

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

✓ O.A./TA/ NO....149...2015
R.A./CP/NO.....2015
E.P./M.P./NO.....2015

1. Order Sheets.....1.....page.....1.....to 01 ✓
2. Judgment/ order dtd/08.2009 page.....1.....to 4 ✓
3. Judgment & Order dtd...../.....received from H.C. /Supreme Court.
4. O.A.149/2009.....page.....1.....to 32 ✓
5. E.P/M.P.page.....to.....
6. R.A./C.P.....page.....to.....
7. W.S.Page.....to.....
8. Rejoinder.....page.....to.....
9. Replypage.....to.....
10. Any other paperspage.....to.....

11. Memo of appearance p/o1 ✓

02/06/2015
08/07/2015
SECTION OFFICER (JUDL.)

FORM NO. 4
(See Rule 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :
ORDERSHEET

1. ORIGINAL APPLICATION No : 149 / 2009
2. Transfer Application No : ----- / 2009 in O.A. No.-----
3. Misc. Petition No : ----- / 2009 in O.A. No.-----
4. Contempt Petition No : ----- / 2009 in O.A. No.-----
5. Review Application No : ----- / 2009 in O.A. No.-----
6. Execution Petition No : ----- / 2009 in O.A. No.-----

Applicant (S) : Uttam Kumar Saha

Respondent (S) : U. O. I & Ops

Advocate for the : Mr. J. Chutiya, Mr. M. Doley,
{Applicant (S)} Ms. Sangeta Sonowal.

Advocate for the : C.G.S.C.
{Respondent (S)}

Notes of the Registry	Date	Order of the Tribunal
<p>This application is in form is filed for Rs. 50/- deposited vide IPO/BD No...<u>396...417999</u> Dated...<u>6-8-2009</u></p> <p><u>Dy. Registrar</u></p>	<p>10.08.2009</p> <p>/lm/</p>	<p>For the reasons recorded separately, this O.A. stands disposed of.</p> <p><u>(M.K. Chaturvedi)</u> (M.R. Mohanty) Member(A) Vice-Chairman</p>

Steps taken
along with envelope

30-8-09

Received
Usha Das
Adm. Chuc.
12/8/09

12/08/2009

Judgment with Notice
order dtd 10/08/2009 send
to the D/section for
issuing the to the
Applicant & Respondents.
by Regd. post.

D/No. 9691-9699

dtd 24/8/09

~~12/8/09~~
12/8/09

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI :

O.A.No.149 of 2009

Date of Decision 10.08.2009

Shri Uttam Kumar Saha

..... Applicant/s

Mr. J.Chutiya,

..... Advocate for the
Applicant/s

- Versus -

U.O.I. & Ors.

..... Respondent/s

Ms. Usha Das Addl.C.G.S.C.

..... Advocate for the
Respondents

CORAM

MR. MANORANJAN MOHANTY, VICE-CHAIRMAN

MR. MADAN KUMAR CHATURVEDI, 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 their Lordships wish to see the fair copy of the Judgment ? Yes/No[✓]

Member /Vice-Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.149 of 2009

Date of Order: This the 10th Day of August 2009.

HON'BLE MR.MANORANJAN MOHANTY, VICE-CHAIRMAN,
HON'BLE MR.MADAN KUMAR CHATURVEDI, ADMINISTRATIVE MEMBER

Sri Uttam Kumar Saha
Son of Late Bhabendra Kr. Saha
Bishnu Rava Path, Beltola
Guwahati, Assam.
Applicant

By Advocates : Mr. J. Chutiya, Mr. M. Doley, Ms.
S. Sonowal

-Versus-

1. Union of India represented by
Comptroller and Auditor General of India
10, Bahadur Shah Jaffar Marg
Indraprastha Head Post Office
New Delhi- 24.
2. Accountant General (A&E)
Assam, Maidam Gaon
Beltola, Guwahati- 29.

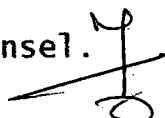
Respondents

By Advocate : Ms. Usha Das, Addl. CGSC.

Order (Oral)
O.A.No.149 of 2009
10.08.2009

M.R.MOHANTY, V.C:

On being mentioned by Mr.Jayanta Chutiya, learned
counsel for the Applicant, this matter is taken up. A copy
of this Original Application has already been supplied to
learned Addl. Standing Counsel.



2. Applicant (an AAO of the office of the Accountant General (A&E) Assam) by an order dated 6th August 2009, has been asked to go on transfer (on deputation basis) to the office of the Senior Deputy Accountant General (A&E) Nagaland at Kohima. Coming to know that he is being transferred (on deputation basis) from Assam/Guwahati to Nagaland/Kohima, the Applicant submitted a representation (on 05.08.2009) requesting the Accountant General/ Assam to reconsider his case. In the said representation the Applicant has disclosed about his recent Gall bladder operation and his other ailments. He has also disclosed about some of his family problems; for which his transfer may affect adversely.

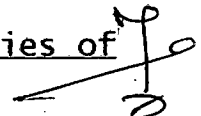
3. In the impugned transfer order dated 6th August 2009, Applicant was asked to be released from Assam/Guwahati Accountant General Office in Forenoon of 10.08.2009/to-day. Mr.J.Chutiya, learned counsel for the Applicant states that on 7th August 2009, the Applicant has also submitted another representation pertaining the transfer order in question.

4. Heard Mr. J. Chutiya, learned counsel appearing for the Applicant and Ms.Usha Das, learned Addl. Standing Counsel for the Central Government and perused the materials placed on record.

5. 'Who will be posted where' is to be decided by the competent authority in control of the matter and this Tribunal, ordinarily, should not interfere in such matters. That apart, the Apex Court has already decided that, on facing an order of transfer, one should go and report at the new Station/place of posting and, thereafter only, he/she should put up his/her representation for his/her appropriate posting/difficulties. At the same time it should be kept in mind that redressal of grievances of the employees (pertaining to their personal difficulties) at the earliest opportunity is a healthy personal management.

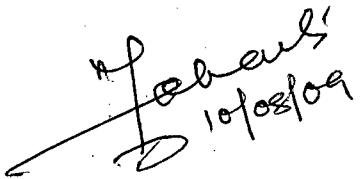
6. In the aforesaid premises, we dispose of this case by way of granting liberty to the Applicant to put up his grievances before his authorities, in a comprehensive representation; which should be done by the Applicant within five days. Mr.J.Chutiya, learned counsel for the Applicant undertakes to give necessary instructions to the Applicant in this regard. While disposing of this case, we expect for an early disposal of the representations submitted and to be submitted by the Applicant. Respondents should also treat a copy of this Original Application as a representation (of the Applicant) addressed to them (Respondents) and take the same in to consideration expeditiously and pass orders under intimation to the Applicants.

7. Send copies of this order to the Applicant and the Respondents in the address given in the O.A. Copies of



this O.A. be also sent to the Respondents along with the
copies of this order. Free copies of this order be also
supplied to the Advocates appearing for both the parties.


(M.K.CHATURVEDI)
ADMINISTRATIVE MEMBER


(MANORANJAN MOHANTY)
VICE-CHAIRMAN

LM

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH : RAJGARH ROAD
DHANAGARH :: GUWAHATI - 05.

O.A. No. 149 of 2009.

Shri Uttam Kr. Saha

Applicant.

-Versus-

U.O.I. & Ors.

Respondent(s)

Memo No.

9694

Dated

24-8-09

Copy to :-

1. Shri Uttam Kr. Saha,
Bishnu Rava Path, Beltola,
Guwahati, Assam.

Applicant.

2. The Comptroller and Auditor General of India,
10, Bahadur Shah Jaffar Marg,
Indraprastha Head Post Office,
New Delhi - 110 024.
3. The Accountant General (A&H)
Assam, Maidam Gaon,
Beltola, Guwahati - 781 029.

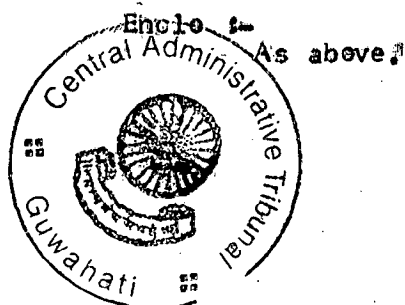
Respondent(s).

4. Shri J. Ghutiya, Mr. M. Doley, &
Ms. S. Sonowal, Advocate for Applicant.
5. Ms. Usha Das, Addl. CGSC, for Respondents.

Please find enclosed herewith a copy of the order dated 10/08/2009 passed in O.A. No. 149 of 2009 by this Tribunal and do needful.

By Order,

SECTION OFFICER(J).



CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.149 of 2009

Date of Order: This the 10th Day of August 2009.

HON'BLE MR. MANORANJAN MOHANTY, VICE-CHAIRMAN,
HON'BLE MR. MADAN KUMAR CHATURVEDI, ADMINISTRATIVE MEMBER

Sri Uttam Kumar Saha
Son of Late Bhabendra Kr. Saha
Bishnu Rava Path, Beltola
Guwahati, Assam.
Applicant

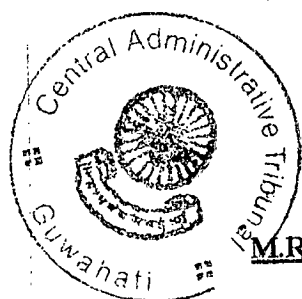
By Advocates : Mr. J. Chutiya, Mr. M. Doley, Ms.
S. Sonowal

-Versus-

1. Union of India represented by
Comptroller and Auditor General of India
10, Bahadur Shah Jaffar Marg
Indraprastha Head Post Office
New Delhi- 24.
2. Accountant General (A&E)
Assam, Maidam Gaon
Beltola, Guwahati- 29.

Respondents

By Advocate : Ms. Usha Das, Addl. CGSC.



