made in paragraph nos. 4.1, 4.6 to 4.11
————— are true to my knowledge, those made in paragraph nos. 4.2 to 4.50 ————— are being matters of records are true to my information derived there from which I believe to be true and those made in paragraph 5 are true to my legal advice and 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 16th day of ~~10~~ May 2007 at Guwahati.



D E C L A R A N T

Prasar Bharati
(Broadcasting Corporation of India)
Directorate General: All India Radio
{ Civil Construction Wing }

6th Floor, Soochan Bhavan,
CGO Complex, Lodhi Road,
New Delhi, dt. - 29.03.05

No.A-22012/5/04-CW.1305

ORDER NO. 8 /2004/CW-I

The order deferring transfer in respect of Sh.L.K.Salgat. EE(E). CCW, AIR(IRLA No.11569) to Guwahati ordered vide No.23/04-CW.I dated 24.06.04(F.No.A-22012/5/2004-CW.I) viz. order No.43/2004-CW.I dated 24.12.2004 is hereby revoked with effect from 01.04.2005.

2. Shri L.K. Salgat, presently working as SW(P&M), in O/o SSW-I as per order dated 24.06.04 is directed to report for duty as EE(E) at Guwahati.

3. This issues with the approval of competent authority.

(Gurdeep Singh)
Dy. Director of Admn.

✓ Shri L.K. Salgat
SW(P&M),
O/o SSW-I, CCW, AIR,
Soochna Bhavan,
New Delhi.

Copy to:

1. PS to CEO, Prasar Bharati, New Delhi..
2. PS to JS(B), M/o I&B, New Delhi
3. PS to DG:AIR/DDN, PS to E-In-C. AIR/DDN.
4. PS to CE-I/PS to CE-II/ PS to Chief Architect, CCW, AIR, New Delhi.
5. SSW-I/II/III, All SEs(C/E)/SAs.
6. EO-I/EO-II/FO to CE-II
7. All EEs(C/E)/SWs(C/E)/Architects.
8. CW-I/CW-II/CW-III/CW-IV Sections.
9. Vigilance Section, M/o I&B, Shastri Bhavan, New Delhi.
10. Vigilance Section, DG:AIR, Akashvani Bhaven, New Delhi.
11. Gen. Secy. All India Akashvani & DDN, SC/ST Employees Welfare Association, 257/80, Bagichi Raghunath, Sader Thana Road, Delhi-110006.
12. Guard file/Order folder.
13. PAO, IRLA, AGCR, I.P. Estate, New Delhi.

ATTESTED

Bhatte
ADVOCATE

Ravi G. G.
Section Officer

~~ANNEXURE~~ ~~AB~~ ²³

~~137~~ ANNEXURE-- B

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No. 20014/3/83-D-IV
Government of India
Ministry of Expenditure

New Delhi, the 14th Dec. '83

Copy of Min. of Def. O.M- No.4(19)/83/D Civ-I
dt. 11.1.89

OFFICE MEMORANDUM

Subject: Allowance and Facilities for civilian
employees of the Central Govt. servants
in the states and Union Territories of
the North Eastern Region - Improvement
thereon-

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 Tripura and the
Union Territories of Arunachal Pradesh and Mizoram
has been engaging the attention of the Govt. for
some time. The Govt. had appointed a committee
under the Chairmanship of Secretary, Department of Per-
sonnel and Administrative Reforms, to review the

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Bhatte

ADVOCATE

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existing allowances and facilities admissible to the various categories, of civilian Central Govt. Employees serving in this region and to suggest suitable improvement. The recommendations of the committee have been carefully considered by the Govt. and the President is now pleased to decide as follows:

(1) Tenure of posting/deputations:

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 the time for officers with more than 10 yrs. of service. Periods of leave, training, etc. In cases 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 station of their choice as far as possible.

The period of deputation of the Central Govt. employees to the states/Union Territories of the North Eastern Region will generally be for 3 years

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S. Bhatte

ADVOCATE

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which can be extended in exceptional cases in
of public services as well as when
when the employees concerned is prepared to stay
longs. The admissible deputation allowances will
also be continue and be paid during the period
of deputation of extended.

(ii) Weightage for Central deputation/training
abroad and special mention in confidential
records.

Satisfactory performances of duties for the
prescribed tenure in the North Eastern shall
be given due recognition in the case of eligible
officers in the

- (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 services in a cadre post between two Central

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ATTESTED

S. Shatta
ADVOCATE

tenure deputation may be relaxed to two years in deserving cases of meritorious services in the North East.

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

(iii) Special (Duty) allowances:

Central Govt. 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) Allowances. Special (Duty) Allowances will be in addition to any special pay and/or deputation (duty) allowances already being drawn subject to the condition that the total of such special (Duty) allowances like special compensatory (Remote Locality) allowances

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construction allowances and project Allowances
will be drawn separately.

(iv) Special Compensatory Allowances
Assam and Meghalaya.

The rate of the allowances will be 5% of
basic pay subject to a minimum of Rs.50/- p.m.
admissible to all employees without any pay
limit. The above allowances will be admissible
with effect from 1.7.82 in the case of Assam.

2. Manipur

The rates of allowances will be as follows
for the whole of Manipur :-

Pay upto Rs.2 0/- Rs.40 P.M.

Pay upto Rs. 20/- Rs.15% of basic pay
subject to maximum of
Rs.150/- p.m.

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Bhalla

ADVOCATE

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Tripura

The rates if the allowance will be admissible as follows:-

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

b) other areas:

Pay upto Rs.20/- Rs.40/- p.m.

Pay above Rs.20/- 15% of basic pay subject to a maximum of Rs.150/- p.m.

There will be no change in the existing rates of special compensatory allowances admissible in Arunachal Pradesh, Nagaland and Mizoram and the existing rate of Disturbance allowances admissible in specified areas of Mizoram.

(v) Travelling allowances on first appointment

The relaxation of the present rules (BR-103) that the existing allowance is not admissible for

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Shatta
ADVOCATE

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journeys enlisted connection with initial
appointment, in case of journeys for initial
appointment to a post in the North Eastern Region
for travelling allowances limited to by bus
fare/second class rail fare for road/mailing
in case of first 400 kms. for the Govt.
servant himself will be available.

(vi) Travelling allowances for journey on
transfer.

In relaxation of orders below SR-11, on
transfer to a station in the North-Eastern Region,
the family if the Govt. servant does not accompany
him, the Government servant will be paid travelling
allowances on tour for self only for transit period
to join the post and will be permitted to carry
personal effects upto 1/3 of his entitlement
at Govt. cost or have a equivalent of carrying
1/3rd of his entitlement of the difference in
weight of the personal effects actually
carrying and 1/3rd of his entitlement as the case
may be in line of the cost of transportation of
baggage. In case the family accompanies the

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Shatta
ADVOCATE

Govt. servant on transfer, the Govt. servant will be entitled to the existing admissible travelling allowances including the cost of transportation as charges of the admissible 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 personnel effects

In the relaxation of orders below SR 110 for transportation of the personnel effects on transfer between two different stations in the North Eastern Region, higher rate of allowances admissible for transportation in 'A' class cities subject to the actual expenditure incurred by the Govt. servant will be admissible.

(viii) Joining time with leave

In the case of Govt. servants proceeding on leave from a place of posting in North Eastern Region, the period of travelling excess of two days

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Bhalla

ADVOCATE

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from the station of posting to outside that region will be treated as joining time. The outside will be admissible on return from leave.

(ix) Leave travel concession

A Govt. servant who leaves his family behind at the old duty station or another selected place of residence for the family will have to 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 eastern region to his home town or place where the family is residing and in facility for the family (restricted to his and two dependee children only) also ~~xxx~~ to travel once a year to employee at the station of posting in the north eastern region. In case the

the cost of travel for the initial stage (400 kms will not be borne by the officer.

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ATTESTED

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ADVOCATE

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officers drawing pay of Rs.2250/- or above and their families i.e. spouse and two dependent children (to 18 yrs. for boys and 24 yrs. for girls) will be allowed are travel between Imphal/Silchar/Agartala and Calcutta and vice-versa, while performing journeys mentions in the proceeding paragraph.