Order (Oral)
O.A.No. 149 of 2009
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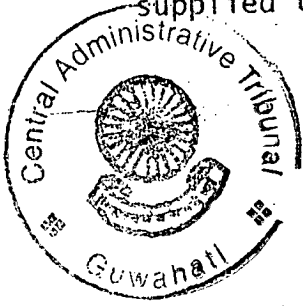
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6. In the aforesaid premises, we dispose of this case by way of granting liberty to the Applicant to put up his grievances before his authorities, in a comprehensive representation; which should be done by the Applicant within five days. Mr.J.Chutiya, learned counsel for the Applicant undertakes to give necessary instructions to the Applicant in this regard. While disposing of this case, we expect for an early disposal of the representations submitted and to be submitted by the Applicant. Respondents should also treat a copy of this Original Application as a representation (of the Applicant) addressed to them (Respondents) and take the same in to consideration expeditiously and pass orders under intimation to the Applicants.

Send copies of this order to the Applicant and the Respondents in the address given in the O.A. Copies of



this O.A. be also sent to the Respondents along with the
copies of this order. Free copies of this order be also
 supplied to the Advocates appearing for both the parties.



Sd/-
 M.R. Mohanty
 Vice Chairman

Sd/-
 M.K. Chaturvedi
 Member (A)

LM

TRUE CO.
 प्रतिलिपि
 अनुभाग अधिकारी
 Section Officer (Judr)
 Central Administrative Tribunal
 गुवाहाटी न्यायपीठ
 Guwahati Bench
 गुवाहाटी/Guwahati

THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH
AT GUWAHATI

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

Original Application No: 149 of 2009

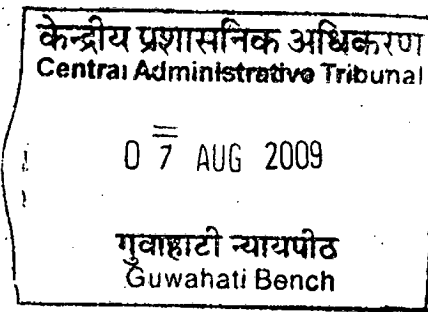
Uttam Kumar Saha

----- Applicant

Vs

Union of India & Others.

----- Respondents



Uttam Kumar Saha

INDEX

<u>SL. NO.</u>	<u>PARTICULARS</u>	<u>PAGE</u>
1	Application	1-11
2	Verification	12
3	Annexure - 1	13 & 14
4	Annexure - 2	15 & 16
5	Annexure - 3	17-19
6	Annexure - 4	20-22
7	Annexure - 5	23 & 24
8.	Annexure - 6	25-28
9.	Annexure - 7	29
10.	Annexure - 8	30
11.	Annexure - 9	31 & 32

Filed by
Sangul Sanad
Advocate.

THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

AT GUWAHATI

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

Original Application No: ¹⁴⁹ ~~149~~ of 2009

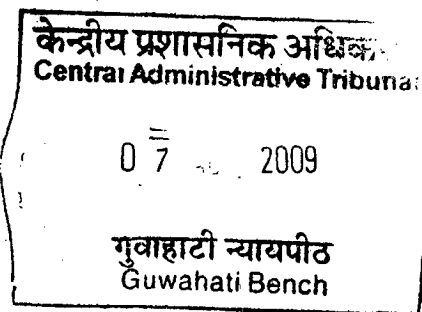
Uttam Kumar Saha

----- Applicant

-Vs-

Union of India & Others.

----- Respondents



LIST OF DATES

Sl. No. DATES

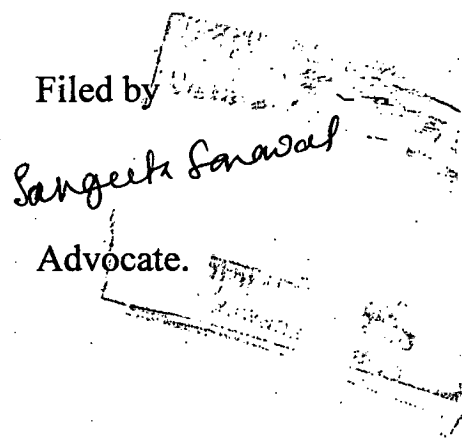
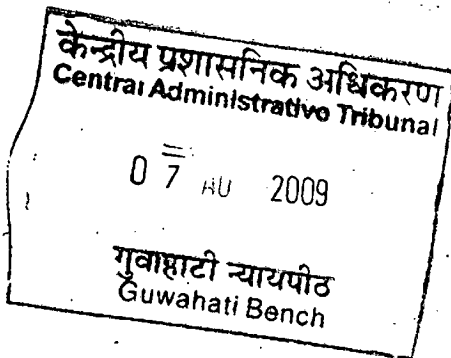
PARTICULARS

1. 19.06.1992 ⇒ Applicant joined as clerk-cum-typist in the Office of the AG (A &E) Assam, Shillong.
2. 11.01.2005 ⇒ Applicant was promoted as section Officer (Group B non-Gazetted) and posted in the Office of the AG (A&E) Meghalaya, Shillong.
3. 30.03.2006 ⇒ Circular was issued for cadre separation of Group B cadre from Section Officer to Senior Accounts Officer in the AG (A&E) Offices of any region.
4. 26.04.2006 ⇒ Circular for separation and posting of Group B cadre in the ratio of 80:20 for AO/SO and final allocation in the Offices as per option.
5. 28.07.2006 ⇒ Circular in respect of permanent allocation in the Offices as per option upon separation of common Group B cadre.

Uttam Kumar Saha

6. 19.09.2006 ⇒ Sr. Dy. Accountant (Admn) issued an Order by which Group B Officers have been permanently allocated in order of Seniority.
7. 17.08.2007 ⇒ Circular issued in pursuance of the Order of Central Administrative Tribunal incorporating the new provision.
8. 05.08.2009 ⇒ Representation to the Respondent No. 2 to allow the Applicant to work in the Office of AG (A&E) Assam, Guwahati.
9. 06.08.2009 ⇒ The Applicant is transferred to the Office of the Sr.DAG (A&E), Nagaland, Kohima.

Let them know - 2009



THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

AT GUWAHATI

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

Original Application No: 149 of 2009

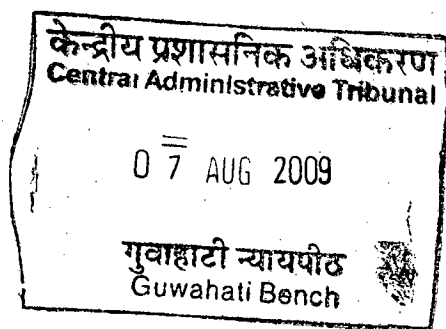
Uttam Kumar Saha

----- Applicant

-Vs-

Union of India & Others.

----- Respondents



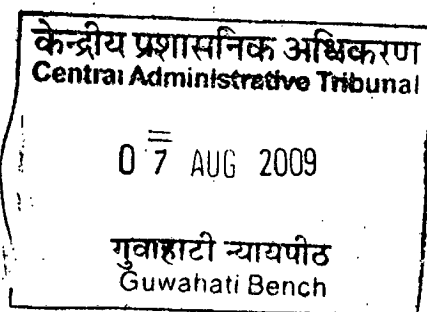
SYNOPSIS

The Applicant joined as Clerk-cum-typist in the O/o the AG(A&E) Assam at Shillong on 19.06.1992. He was promoted as Section Officer Group 'B' Non-Gazetted vide order dated 11.01.2005 and transferred to the O/o the AG (A&E) Meghalaya, Shillong from the O/o the Respondent No. 2. A circular on cadre separation was issued vide circular dated 30.03.2006 by which the decision of the Respondent Authority to separate the common Group 'B' officers from Section Officer to Senior Accounts Officer in the O/o the AG (A&E) of the NE Region. In the circular it has been stated that the staff may exercise their one time option for permanent allocation and accordingly the applicant was permanently allocated in the O/o the AG (A&E) Assam at Guwahati vide circular dated 28.07.2006. Consequent to the judgment of the Hon'ble Central Administrative Tribunal, Guwahati a circular dated 17.08.2007 was issued incorporating the provision that the officer will be posted on deputation basis for a maximum period of 4 years or till the time vacancy arises in the parent office which ever is earlier. The gradation list as on 01.03.2008 clearly indicates that the applicant is senior to one Smt Dipali Das in service but she was not transferred in accordance

Uttam Kumar Saha

with the policy on cadre separation issued vide circular dated 30.03.2006. The applicant is transferred to the O/o the Sr. DAG (A&E) Nagaland, Kohima by order dated 06.08.2009 for a maximum period of 4 years. But the provision of serving on deputation for a maximum period of 4 years or till the time vacancy arises whichever is earlier is not incorporated in the transfer order dated 06.08.2009. In the transfer order dated 06.08.2009 it has been stated that the applicant is transferred on the same condition as prescribed in the policy for separation of Group 'B' cadre whereas in the policy on cadre separation issued vide circular dated 30.03.2006 clearly provides that the junior most persons in excess of required strength in each cadre shall be sent to deficit office on deputation basis. As such the impugned order dated 06.08.2009 is issued malafidely to accommodate another officer by transferring the applicant and it is violative of Article 14 and 16 of the Constitution of India.

Being aggrieved, the applicant assailed the order dated 06.08.2009 by way of this application.



Filed by

Sangeet Sanwal

Advocate

Uttam Kumar Saha

THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

AT GUWAHATI

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

Original Application No: 149 of 2009

Sri Uttam Kumar Saha
Son of Late Bhabendra Kr. Saha
Bishnu Rava Path, Beltala
Guwahati.

*Filed by :
Uttam Kumar Saha
through Sangeeta Senad
Advocate on 7.8.2009*

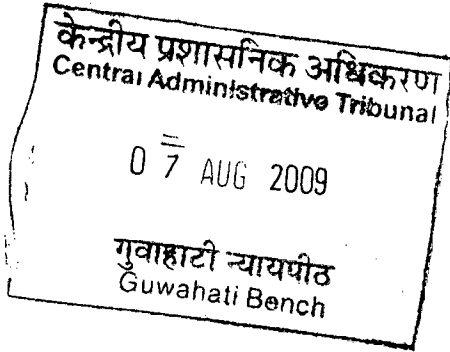
----- Applicant

-Vs-

1. Union of India represented by
Comptroller and Auditor General of India
10, Bahadur Shah Jaffar Marg
Indraprastha Head Post Office
New Delhi-24

2. Accountant General (A&E)
Assam, Maidam Gaon,
Beltola, Guwahati-29

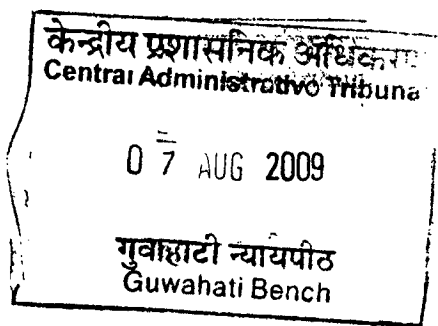
----- Respondents.



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

- a) Violation of the provisions of Cadre Separation Policy laid down in the Circular on Cadre Separation issued by the Respondent Authority vides Circular No: AG/Sep/Gr.B/2006/141 dated 30-03-2006.

*Copy Received
Uttam Kumar Saha
Adv. Case.
7/8/09*



b) Office Order issued by the Deputy Accountant General (Admn) of the Office of the A.G (A&E), Assam, Guwahati vide Admn.1 Order No: 204 dated 6th August, 2009 transferring the Applicant to the Office of the Sr. D.A.G (A&E), Nagaland, Kohima.

Within 30 days

2. JURISDICTION:

The Applicant declares that the relevant matter against which the redresses is sought is within the jurisdiction of the Tribunal as per Section 15 of the Administrative Tribunal Act, 1985.

3. LIMITATION:

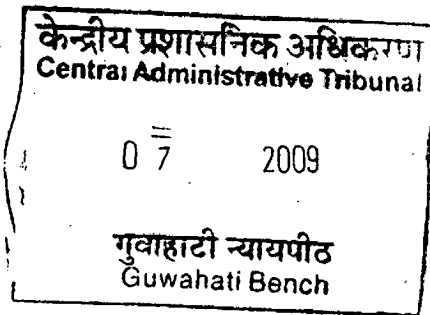
The Applicant further declares that the application is filed within the limitation period prescribed under Section 21 of the Administrative Tribunal Act, 1985.

4. BRIEF FACTS OF THE CASE :

- I. That the Applicant is a citizen of India by birth and resident of Guwahati in the district of Kamrup (Metro), Assam. Being a citizen of India, the applicant is entitled to all the rights and privileges guaranteed under the Constitution of India and laws framed there under.
- II. That the applicant joined as Clerk cum Typist in the Office of the Accountant General (A&E), Assam at Shillong on 19-06-1992. Subsequently he was transferred to the Office of the A.G. (A&E), Assam, Guwahati in February 1994. The applicant was promoted as Section Officer, Group-B (Non Gazetted) vides Admn.1 Order No. 277 dated 11-01-2005 and transferred to the Office of the A.G (A&E) Meghalaya, Shillong. The applicant joined in the Office of the AG (A&E) Meghalaya, Shillong on 18-02-05.

III. That the Sr. Dy. Accountant General (Admn) of the office of the Respondent No: 2 issued the Circular on Cadre Separation vide Circular No. AG/Sep/Gr.B/2006/141 dated 30-03-2006 by which the decision of the Respondent authority to separate the common Group-B cadre from Section Officer to Sr. Accounts Officers in the Office of the A.G(A&E) of N.E. region hither to controlled by the Accountant General(A&E) Assam, Guwahati was communicated. In the circular it has been clearly stated that the staff may exercise their one time option for permanent allocation in the offices of AG (A&E) of Assam, Meghalaya, Manipur, Tripura, Nagaland and the newly created offices of Mizoram and Arunachal Pradesh and permanent posting may be allocated against the required strength on the basis of seniority of the officers. If the number of the optees for a particular office is more than the required strength of that office, the excess persons in each cadre (Sr.AO/AO/AAO/SO) who cannot be accommodated in the offices of their preferences shall be posted on deputation basis to the office for which the number of optees is less. If sufficient numbers of officers are not available for such posting on deputation basis, the junior most persons in excess of required strength in each cadre shall be sent to deficit office on deputation basis. In the circular it has also been stated that the officers may be asked to give their preference for such posting mentioning the names of the deficit offices and they may be posted on the basis of their seniority and preference. As such it is clear that the Respondent Authority is required to take option from the officers in accordance with the policy of cadre separation. But the Respondent Authority without adhering to the policy decision issued the impugned order dated 6-09-09 transferring the Applicant from the office of the Respondent No: 2.

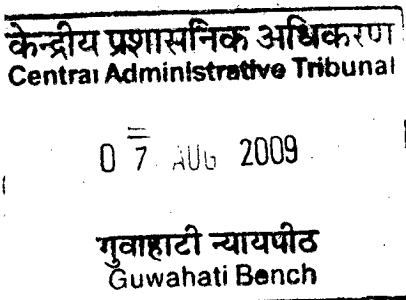
Nettara Kumar Singh



A copy of the circular dated 30-03-06 is enclosed herewith and marked as
Annexure: 1.

- IV. That another circular being Circular No. Estt.1/320 dated 26-04-06 was issued for clarification in respect of separation of common Group-B cadre in which it has been stated that an officer who has given preference for more than one office for permanent allocation, will be considered for permanent allocation as per his seniority and option exercised by him. The officer who can not be accommodated, he will remain under the cadre control of Respondent No: 2. and posted on deputation to the deficit office till he is permanently allocated in the offices mentioned in the option. In the circular it has been further mentioned that once the officer is permanently allocated to the office of his choice, such allocation is final. The Sr.AO, AO, AAO and SO will be treated as four separate cadres for the purpose of allocation and the ratio of 80:20 in Sr.AO/AO and AAO/SO will be maintained in each office while separating these cadres.

Uttam Kumar Saha



A copy of the circular dated 26-04-06 is enclosed herewith and marked as **Annexure: 2.**

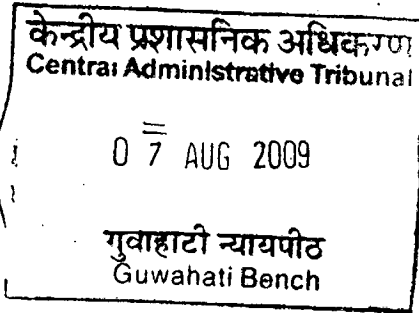
- V. That the applicant submitted his option for permanent allocation in the Office of the A.G (A&E), Assam, Guwahati in pursuance of the circulars issued for cadre separation of Group-B officers and the Respondent authority after considering all aspect of the matter posted the applicant in the office of the Respondent No: 2 permanently from the Office of the AG (A&E) Meghalaya. The order of permanent allocation was issued by the Respondent No: 2 vide Circular No. AG/Sep/Gr.B/2006/64 dated 28-07-06 in which the name of the applicant is appeared at Serial No: 113.

A copy of the circular dated 28-07-06 is enclosed herewith and marked as **Annexure: 3.**

- VI. That consequent upon separation of common Group B cadre among the AG (A&E) Offices in the North East region, The

Group B Officers have been permanently allocated in order of Seniority to the Offices as appeared in the column 7 of the Admn.1Order No.132 dated 19.09.2006 issued by the Sr. Dy. Accountant General (Admn) of the Office of the Respondent No: 2. The name of the Applicant is appeared at serial no. 244 of the order dated 19.09.2006 whereas the name of Dipali (Mandal) Das is appeared at serial no. 247. Though Dipali (Mandal) Das is junior to the Applicant in service but she has not been transferred in accordance with the policy of the separation of Group B cadre.

Uttam Kumar Das



A copy of the Order dated 19-09-2006 is enclosed herewith and marked as **Annexure: 4.**

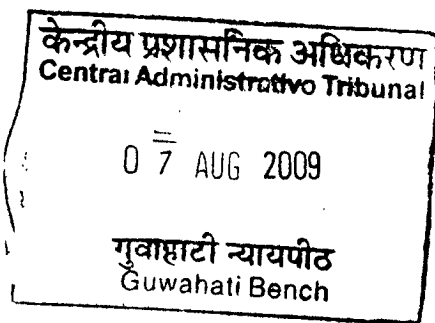
VII. That the Hon'ble Central Administrative Tribunal, Guwahati Bench by order dated 26.03.2007 passed in OA No. 115/06 issued a direction in paragraph 28 of the judgment to the effect that "the fear of the employees who will be posted to deficit offices are genuine. They may have to wait for much longer period till they are repatriated to the offices of their choice. Whereas earlier all such officers on deputation were repatriated within a period of 18/12 months. This Tribunal therefore directs the respondents No. 2 to 8 that the policy of bifurcation of common cadre of Group B officers consisting of SO/AAO/AO/Sr. AO may be reviewed and for officers to be posted on deputation in the deficit offices, maximum limit of time period of such deputation prescribed after which they should be repatriated to the offices of their choice."

VIII. That in compliance with the Order dated 26.03.2007 passed by the Hon'ble Central Administrative Tribunal, Guwahati Bench in O.A. Nos 115/2006 and others; the policy on cadre separation of Group B Officers in the Office of the North East Region has been reviewed prescribing a maximum period of deputation. Accordingly the Group B Officers who are permanently allocated to the Office of the AG(A&E), Assam, Guwahati but could not

be accommodated for want of vacancy were transferred and posted on deputation basis for a maximum period of four years or till the time vacancy arises in the parent office, whichever is earlier. The Order was issued by the Sr. Deputy Accountant General vide Admn.1 Order No. 153 dated 17.08.2007. But in the impugned order dated 06.08.2009 the maximum period of deputation has not been followed.