(x) Children Education Allowances/Postal subsidy)

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

2. The above orders except ~~the~~ in sub para (iv) will also be mutatis mutandis apply to Central Govt. e./, places posted to Andaman and Nicobar Islands.

ATTESTED

Bhalla
ADVOCATE

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3. These orders will take effect from 1st Nov.'93 and will remain in force for a period of three years upto 31st Oct.1986.

4. All existing special allowance, facilities and concessions extended by any special orders by the Ministries/Departments of the central Govt. 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.

5. Separate orders will be issued in respect of other recommendation of the committee ferred to in paragraph 1 as and when decisions are taken by them by the Govt.

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

sd/-
(S.C. Mahalik)
Jt. Secy. to the Govt. of India

ATTESTED

Shette
ADVOCATE

New Delhi, Dated July 22, 1998.

OFFICE MEMORANDUM

Subject: Allowances and Special Facilities for Civilian Employees of the Central Government serving in the States and Union Territories of the North-Eastern Region and in the Andaman & Nicobar and Lakshadweep Groups of Islands -- Recommendations of the Fifth Central Pay Commission.

With a view to attracting and retaining competent officers for service in the North-Eastern Region, comprising the territories of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura, orders were issued in this Ministry's O.M. No. 20014/3/83-E.IV dated December 14, 1983 extending certain allowances and other facilities to the Civilian Central Government employees serving in this region. In terms of paragraph 2 thereof, these orders other than those contained in paragraph 1(iv) *ibid.* were also to apply mutatis mutandis to the Civilian Central Government employees posted to the Andaman & Nicobar Islands. These were further extended to the Central Government employees posted to the Lakshadweep Islands in this Ministry's O.M. of even number dated March 30, 1984. The allowances and facilities were further liberalised in this Ministry's O.M. No. 20014/16/86-E.IV/E.II(3) dated December 1, 1988 and were also extended to the Central Government employees posted to the North-Eastern Council when stationed in the North-Eastern Region.

2. The Fifth Central Pay Commission have made certain recommendations suggesting further improvements in the allowances and facilities admissible to the Central Government employees, including Officers of the All India Services, posted in the North-Eastern Region. They have further recommended that these may also be extended to the Central Government employees, including Officers of the All India Services, posted in Sikkim. The recommendations of the Commission have been considered by the Government and the President is now pleased to decide as follows:

(I) Tenure of Posting/Deputation

The provisions in regard to tenure of posting/deputation contained in this Ministry's O.M. No. 20014/3/83-E.IV dated December 14, 1983, read with O.M. No. 20014/16/86-E.IV/E.II(B) dated December 1, 1988, shall continue to be applicable.

(II) Weightage for Central Deputations/Training Abroad and Special Mention in Confidential Records

The provisions contained in this Ministry's O.M. No. 20014/3/83-E.IV dated December 14, 1983, read with O.M. No. 20014/16/86-E.IV/E.II(D) dated December 1, 1988, shall continue to be applicable.

(III) Special (Duty) Allowance

Central Government Civilian employees having an "All India Transfer Liability" and posted to the specified Territories in the North-Eastern Region shall be granted the Special (Duty) Allowance at the rate of 12.5 per cent of their basic pay as prescribed in this Ministry's O.M. No. 20014/16/86-E.IV/E.II(B) dated December 1, 1988, but without any ceiling on its quantum. In other words, the ceiling of Rs 1,000 per month currently in force shall no longer be applicable and 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. Other terms and conditions governing the grant of this Allowance shall, however, continue to be applicable.

In terms of the orders contained in this Ministry's O.M. No. 20022/2/88-E.II(B) dated May 24, 1989, Central Government Civilian employees having an "All India Transfer Liability" and posted to serve in the Andaman & Nicobar and Lakshadweep Groups of Islands are presently entitled to an Island Special Allowance at varying rates in lieu of the Special (Duty) Allowance admissible in the North-Eastern Region. This Allowance shall continue to be admissible to the specified category of Central Government employees at the same rates as prescribed for the different specified areas in the O.M. dated May 24, 1989, but without any ceiling on its quantum. This Allowance shall also henceforth be termed as Island Special (Duty) Allowance. Separate orders in regard to this Allowance have been issued in this Ministry's O.M. No. 12(1)/98-E.II(B) dated July 17, 1998.