Ref: 153/2007

A copy of the Order dated 17.08.2007 is enclosed herewith and marked as **Annexure: 5.**



IX. That the Gradation list as on 01-03-08 of the employees of the Office of the Respondent No: 2 was published by the Accountant General(A&E), Assam, Guwahati. In the gradation list the name of the Applicant appears ahead of Smt. Dipali Das who is junior to the petitioner in service. As per policy decision of cadre separation the junior most persons are required to be transferred at first. But the Respondent authority in violation of the policy decision of cadre separation transferred the Applicant from the Office of the Respondent No: 2.

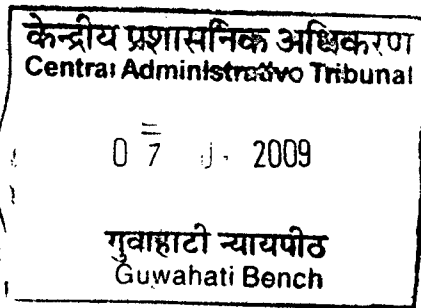
A copy of the Gradation list is enclosed herewith and marked as **Annexure: 6.**

X. That the Ministry of Finance, Govt. of India had decided to upgrade the pre-revised pay scale of Section Officer and Assistant Audit Officer / Assistant Accounts Officer and placed them in a common Pay Band, merging the posts of Section Officer and Assistant Accounts / Audit Officer. Consequently the merged cadre of Section Officer and Assistant Audit Officer is re-designated as Assistant Accounts Officer/ Assistant Audit Officer and classified as Group-B Gazetted officer. The circular was issued by the Asstt. Comptroller and Auditor General of India vide Memo No. 697-6PC/GE-(ii)/22-2009 dated 27.05.2009

A copy of the circular dated 27.05.2009 is enclosed herewith and marked as **Annexure: 7.**

Letter from Guwahati Bench

- XI. That the Applicant filed a representation before the Respondent No. 2 on 05.08.2009 with a prayer to allow him to continue in the Office of the AG (A&E) Assam, Guwahati in which he is working permanently after cadre separation on the basis of allotment of post at the ratio 80:20 of AAO/SO. The Applicant in his Application further states that he had already served at the deficit Offices and posted in the Office of the Respondent No. 2 on permanent allocation after cadre separation.



A copy of the representation dated 05.08.2009 is enclosed herewith and marked as **Annexure: 8.**

- XII. That after cadre separation of the Group-B Officers of the Offices of the Offices of Accountant General(A&E) of North East, the Applicant was transferred and posted at the Office of the Respondent No. 2 on permanent allocation.
- XIII. That the Group B Officers who are permanently allocated to the Office of the AG (A&E), Assam, Guwahati but could not be accommodated for want of vacancies in the Office of the Respondent No. 2 were transferred and posted on deputation to the deficit offices of AG (A&E) of any North- Eastern Region for a maximum period of four years or till the time vacancies arises in the parent office which ever is earlier and for that purpose Admn.1 Order No. 153 dated 17.08.2007 was issued by the Respondent No. 2.
- XIV. That the Applicant is transferred and posted on deputation basis to the Office of the Sr. DAG (A&E), Nagaland, Kohima vide Admn.1 Order No. 204 dated 06.08.2009 issued by the Deputy Accountant General (Admn) of the Office of the Respondent No. 2

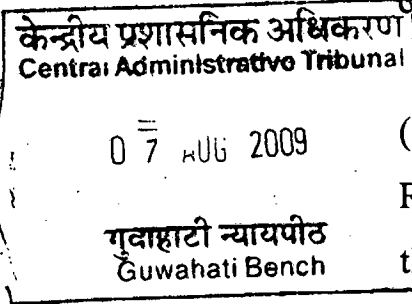
on the same condition as prescribed in the policy for separation of Group B cadre.

A copy of the Order dated 06.08.2009 is enclosed herewith and marked as **Annexure: 9.**

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS:

(a) That there are violation of the Article 14 and 16 of the Constitution of India.

(b) That the transfer of the Applicant is in violation of the policy issued on 30.03.2006 in respect of cadre separation of Group B Officers in as much as the Applicant was posted in the Office of the Respondent No: 2 on permanent allocation after taking into consideration of their one time option of permanent posting.



(c) That the Applicant was transferred to the Office of the Respondent No. 2 after taking into account of the post vacant in the ratio of 80:20 of AAO/SO which is required to be maintained in accordance with the circular on cadre separation issued by the Respondent Authority.

(d) That as per circular dated 30.06.2006 the option is required to be taken from the Assistant Accounts Officers of Group B cadre for posting but no option has yet been taken from the Assistant Accounts Officers after merger of the AAO and SO in the common Group B cadre post.

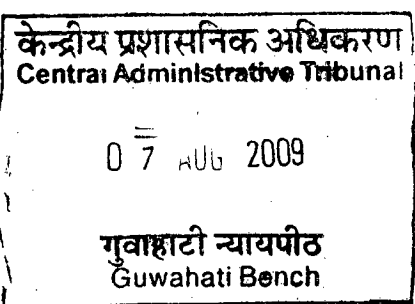
(e) That in the impugned order of transfer dated 06.08.2009, it has been stated that the applicant is transferred for a maximum period of 4 years from the date of taking over charge on the same condition as prescribed in the policy for separation of Group B cadre. But in the policy for separation of cadre it has been clearly stated that if sufficient officers are not available for such posting on deputation basis, the junior most persons in excess of required

Nutman Kumar Singh

strength in each cadre shall be sent to deficit office on deputation basis and no willingness shall be necessary for this purpose. Though Smt Dipali (Mandal) Das is junior to the Applicant in service but she has not been transferred to any other deficit office which is in clear violation of the circular on cadre separation and Article 14 of the Constitution of India.

Nettara Kumar Das

f. That in pursuance of the judgement of the Hon'ble Tribunal the office order dated 17-08-07 was issued incorporating the provision that the officers will be transferred to the deficit offices for a maximum period of 4 years or till that time vacancy arises in the parent office, which ever is earlier. But the impugned order dated 6-08-09 was issued without adhering to that provision.



g. That the officers who will be repatriated after transfer of the Applicant in pursuance of the impugned order dated 6-08-09 has not yet been completed the 4 years term. As per the policy of cadre separation the officer can only be repatriated after completion of 4 years term or whenever the vacancy arises. But with the intention to create a vacancy and to accommodate another officer, the applicant was transferred malafidely to help a particular officer.

6. DETAILS OF REMEDIES EXHAUSTED:

The Applicant has filed a representation to the Accountant General (A & E) Assam on 05.08.2009 with a prayer not to transfer the Applicant from the Office of the Respondent No. 2 to any other deficit Offices of Accountant General (A & E) of other offices of North-East Region as the Applicant had already served at the deficit Office and after cadre separation permanently posted at the Office of the Respondent No. 2 under the policy of posting in the ratio of 80: 20 of AAO / SO. The Applicant has already filed a representation against the transfer order dated 06.08.09.

Shawl.
7.8.09

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

That the Applicant declares that the matter regarding this Application is not pending in any other Court of Law or any other Statutory Authority or any other Bench of the Hon'ble Tribunal.

d) RELIEF SOUGHT FOR:

In the premises aforesaid it is most respectfully prayed that the Hon'ble Tribunal may kindly be pleased to admit this Application, call for the records and on perusal of the records and upon hearing the parties be pleased to grant the following reliefs:

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

07 AUG 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

(A) Direction to the Respondent No. 1 & 2 not to disturb the posting of the Applicant in the Office of the Accountant General (A & E) Guwahati in which he is permanently posted.

(B) Direction to the Respondent No. 2 not to transfer the Applicant to the other Offices of AG (A & E) of Meghalaya, Manipur, Tripura, Nagaland, Mizoram and Arunachal Pradesh from the office of the Respondent No: 2

(C) Stay the impugned Admn.1 Order No. 204 dated 06.08.2009 issued by the Deputy Accountant General (Admn) of the Office of the Respondent No. 2 transferring the Applicant from the Office of the Accountant General (A & E) Assam, Guwahati to the Office of the Sr. DAG (A&E), Nagaland, Kohima.

(D) And any other such Order / Orders as the Hon'ble Tribunal may deem fit and proper for the ends of justice.

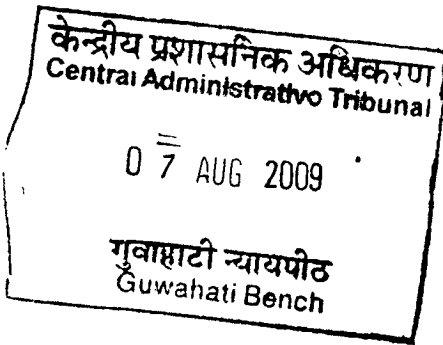
8. INTERIM ORDER PRAYED FOR:

The Applicant prays that in the interim, the Hon'ble Tribunal may kindly be pleased to stay the Admn.1 Order No. 204 dated

Neelam Kumar Singh

06.08.2009 transferring the Applicant from the Office of the Accountant General (A & E) Assam, Guwahati to the Offices of Sr. DAG, Nagaland, Kohima.

9. That the Applicant further declares that the present application is filed by him through his counsel before this Hon'ble Tribunal.

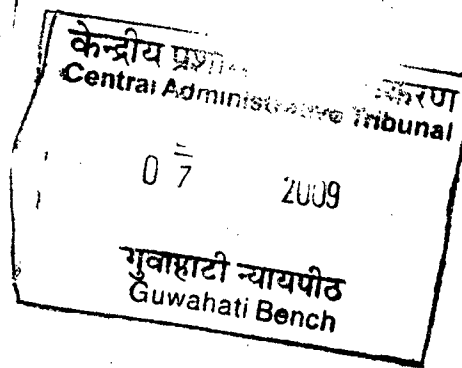


10. PARTICULARS OF POSTAL ORDER SUBMITTED AS APPLICATION FEE:

- a. Postal Order No. : 396 417 999
- b. Date of Issue: 06-08-09
- c. Issued from: G. P. O. Guwahati
- d. Payable at: Guwahati

11. LIST OF ENCLOSURES: As per index.

Uttam Kumar Das



VERIFICATION

I, Sri Uttam Kumar Saha, aged about 45 years, son of Late Bhabendra Kumar Saha, resident of Bishnurabha Path, Beltola, Guwahati in the District of Kamrup (Metro), Assam do hereby verify that the contents in paragraphs 4 [(II) to (XIV)], 6 and 7 are true to my personal knowledge and those made in paragraph 5[(a) to (G)], are believed to be true on legal advice and that I have not suppressed any material fact.

And I sign this verification on this 7th day of August 2009 at Guwahati.

Uttam Kumar Saha
DEPONENT.

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

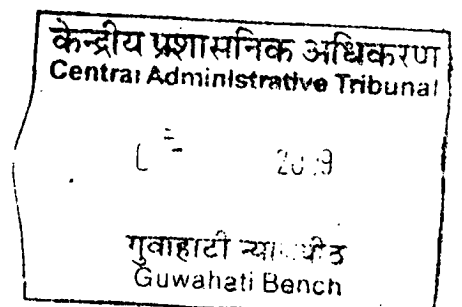
Circular on Cadre Separation

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

Dated 30/3/2006

- I. Headquarters office has decided to separate the common Group 'B' cadre from Section Officers to Sr. Accounts Officers in the A&E offices of the N.E. region hitherto controlled by the Accountant General(A&E) Assam, Guwahati.
- II. The offices to which the staff may exercise their one time option are the A&E offices at Assam, Meghalaya, Manipur, Tripura, Nagaland and the newly created offices of Mizoram and Arunachal Pradesh.
- III. The separation of Group 'B' cadres would be in accordance with the following criteria :-
- IV. The existing staff may be allocated on permanent posting against the required strength on the basis of the seniority of the officers who have exercised their option for allocation to such offices, irrespective of their base office.
- V. If the number of optees for a particular office is more than the required strength of that office, the excess persons in each cadre (SAO/AO/AAO/SO), who can not be accommodated in the office of their preference against the required strength of that office as per their seniority, shall be posted on deputation basis to the office for which number of optees is less than the required strength of that office viz deficit offices. If sufficient volunteers are not available for such posting on deputation basis, the junior most persons in excess of required strength in each cadre shall be sent to deficit office on deputation basis. No willingness shall be necessary for this purpose but deputation allowance shall be payable. However, they may be asked to give their preference for such posting mentioning the names of deficit offices and as far as possible they may be posted to such deficit offices on the basis of their seniority and preference given by them for this purpose. These persons shall be posted to the office of their choice on the basis of their seniority on availability of subsequent vacancies against the required strength in such offices. The surplus optees shall also form part of the cadre of their office for which option was exercised by them.
- VI. If the number of optees for a particular office is less than the sanctioned strength of that office all the optees shall be allocated to that office. The remaining vacancies shall be filled by deputation of surplus optees as per guidelines laid down at V above. The vacancies arising due to repatriation of the deputationists to the office of their choice will be filled up by the concerned offices as per provisions contained in the Recruitment Rules for the concerned posts.
- VII. The promotions to Group 'B' posts after the separation of cadre shall be made by the concerned offices from amongst the eligible officers of their office. However, in surplus offices no further promotion will be made till all the

*verified to be
true copy
Sangita Senoia
Advocate*

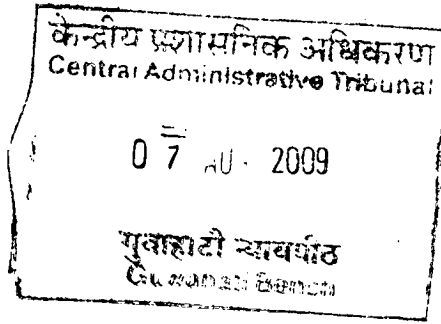


surplus optees posted to deficit offices on deputation basis are accommodated in these offices.

- VIII. Direct recruitment will be done in the deficit offices only against the requisition already placed/to be placed to Staff Selection Commission.
- IX. With a view to implement the above scheme of separation of cadres of Group 'B' posts, all the present Group 'B' Officers (Section Officers to Senior Accounts Officers including those on deputation and on foreign service) of this office are hereby directed to exercise their options in the enclosed **"FORM OF OPTION"** and submit the same to the Senior Accounts Officer/Admn. of this office **by 15th April, 2006 positively.** He should also prepare a list of officers on leave and ensure sending of this circular with 'Option Form' to them by Registered post.

[Handwritten Signature] 30/3/06

Sr. Dy. Accountant General (Admn.)



**OFFICE OF THE ACCOUNTANT GENERAL (A&E) MEGHALAYA ETC.,
SHILLONG-793001**

Circular No. Estt.1/ 320

Dated:- 26/4/06

In continuation to this Office Circular No. 239 dated 21.4.2006 regarding Separation of Common Group 'B' cadres from Section Officers to Sr. Accounts Officers, the following clarification furnished by the Headquarters Office is circulated to all concern.

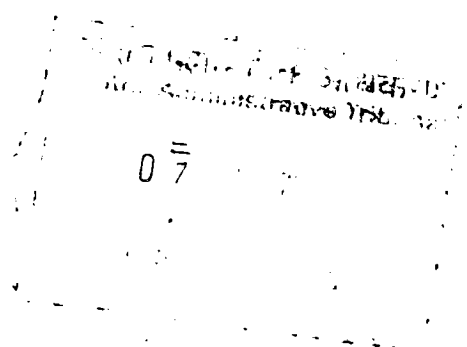
- (i) Proposed Sanctioned Strength of Gr.'B' cadres for the Office of the Meghalaya, Arunachal Pradesh and Mizoram.

	<u>MEGHALAYA</u>	<u>A/PRADESH</u>	<u>MIZORAM</u>
Sr.AO/AO	9	4	3
AAO/SO/Supr.	26	13	11

- (ii) An Officer, who has given preference for more than one office for permanent allocation, will be considered for permanent allocation as per his seniority and option exercised by him. If he can not be accommodated to the office of his first choice he will be considered for permanent allocation to the office mentioned at Sl. No. 2 and so on. If however he cannot be accommodated to any of the these offices as per his seniority and option he will remain under the cadre control of the Accountant General (A&E) Assam, Guwahati and posted on deputation to the deficit office(s) till he is permanently allocated to any of the offices mentioned in the option against the subsequent vacancy arising in the concerned office(s).
- (iii) Once the officer is permanently allocated to the office of his first or subsequent choice in the option form, such allocation is final and no further change will be allowed.
- (iv) As no further promotion will be made in surplus offices till all surplus optees posted on deputation to deficit offices are accommodated, the concerned surplus offices will accommodate their surplus optees against subsequent vacancies.
- (v) Sr.AO, AO, AAO and SO will be treated four separate cadres for the purpose of allocation and the ratio of 80:20 in Sr.AO/AO and AAO/SO will be maintained in each office while separating these cadres.
- (vi) The sanctioned strength and PIP for the newly created offices of Mizoram and Arunachal Pradesh is being intimated by HQrs. Office (BRS wing). No additional post is being created for the present.

(Contd... P/2)

*verified to be
true copy
Sargit Sonwal
Advocate*



- (vii) The officers who are presently on deputation to other offices will be allocated to the offices as per their seniority-cum-preference. They will be repatriated from the borrowing office(s) to their allocated office subject to availability of vacancy in that office. No supernumerary post will be created in any office.
- (viii) The sanctioned strength minus existing vacancies proportionately distributed in each cadre is the required strength for the purpose of separation of cadre. No additional post is being created for the present.

(Authority:- AG's Orders dated 26.4.06 at P/7N of the File)

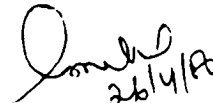
Sd-
ESTABLISHMENT OFFICER

Memo No. Estt.1/10-15/SOC/Gr.B/2006-07/321-322

Dated:- 26/4/06

Copy forwarded for information to:-

1. All Sr. AOs/AOs
2. All AAOs/SOs


26/4/06
ESTABLISHMENT OFFICER

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

Circular No. AG/ Sep/Gr.'B'/2006/64

28 July, 2006

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

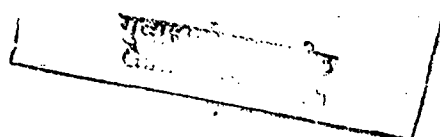
As per Policy on Cadre Separation issued under Circular No. AG/ Sep/Gr.'B'/ 2006/141 dated 30/3/2006 the following Group 'B' officers are hereby transferred and posted to the office(s) as shown below :-