Attention is also invited in this connection to the clarificatory orders contained in this Ministry's O.M. No. 11(3)/95-E.II(B) dated January 12, 1996, which shall continue to be applicable not only in respect of the Central Government employees posted to serve in the North-Eastern Region but also to those posted to serve in the Andaman & Nicobar and Lakshadweep Groups of Islands.

ATTESTED

S. Shetty

ADVOCATE

29-10-83 25-22-83

Special Compensatory Allowances

Orders in regard to revision of the rates of various Special Compensatory Allowances, such as Remote Locality Allowance, Bad Climate Allowance, Tribal Area Allowance, Composite Hill Compensatory Allowance, etc., which are location-specific, have either been separately issued or are under issue based on the Government decisions on the recommendations of the Fifth Central Pay Commission relating to these allowances. These orders shall apply to the eligible Central Government employees posted in the specified localities in the North-Eastern Region, Andaman & Nicobar Islands and Lakshadweep Islands, depending on the area(s) of their posting and subject to the observance of the terms and conditions specified therein. Such of those employees who are entitled to the Special [Duty] Allowance or the Island [Special Duty] Allowance shall also be entitled, in addition, to the Special Compensatory Allowance(s) as admissible to them in terms of these separate orders.

Central Government employees entitled to Special Compensatory Allowances, separate orders in respect of which are yet to be issued, will continue to draw such allowances at the existing rates with reference to the 'functional' pay which they would have drawn in the applicable pre-revised scales of pay but for the introduction of the corresponding revised scales till the revised orders are issued on the basis of the recommendations of the Fifth Central Pay Commission and the Government decisions thereon.

(v) Travelling Allowance on First Appointment

The existing concessions as provided in this Ministry's O.M. No. 20014/3/83-E.IV dated December 14, 1983 and further liberalised in O.M. No. 20014/16/86-E.IV/E.II(B) dated December 1, 1988, shall continue to be applicable.

(vi) Travelling Allowance for Journeys on Transfer; Road Mileage for Transportation of Personal Effects on Transfer; Joining Time with Leave

The existing provisions as contained in this Ministry's O.M. No. 20014/3/83-E.IV dated December 14, 1983 shall continue to be applicable.

(vii) Leave Travel Concession

In terms of the existing provisions as contained in this Ministry's O.M. No. 20014/3/83-E.IV dated December 14, 1983, the following options are available to a government servant who leaves his family behind at the old headquarters or another selected place of residence, and who has not availed of transfer travelling allowance for the family :

(a) the government servant can avail of the leave travel concession for journey to the Home Town once in a block period of two years under the normal Leave Travel Concession Rules;

OR

(b) in lieu thereof, the government servant can avail of the facility for himself/herself to travel once a year from the station of posting to the Home Town or the place where the family is residing and for the family [restricted only to the spouse and two dependent children of age up to 18 years in respect of sons and up to 24 years in respect of daughters] also to travel once a year to visit the government servant at the station of posting.

These special provisions shall continue to be applicable.

In addition, Central Government employees and their families posted in these territories shall be entitled to avail of the Leave Travel Concession, in emergencies, on two additional occasions during their entire service career. This shall be termed as "Emergency Passage Concession" and is intended to enable the Central Government employees and/or their families [spouse and two dependent children] to travel either to the home town or the station of posting in an emergency. This shall be over and above the normal entitlements of the employees in terms of the O.M. dated December 14, 1983, and the two additional passages under the Emergency Passage Concession shall be availed of by the entitled mode and class of travel as admissible under the normal Leave Travel Concession Rules.

Further, in modification of the orders contained in this Ministry's O.M. No. 20014/16/86-E.IV/E.II(B) dated December 1, 1988, Officers drawing pay of Rs 13,500 and above and their families, i.e. spouse and two dependent children (up to 18 years in respect of sons and up to 24 years in respect of daughters) will be permitted to travel by air on Leave Travel Concession between Agartala/Aizawl/Imphal/Lilabari/Silchar in the North East and Calcutta and vice versa; between Port Blair in the Andaman & Nicobar Islands and Calcutta/Madras and vice versa; and between Kavaratti in the Lakshadweep Islands and Cochin and vice versa.