Sl.No. (1)	Name of the Employee (2)	Designation (3)	Present place of posting O/o the A.G/A&E/Sr. DAG (A&E) (4)	Place of posting consequent upon Cadre Sep. O/o the A.G/A&E/Sr. DAG (A&E) (5)	Remarks (6)
1.	CHINMOY ROY	Sr. A.O	Assam	Assam	Permanently allocated
2.	CHINMOY BHATTACHARJEE	Sr. A.O	Assam	Assam	Permanently allocated
3.	SWADESH KUMAR DAS	Sr. A.O	Assam	Assam	Permanently allocated
4.	DEBABRATA BHATTACHARJEE	Sr. A.O	Assam	Assam	Permanently allocated
5.	RANAJIT DHAR	Sr. A.O	Deputation	Assam	Permanently allocated
6.	MUKUR KANTI CHOUDHURY	Sr. A.O	Assam	Assam	Permanently allocated
7.	BIDYUT KR. CHOUDHURY	Sr. A.O	Assam	Assam	Permanently allocated
8.	PREMENDU KANTI SEN	Sr. A.O	Assam	Assam	Permanently allocated
9.	BROJENDRA CHOUDHURY	Sr. A.O	Assam	Assam	Permanently allocated
10.	DEBABRATA CHAKRABORTY	Sr. A.O	Assam	Assam	Permanently allocated
11.	M.KULANDAI RAJ	Sr. A.O	Manipur	Assam	Permanently allocated
12.	LAKSHMAN CH. DEY	Sr. A.O	Assam	Assam	Permanently allocated

*certified to be
true copy
Sangeeta Sena
Advocate.*

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
07 AUG 2009

Sl.No. (1)	Name of the Employee (2)	Designation (3)	Present place of posting O/o the A.G/A&E/Sr. DAG (A&E) (4)	Place of posting consequent upon Cadre Sep. O/o the A.G/A&E/Sr. DAG (A&E) (5)	Remarks (6)
97	PIJUSH CHAKRABORTY	A.A.O	Nagaland	Assam	Temporarily accommodated
98	ASHIT DHAR	A.A.O	Meghalaya	Assam	Temporarily accommodated
99	NIRJYAS DAS	A.A.O	Assam	Assam	Temporarily accommodated
100	NARAYAN DEB NATH	A.A.O	Assam	Assam	Temporarily accommodated
101	SHAMBHU KUMAR NATH	A.A.O	Assam	Assam	Temporarily accommodated
102	LAKSHMI BHATTACHARJEE	A.A.O	Assam	Assam	Temporarily accommodated
103	JAHARBRATA BHATTACHARJEE	A.A.O	Assam	Assam	Temporarily accommodated
104	BIDYUT SEN PURKAYASTHA	A.A.O	Assam	Assam	Temporarily accommodated
105	SOUMEN CHAKRABORTY	S.O	Tripura	Assam	Permanently allocated
106	DHIRAJ KUMAR DAS	S.O	Assam	Assam	Permanently allocated
107	RANOJ BARMAN	S.O	Assam	Assam	Permanently allocated
108	KRISHNA BASI DAS	S.O	Meghalaya	Assam	Permanently allocated
109	PIJUSH KANTI SUR	S.O	Meghalaya	Assam	Permanently allocated
110	BIMALENDU CHAKRABORTY	S.O	Nagaland	Assam	Permanently allocated
111	ABHIJIT BISWAS	S.O	Meghalaya	Assam	Permanently allocated
112	SHOVAN KUMAR KAR	S.O	Meghalaya	Assam	Permanently allocated
113	UTTAM KUMAR SAHA	S.O	Meghalaya	Assam	Permanently allocated
114	AMIT PATRANABIS	S.O	Assam	Assam	Permanently allocated
115	DIPALI (MANDAL) DAS	S.O	Meghalaya	Assam	* Permanently allocated as per provision of M.I.R
116	Y. MANAOBI SINGH	Sr. A.O	Meghalaya	Manipur	Permanently allocated
117	CHONGTHAM JOY KR. SINGH(II)	Sr. A.O	Deputation	Manipur	Permanently allocated



Memo No. AG/ Sep/Gr.'B'/2006/ 1430

28 July, 2006

Copy forwarded to:

The Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
Indraprastha Head Post Office,
New Delhi- 110 002.

sd/-

Sr. Deputy Accountant General (Admn. & VLC)

Memo No. AG/ Sep/Gr.'B'/2006/1431-45

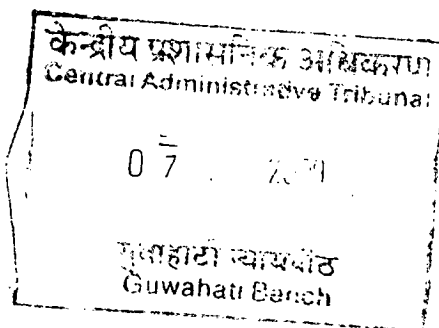
28 July, 2006

Copy for information and necessary action to:

Copy to :

- ◆ The Pr. Director of Audit, N.F. Railway, Maligaon, Guwahati 781 011
- ◆ The Senior Deputy Accountant General (A), O/o the A.G. (A&E) Meghalaya etc., Shillong 793 001.
- ◆ The Senior Deputy Accountant General (A&E) Tripura, Agartala
- ◆ The Senior Deputy Accountant General (A&E), Manipur, Imphal
- ◆ The Senior Deputy Accountant General (A&E), Nagaland, Kohima
- ◆ The Secretary to the Accountant General (A&E) Assam Guwahati 781 029
- ◆ All concerned officers
- ◆ Concerned Branch Officers
- ◆ The Private Secretary to the Accountant General.
- ◆ The Pay & Accounts Officer, Local
- ◆ The Steno Gr. II attached to Sr. DAG(A)
- ◆ The Steno Gr. I attached to Sr. DAG(P&F)
- ◆ The AAO/Confidential Cell
- ◆ The Hindi Officer – Hindi version of this order may be issued from his end.
- ◆ Admn 1 Order Book

Accounts Officer (Admn)



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

Admn. Order No. 132

19 September, 2006

Consequent upon separation of common Gr. 'B' cadre among A&E offices in the North East region w.e.f 31-07-06 (AN) the following Group 'B' officers have been permanently allocated to the offices indicated below against their names at column No. (7) in order of seniority.

Sl.No.	Name of the Employee	Designation	Year of passing of SOGE	Date of promotion as Sr. A.O/A.O/AAO/SO	Post separation posting	Place of Permanent Allocation O/o the A.G (A&E)/Sr. DAG (A&E)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
			Dec'78	27-01-94	Deputation	MANIPUR
1.	Y.MANAABI SINGH	SR. ACCOUNTS OFFICER				
2.	CHINMOY ROY	SR. ACCOUNTS OFFICER	Jan'85	29-09-94	O/o the A.G (A&E) Assam, Guwahati	ASSAM
3.	CHINMOY BHATTACHARJEE	SR. ACCOUNTS OFFICER	July'80	17-04-96	O/o the A.G (A&E) Assam, Guwahati	ASSAM
4.	SWADESH KUMAR DAS	SR. ACCOUNTS OFFICER	July'80	10-05-96	O/o the A.G (A&E) Assam, Guwahati	ASSAM
5.	AMALENDU DAS(II)	SR. ACCOUNTS OFFICER	Dec'86	01-08-96	O/o the A.G (A&E) Meghalaya, Shillong	MEGHALAYA
6.	DEBABRATA BHATTACHARJEE	SR. ACCOUNTS OFFICER	Dec'79	15-01-97	O/o the A.G (A&E) Assam, Guwahati	ASSAM
7.	CHONGTHAM JOY KR. SINGH(II)	SR. ACCOUNTS OFFICER	Dec'80	15-01-97	Deputation	MANIPUR
8.	N.G. RUTH	SR. ACCOUNTS OFFICER	Dec'86	15-01-97	O/o the Sr. D.A.G (A&E) Manipur, Imphal	MANIPUR
9.	RANAJIT DHAR	SR. ACCOUNTS OFFICER	Nov'83	19-02-97	Deputation	ASSAM
10.	MUKUR KANTI CHOUDHURY	SR. ACCOUNTS OFFICER	Dec'80	11-03-97	O/o the A.G (A&E) Assam, Guwahati	ASSAM
11.	BIDYUT KR. CHOUDHURY	SR. ACCOUNTS OFFICER	Dec'80	11-03-97	O/o the A.G (A&E) Assam, Guwahati	ASSAM
12.	PRANAY BHUSAN NAG	SR. ACCOUNTS OFFICER	Nov'83	21-03-97	O/o the Sr. D.A.G (A&E) Tripura, Agartala	TRIPURA
13.	PREMENDU KANTI SEN	SR. ACCOUNTS OFFICER	Dec'82	18-02-98	O/o the A.G (A&E) Assam, Guwahati	ASSAM
14.	ATHOKPAM BIREN SINGH	SR. ACCOUNTS OFFICER	July'85	02-03-98	O/o the Sr. D.A.G (A&E) Manipur, Imphal	MANIPUR

*certified to be
true copy
Sangupta Sonowal
Advocate.*

Sl.No.	Name of the Employee	Designation	Year of passing of SOGE	Date of promotion as Sr. A.O/A.O./AAO/SO	Post separation posting	Place of Permanent Allocation O/o the A.G (A&E)/Sr. DAG (A&E)
(1)	(2)	(3)	(4)		(6)	(7)
227	RAMAMOY BHATTACHARJEE	ASSTT. ACCOUNTS OFFICER	Nov'00	02-01-06	%	%
228	AMRIT LAL DAS	ASSTT. ACCOUNTS OFFICER	Nov'00	02-01-06	O/o the Sr. D.A.G (A&E) Nagaland, Kohima	TRIPURA
229	DHRUBAJYOTI DEB	ASSTT. ACCOUNTS OFFICER	Nov'00	02-01-06	*	*
230	SUBRATA DAS CHOUDHURY	ASSTT. ACCOUNTS OFFICER	Nov'00	02-01-06	O/o the Sr. D.A.G (A&E) Nagaland, Kohima	TRIPURA
231	SURENDRA PRASAD ROY	ASSTT. ACCOUNTS OFFICER	Nov'00	02-01-06	%	%
232	RAJYA PAL DEOKOTA	SECTION OFFICER	Nov'00	27-02-03	O/o the A.G (A&E) Meghalaya, Shillong	MEGHALAYA
233	PRANAB KUMAR SHIL	SECTION OFFICER	Nov'01	29-05-03	O/o the Sr. D.A.G (A&E) Tripura, Agartala	TRIPURA
234	SOU MEN CHAKRABORTY	SECTION OFFICER	Nov'01	25-08-03	O/o the A.G (A&E) Assam, Guwahati	ASSAM
235	DHIRAJ KUMAR DAS	SECTION OFFICER	Nov'01	22-09-03	O/o the A.G (A&E) Assam, Guwahati	ASSAM
236	PANKAJ DEV CHOWDHURY	SECTION OFFICER	Nov'01	11-09-03	O/o the A.G (A&E) Meghalaya, Shillong	MEGHALAYA
237	RANOJ BARMAN	SECTION OFFICER	Nov'01	30-12-03	O/o the A.G (A&E) Assam, Guwahati	ASSAM
238	KRISHNA BASI DAS	SECTION OFFICER	Nov'01	30-12-03	O/o the A.G (A&E) Assam, Guwahati	ASSAM
239	GOPAL CHANDRA DEVNATH	SECTION OFFICER	Nov'01	30-12-03	O/o the Sr. D.A.G (A&E) Tripura, Agartala	TRIPURA
240	PIJUSH KANTI SUR	SECTION OFFICER	Nov'01	18-11-04	O/o the A.G (A&E) Assam, Guwahati	ASSAM
241	BIMALENDU CHAKRABORTY	SECTION OFFICER	Nov'01	11-01-05	O/o the A.G (A&E) Assam, Guwahati	ASSAM
242	ABHIJIT BISWAS	SECTION OFFICER	Nov'01	18-02-05	O/o the A.G (A&E) Assam, Guwahati	ASSAM
243	SHOVAN KUMAR KAR	SECTION OFFICER	Nov'01	18-02-05	O/o the A.G (A&E) Assam, Guwahati	ASSAM
244	UTTAM KUMAR SAHA	SECTION OFFICER	Nov'01	18-02-05	O/o the A.G (A&E) Assam, Guwahati	ASSAM
245	KUMAR KARKI	SECTION OFFICER	Nov'01	12-01-05	O/o the A.G (A&E) Meghalaya, Shillong	MEGHALAYA
246	AMIT PATRANABIS	SECTION OFFICER	Nov'01	11-01-05	O/o the A.G (A&E) Assam, Guwahati	ASSAM
247	DIPALI (MANDAL) DAS	SECTION OFFICER	Nov'01	18-02-05	O/o the A.G (A&E) Assam, Guwahati	ASSAM
248	DHIRESWAR BORO	SECTION OFFICER	Nov'01	18-02-05	O/o the Sr. D.A.G (A&E) Arunachal Pradesh, Shillong	ASSAM
249 (1)	PRADIP KUMAR DAS	SECTION OFFICER	May'03	25-02-05	O/o the Sr. D.A.G (A&E) Mizoram, Shillong	ASSAM
250	RATAN DEBNATH	SECTION OFFICER	May'03	25-02-05	O/o the Sr. D.A.G (A&E) Arunachal Pradesh, Shillong	ARUNACHAL PRADESH

Memo No. AG/ Sep/Gr.'B'/2006/2207

19 September, 2006

Copy forwarded to:
The Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
Indraprastha Head Post Office,
New Delhi- 110 002.

sd/-
Sr. Deputy Accountant General (Admn. & VLC)

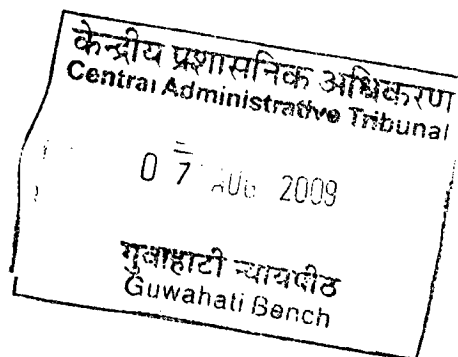
Memo No. AG/ Sep/Gr.'B'/2006/2208-24

19 September, 2006

Copy to :

- ◆ The Pr. Director of Audit, N.F. Railway, Maligaon, Guwahati 781 011
- ◆ The Senior Deputy Accountant General (A), O/o the A.G. (A&E) Meghalaya etc., Shillong 793 001.
- ◆ The Senior Deputy Accountant General (A&E) Tripura, Agartala
- ◆ The Senior Deputy Accountant General (A&E), Manipur, Imphal
- ◆ The Senior Deputy Accountant General (A&E), Nagaland, Kohima
- ◆ The Senior Deputy Accountant General (A&E), Arunachal Pradesh, Shillong
- ◆ The Senior Deputy Accountant General (A&E), Mizoram, Shillong
- ◆ The Secretary to the Accountant General (A&E) Assam Guwahati 781 029
- ◆ All concerned officers
- ◆ The Private Secretary to the Accountant General.
- ◆ The Pay & Accounts Officer, Local
- ◆ The Steno Gr. II attached to Sr. DAG(A)
- ◆ The Steno Gr. I attached to Sr. DAG(P&F)
- ◆ The AAO/Confidential Cell
- ◆ The Hindi Officer – Hindi version of this order may be issued from his end.
- ◆ Admn 1 Order Book

Accounts Officer (Admn)



ESH-I/FAX/54

dt 20-8-07

DAG (Admn.) / 691

20/8/07

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

Admn. Order No. 153

17 August, 2007

In compliance with the directions of the Hon'ble Central Administrative Tribunal, Guwahati Bench, Guwahati vide its order dated 26-03-07 in O.A Nos 115/2006, 125/2006, 143/2006 and 146/2006, the policy on cadre separation of Group B officers in the Office of the North East Region has been reviewed by Headquarters office prescribing a maximum period of deputation, vide its D.O letter No. 411/LC/95-2006 dated 30-05-07 read with letter No. 455/LC/95-2006 dated 12-06-07. Accordingly, the following Group 'B' officers who are permanently allocated to the Office of the A.G (A&E), Assam, Guwahati but could not be accommodated for want of vacancy in this office are hereby transferred and posted on deputation basis to the office (s) as shown below, for a maximum period of 4 years or till the time vacancy arises in the parent office, whichever is earlier, w.e.f the date of joining in the new place of posting against this order.

Sl No	Name	Designation	Present place of posting O/c the A.G (A&E)	Place of posting on deputation O/c the A.G (A&E)/Sr. DAG (A&E)
1.	DILIP KUMAR DAS(III)	Sr. A.O	Assam	Arunachal Pradesh, Shillong
2.	ASHUTOSH SUTRADHAR	A.A.O	Assam	Arunachal Pradesh, Shillong
3.	SHILPI DEY	A.A.O	Assam	Arunachal Pradesh, Shillong
4.	AMULYA SARMA	A.A.O	Assam	Arunachal Pradesh, Shillong
5.	SIRAZUDDIN AHMED	A.A.O	Assam	Arunachal Pradesh, Shillong
6.	DEBA PRASAD BHATTACHARJEE	A.A.O	Assam	Arunachal Pradesh, Shillong
7.	SANKAR DAS	A.A.O	Assam	Arunachal Pradesh, Shillong
8.	RATAN KUMAR DEY	A.A.O	Assam	Arunachal Pradesh, Shillong
9.	KUNTAL SAHA	A.A.O	Assam	Mizoram, Aizawl
10.	ARUF BURAGOHAIR	A.A.O	Assam	Mizoram, Aizawl

8. P.D. 1/10/07
9. R. 1/10/07
10. P.D. 1/10/07
11. P.D. 1/10/07
12. P.D. 1/10/07

केन्द्रीय प्रशासनिक
Central Administrative

केन्द्रीय प्रशासनिक
Central Administrative

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true copy
for the purpose of
advocate

10/7

10/7/07

10/7/07

10/7/07

-24-

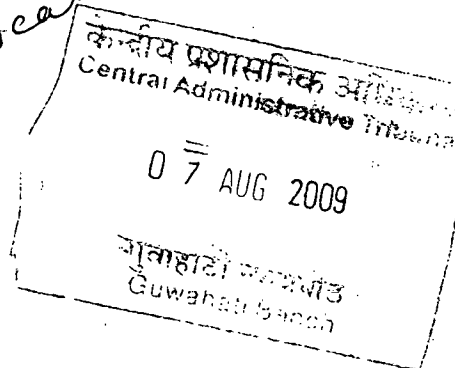
केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
07 AUG 2009
गुवाहाटी न्यायपीठ
Guwahati Bench

- 1 -

THE GRADATION LIST AS ON 01-03-2008 PREPARED IN ACCORDANCE WITH THE DIRECTIONS CONTAINED IN THE COMPTROLLER AND AUDITOR GENERAL OF INDIA'S CIRCULAR NO. NGE/23/1988 ISSUED UNDER LETTER NO. 233-N.2/34-88 DATED : 17/03/1988, CIRCULAR NO. NGE/31/1989 ISSUED UNDER LETTER NO. 427-N.2/1-89 DATED : 26/04/1989, CIRCULAR NO. NGE/67/1989 ISSUED UNDER LETTER NO. 749-N.2/89 DATED : 06/09/1989 AND CIRCULAR NO. 11-NGE ISSUED UNDER LETTER NO. 191-N.2/54-92 DATED : 20/04/1993.

NOTHING IN THIS LIST IS TO BE TAKEN AS CONVEYING ANY SANCTION OR AUTHORITY OR MAY BE HELD TO SUPERSEDE ANY STANDING RULES OR ORDERS OF THE CENTRAL GOVERNMENT WITH WHICH IT MAY BE AT VARIANCE.