ATTESTED

Shalita
ADVOCATE

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(viii) Children Education Allowance and Hostel Subsidy

The existing provisions as contained in this Ministry's O.M. No. 20014/16/83-E.IV dated December 14, 1983 shall continue to be applicable. The rates of Children Education Allowance and Hostel Subsidy having been revised in the Department of Personnel & Training O.M. No. 21017/1/97-Estt.(Allowances) dated June 12, 1998, the Allowance and Subsidy shall be payable at the revised monthly rates of Rs 100 and Rs 300 respectively per child.

(ix) Retention of Government Accommodation at the Last Station of Posting

The facility of retention of Government accommodation at the last station of posting by the Central Government employees posted to the specified territories and whose families continue to stay at that station is available in terms of the orders contained in the erstwhile Ministry of Works & Housing O.M. No. 12035/24/77-Vol. VI, dated February 12, 1984, as amended from time to time. This facility shall continue to be available to the eligible Central Government employees posted in the North-Eastern Region, Andaman & Nicobar Islands and Lakshadweep Islands. In partial modification of these orders, Licence Fee for the accommodation so retained will be recoverable at the applicable normal rates in cases where the accommodation is below the type to which the employee is entitled to and at one and a half times the applicable normal rates in cases where the entitled type of accommodation has been retained. The facility of retention of Government accommodation at the last station of posting will also be admissible for a period of three years beyond the normal permissible period for retention of Government accommodation prescribed in the Rules.

(x) House Rent Allowance for Employees in Occupation of Hired Private Accommodation

The orders contained in this Ministry's O.M. No. 11016/1/E.II(B)/84 dated March 29, 1984, and extended in this Ministry's O.M. No. 20014/16/86-E.IV/E.II(B) dated December 1, 1988, shall continue to be applicable.

(xi) Retention of Telephone Facility at the Last Station of Posting

As provided in this Ministry's O.M. No. 20014/16/86-E.IV/E.II(B) dated December 1, 1988, Central Government employees who are eligible for residential telephones may be permitted to retain their residential telephone at their last station of posting, provided the rental and all other charges are paid by the concerned employees themselves.

(xii) Medical Facilities

Families and the eligible dependants of Central Government employees who stay behind at the previous stations of posting on the employees being posted to the specified territories shall continue to be eligible to avail of CGHS facilities at stations where such facilities are available. Detailed orders in this regard will be issued by the Ministry of Health & Family Welfare.

3. The President is also pleased to decide that these orders, in so far as they relate to the Central Government employees posted in the North-Eastern Region, shall also be applicable *mutatis mutandis* to the Civilian Central Government employees, including Officers of the All India Services, posted to Sikkim.

4. These orders will take effect from August 1, 1997.

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

6. Hindi version will follow.

N. Sunder Rajan

(N.SUNDER RAJAN)

Joint Secretary to the Government of India

To

All Ministries/Department of the Government of India [As per standard Distribution List]

Copy [with usual number of spare copies] forwarded to C&AG, UPSC, etc. [As per standard Endorsement List]

Copy also forwarded to Chief Secretary, Andaman & Nicobar Islands and Administrator, Lakshadweep.

ATTESTED

Shaltee

ADVOCATE

PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)
OFFICE OF THE EXECUTIVE ENGINEER(ELECT)
CIVIL CONSTRUCTION WING: ALL INDIA RADIO
RAJGARH ROAD : CHANDMARI : GUWAHATI-3

NO. GHY-EE(E)/1(3)/06-07/S/ 87

Date : 22-03-2007

To
The Superintending Engineer(E)-Metro
Civil Construction Wing,
All India Radio,
11th Floor, Soolina Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 003.

Sub : Annual exercise of transfer/posting in CCW, AIR.
Ref : Your letter No. SE(E)/CCW/AIR/KOL-1(3) dt. 16-2-2007.

Sir,

The requisite information as asked for in the prescribed proforma (Annexure-I) furnished by the following officers are forwarded herewith for necessary action please.

1. Sh. L.K. Salgat, EE(E), CCW, AIR, Guwahati
2. Sh. A.S. Bishu, AE(E), CCW, AIR, Guwahati
3. Sh. N.L. Yantlan, AE(E), CCW, AIR, Itanagar.

The prescribe application for transfer in respect of Sh. U.S. Thakrayan, ASW(E), Gly. will be sent immediately after obtaining proper signature please.

Encls : as above.

Yours faithfully,

(L.K. SALGAT)
EXECUTIVE ENGINEER(ELECT)
CCW::: AIR::: GUWAHATI

Copy to:

1. The Director General, CCW, AIR, (kind attn. Sh. A.P. Divakaran, SSW-E-III, 5th Floor, Soolina Bhawan, CGO Complex, New Delhi - 110 003 for information along with Annexure-I please.

EXECUTIVE ENGINEER(ELECT)

ATTESTED

Shetty
ADVOCATE

Annexure-LIndex Card/ Application for Transfer.

1. Name in full (In Block Letters) : L.K. Saigat
2. Designation : Executive Engineer (F)
3. (i) Whether appointed on Regular or Adhoc Basis : Regular
- (ii) If regular, probation has been terminated or not. : Yes
4. Present place of Posting with date : Guwahati Divn. (May'05)
5. Educational Qualifications : B.E. (Elect.)
6. Date of Birth. : 24-01-63
7. Present Residential Address. : -
8. Permanent Home Town Address : 125, Dravid Nagar, Indore (MP)
9. Whether SC/ST/OBC. : -
10. IRLA No. Wherever applicable : 11569
11. Date of Appointment in entry grade with Designation. : 17-5-86
12. Date of Appointment in Present Grade. : 22-12-95

ATTESTED

Mhatte
ADVOCATE

13. Past Postings with full details in each Cadre/Grade :

S.No.	Designation	Period		Name of Station
		From	To.	
	Separate sheet attached			

14. The grounds/reasons for Seeking transfer.

15. Name of three Stations in the Order of Preference to which Transfer is to be considered.

16. Details of Training Undergone

17. If spouse is employed, give details including present place of posting.

18. Mother Tongues and other Languages known.

19. Any other information relevant of considering Transfer.

Completed Tenure at difficult station in north-east

1. Mumbai
2. Delhi

Marathi

- I can move from Gwalior after Oct. or the next academic session.

Signature with Date

Note :- Attach separate sheet for Col.No.13, if the space is Insufficient.

Verification.

The above particulars have been verified from the service record and found correct.

ATTESTED

Shatle
ADVOCATE

Controlling Officer.

13. Post posting with full details in each Cadre/Grade

S.No.	Designation	Period		Name of Station
		From	To	
1.	AE (E)	May'86	May'88	Hyderabad
2.	AE (E)/ASW(E)	Sept'88	Feb'92	Nagpur
3.	AE(E)	Feb'92	April'93	Bhubaneswar
4.	ASW/EE(E)(CDC)	May'93	Dec'95	Mumbai
5.	EE(E)	Dec'95	May'97	Mumbai
6.	SW(E)	June'97	Jan'04	Delhi
7.	EE(E)	Jan'04	Nov'04	Delhi
8.	SW(F)	Nov'04	April'05	Delhi
9.	EE(E)	May'05	till date	Guwahati

[Signature]

ATTESTED

[Signature]

ADVOCATE

- 35 -

ANNEXURE-- E

**PRASAR BHARATI
(BROADCASTING CORPORATION OF INDIA)**

Directorate General: Civil Construction Wing
ALL INDIA RADIO, 5TH FLOOR, SOOCHNA BHAWAN,
CGO COMPLEX, LOOHI ROAD, NEW DELHI - 110 003.
Tel. - 011-24366801 Fax - 011-24366801 E-mail - asw2ccw@yahoo.co.in

No.A-22013/2/2007/EE-E/CW.I

Dated: 14.05.2007

ORDER No. 26

The following transfer/postings in the grade of EE(E)/SW(E) are hereby ordered with immediate effect in public interest:

Sl.	Name/Design. S/Sh./Smt.	From	To	Remarks
1.	A.P.John	EE(E) Div-II Delhi	SW(E) Delhi Circle	Vice Shri Suresh Kumar
2.	Suresh Kumar #	SW(E) Delhi Circle	EE(E) Div.-II Delhi	Vice Shri A.P.John
3.	A.B.Das	ASW(E) Kolkata	EE(E) Guwahati ##	Vice Shri L.K.Saighat
4.	L.K.Saighat	EE(E) Guwahati	SW(E) Nagpur	Vice Shri Satish Chandra
5.	Satish Chandra	SW(E) Nagpur	EE(E) Nagpur	Vacant Post

The financial powers for works will be exercised by SE(E) Delhi.
Promoted as EE(E) Vice MIB order No. 8 dated 25.04.2007

(D.S.K. Bhagwan)
Superintending Surveyor of Works-II

Copy for information to:-

1. PS TO CEQ, Prasar Bharati, New Delhi.
2. PS to DG-AIR/DDN, New Delhi.
3. PS to E-in-C, AIR/DDN, New Delhi.
4. PS to CE-III, CCW, AIR, New Delhi.
5. PS to Chief Architect, CCW, AIR, New Delhi.
6. SSW-I/III, CCW, AIR, New Delhi.
7. All SEs(C)/(E), SA-I/II, CCW, AIR.
8. All EEs(C)/(E), SWS(C)/(E)/EE(Vig.), CCW, AIR.
9. EO-III, Sr. FO/FO to CE-III/Architect
10. CW-I/II/III/IV, Sections, CCW, AIR, New Delhi.
11. Vigilance Section, M/o I&B, Shastri Bhawan, New Delhi.
12. Vigilance Section, DG, AIR, Akashwani Bhawan, New Delhi.
13. PAO, ACCR Building, IRLA, New Delhi.
14. Officers Concerned.
15. Guard File/Order File.

ATTESTED

Bhatte
ADVOCATE

meher
Section Officer, CW.I

18-36-
ANNEXURE-- F

BY FAX

011-22,42,1986/4967
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PRASAR BHARATI
BROADCASTING CORPORATION OF INDIA
OFFICE OF THE EXECUTIVE ENGINEER(ELECT.)
CIVIL CONSTRUCTION WING ALL INDIA RADIO
GUWAHATI-3

No.GHY-EE(E)/21(5)/PF-EE(E)/06-07/10/
15.05.07

Dated- 15.5.07

To
The Director General
All India Radio
Akashvani Bhawan
New Delhi.

Sub : Representation against the transfer order.

Ref : i) Order No.A-22013/2/2007/EE(E)/CW-I/864 dt.14-5-07.

ii) This office letter No.GHY-(EE(E)/1(3)/06-07/S/87 dt. 22-3-07 enclosing option (copy enclosed)

Respected Sir,

I am deeply shocked to receive the transfer order under reference; after serving full tenure of 2 years at Guwahati a difficult Station in North East to Nagpur for which I did not give any option.

Sir, as per prevailing Govt. norms for transfer to choice posting after serving difficult Station in North-East, I am entitled for posting to Mumbai.

Sh. V.R. Vijayan,EE(E),Mumbai, it is learnt, has opted for transfer as to Chennai which is presently occupied by Sh.Showkat Ali, who is retiring on superannuation in Oct'07.

Sir, my family presently is in Delhi, with daughter studying there in 8th Standard; a crucial phase of academic studies. I had also opted for Delhi as an intermediate posting till vacancy at Mumbai occurs on or after Oct'07 during the current year.

The transfer order has come as a bolt from the blues as I am transferred neither to Mumbai nor Delhi.

Sir, I therefore request you to kindly review the transfer order and post me to the choice Station at Mumbai or intermediate station at Delhi(so that the studies of my daughter do not suffer) till vacancy at Mumbai arises as above.

Enelo : Copy of the option submitted.

Yours faithfully,

(L.K. SARGAN)
Executive Engineer(Elect.)
CCW, AIR, Guwahati.

- Copy to : 1. The P.S. To C.E.O., Prasar Bharati 2nd Floor, P.T.I. Building, Parliament Street, New Delhi for kind information and necessary action please.
2. The Chief Engineer-I, CCW, AIR, 6th Floor, Soochna Bhawan, New Delhi for information and necessary action please.

ATTESTED

Shatta
ADVOCATE

Executive Engineer(Elect.)