*certified to be true
copy Sargutth
advocate*



PINUEL BASUMATARY
ACCOUNTANT GENERAL (A&E) ASSAM
GUWAHATI

SECTION- I

LIST OF CLASS - I OFFICERS IN THE OFFICE OF THE ACCOUNTANT GENERAL (A&E)
ASSAM, GUWAHATI AS ON 01-03-2008
SANCTIONED STRENGTH

	PERMANENT	TEMPORARY
Accountant General	-	
Sr. Deputy Accountant General (Admn)	-	
Deputy Accountant General (P&F)	-	
Deputy Accountant General (A/Cs & VLC)	-	
Welfare officer	-	
Total Sanctioned strength of Gr A officers	5	
Total actually employed Gr. A officers	5	
1. Shri Pinuel Basumatary, IA & AS, Accountant General (A&E) Assam, Guwahati.		
2. Shri R. C. Das, IA & AS, Sr. Deputy Accountant General (Admn) Assam, Guwahati.		
3. Shri A. B. Purkayastha, IA & AS, Deputy Accountant General (A/cs & VLC) Assam, Guwahati		
4. Shri Ainul Haque, IA & AS, Deputy Accountant General (P&F) Assam, Guwahati		
5. Smti. Naina A. Kumar, IA & AS (on study leave)		

- 27 -

- 4 -

SECTION - II

Name of Cadre	Permanent Strength	Temporary Strength	Casual	Total Strength	Remarks
Sr. Accounts Officer	-	20	1	21	
Accounts Officer	-	6	2	8	
Asstt. Accounts Officer	-	62	3	65	
Section Officer	10	5	1	16	2 posts of S.O. kept in abeyance for 2 sanctioned post of AOs(Casual).
Supervisor	-	-	-	-	
Sr. Accountant	336	74	08	418	Out of 186 EDP posts, only 87 are in operation. The following posts of Sr. Acctts./Acctts./Clerk/Typists have kept in abeyance for EDP post:- Sr. Acctt.____51 Acctts____06 C/Ts____30

07 AUG

2	3	4	5	6	7	8	9	10	11
ASGHE2020250	SHRI SHOVAN KUMAR KAR B.COM	NEITHER	01/03/65 02/01/91	18/02/05	* ON PROB.	NOV 01	C/T 01/07/93	7100 01/02/08	
ASGHE2020251	SHRI UTTAM KUMAR SAHA B.A.	NEITHER	11/01/64 19/06/92	18/02/05	* ON PROB.	NOV 01	C/T 01/01/95	7100 01/02/08	
ASGHE2020253	SHRI AMIT PATRANABIS	NEITHER	26/07/72 26/05/95	11/01/05	* ON PROB.	NOV 01	C/T 27/05/97	7100 01/01/08	
ASGHE2020254	SMTI DIPALI DAS	SC	21/01/75 11/01/96	18/02/05	* ON PROB.	NOV 01	C/T 12/01/98	7100 01/02/08	
ASGHE2020255	SHRI DHIRESWAR BORO	ST	27/07/72 15/05/96	18/02/05	* ON PROB.	NOV 01	C/T 16/05/98	7100 01/02/08	
ASGHE2020256	SHRI PRADIP KUMAR DAS(I)	NEITHER	21/02/62 27/04/85	25/02/05	* ON PROB.	MAY 03	C/T 28/09/89	8500 01/02/08	
ASGHE2020259	SHRI ALOK KUMAR CHAKRABORTY	NEITHER	26/04/63 31/10/85	25/02/05	* ON PROB.	MAY 03	C/T 28/09/89	8500 01/02/08	
ARSLE2020260	SHRI BISWAJIT DUTTA	NEITHER	01/11/62 27/10/86	15/04/05	* ON PROB.	MAY 03	C/T 01/08/91		ON DEPUTATION TO THE O/O, THE SR,DAG(A&E) ARUNACHAL PRADESH, SHILLONG
12020263	SHRI NIRMAL SINGH	SC	19/01/72 15/05/95	30/03/05	* ON PROB.	MAY 03	ACCTT 01/03/98		ON DEPUTATION TO THE O/O, THE TELECOMMUNICATIO N, CHANDIGARH WEF 02/04/2005. EXTENDED UPTO 01/04/2008.
ARSLE2020264	SHRI SADHAN CHANDRA PAUL	NEITHER	18/05/70 10/04/90	01/04/05	* ON PROB.	MAY 03	C/T 01/07/93		ON DEPUTATION TO THE O/O, THE SR,DAG(A&E) ARUNACHAL PRADESH, SHILLONG



Admin-1/c6Aa/35
dt 3.6.09

-29-

Annexure 7

No. 697-6-PC/GE-11/22-2009

भारत के नियंत्रक-महालेखापरीक्षक का कार्यालय
10, बहादुरशाह जफर मार्ग,
नई दिल्ली - 110 002
OFFICE OF THE
COMPTROLLER & AUDITOR GENERAL
OF INDIA
10, BAHADUR SHAH ZAFAR MARG,
New Delhi - 110 002
दिनांक / DATE 27 May 2009

To

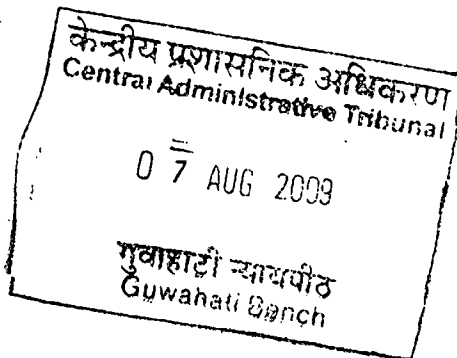
All Head of Offices.
(As per mailing list)
Principal Director (Commercial)-Local
Director (P)-Local

Subject:- Re-designation of the merged cadre of Section Officer and Assistant Accounts / Audit Officer and classification thereof.

Sir / Madam,

Ministry of Finance had vide Notification under GSR 622(E) dated 29.08.2008 upgraded the pre-revised pay scales of Section Officer and Assistant Audit Officer / Assistant Accounts Officer and placed them in a common Pay Band (PB-2 Rs. 9300-34800) with Grade Pay of Rs. 4800/- merging of the posts of Section Officer and Assistant Accounts / Audit Officer.

- Consequently, it has been decided that the merged cadre of Section Officer and Assistant Accounts / Audit Officer will be re-designated as Assistant Accounts Officer / Assistant Audit Officer and will be classified as Group 'B' Gazetted. Till such time the new RRs are framed, the promotions to the new cadre of AAO would be made in terms of existing RRs of SO cadre
- This will take effect from the date of issue of this letter.



(Saurabh Narain)
Asstt. Comptroller and Auditor General (N)

AC-1

फोन / Phone : 23231440, 23231761
टैलेक्स / Telex : 031-65981, 031-65847

गैर / Telegram : ARGEL NEW DELHI
फैक्स / Fax : 91-11-23235446, 91-11-23234014

certified to be
true copy
largest Sonowal
advocate

To,

The Accountant General
O/O the A.G.(A&E) Assam, Maidamgaon,
Beltola, Guwahati.

Through Dy.A.G(Admn)

Subject: Regarding transfer to deficit Office.

Madam,

I have the honour to lay down a few lines for your kind consideration.

That Madam, it came to know that as per Head Quarter circular Junior most Asstt Accounts Officer i.e. now re-designed Asstt. Accounts Officer from Section Officer w.e.f 27/5/09 have to transferred from this Office to deficit Office i.e. A.G. Arunachal, AG. Mizoram etc.

That Madam, it may be mentioned that I have already been worked at deficit office about 18 months on Promotion and returned to this Office after cadre separation on the basis of Head Quarter separation 80/20 Policy.

That Madam, I have already been permanently allocated in the O/O the A.G.(A&E) Assam as per Admn-1 order No. 132, dt: 19/9/06 against the post of Section Officer.

That Madam, now I have been suffering from so many problem, such as my health condition is not permit to work in outside office because my Gold bladder operation and ERCP also.

Further, I am the only one member of my family to look after my dependent family members, specially my 4 months old year son.


Therefore, I request you kindly look into the matter and to consider my prayer so that I can able to work sincerely and smoothly in the O/O the A.G (A&E) Assam and for this act I shall ever grateful to you.

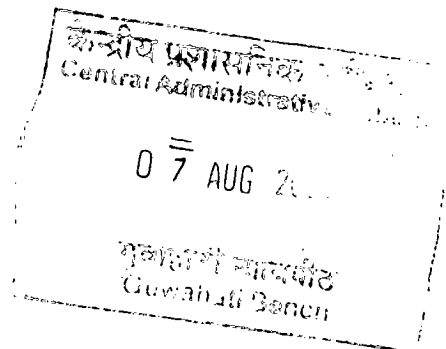
Yours faithfully'


(UTTAM KR. SAHA)
AAO/GE-8

Copy to:-

The Secretary, Accounts Category II Association, Assam, Guwahati
for information and necessary action at their end.


5/8/09



identified to be
true copy
sarganta sonowal
add vocat

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

Admn.-I Order No. 204

August 6, 2009

In pursuance of Headquarters' instructions contained in its letter No. 553-NGE (App.)/28-2007/Pt. II dated 17.07.2009, the following officers of the office of the A.G. (A&E), Assam are hereby transferred and posted on deputation basis to the Office (s) as shown below against their names, for a maximum period of four years from the date of taking over charge, on the same condition as prescribed in the policy for separation of Gr. 'B' cadre.

SI No.	Name of the officer Shri /Smti.	Designation	Place of posting on deputation basis
1	Alok Kr. Chakraborty	AAO	O/o the A.G. (A&E), Mizoram, Aizwal vice Shri Ajit Kr. Deb, AAO
✓ 2	Pradip Kumar Das (I)	AAO	O/o the A.G. (A&E), Mizoram, Aizwal vice Shri Binoy Kr. Mandal, AAO
3	Uttam Kr. Saha	AAO	O/o the Sr. DAG (A&E) Nagaland, Kohima vice Shri Sabyasachi Chowdhury, AAO
4	Amit Patranabis	AAO	O/o the Sr. DAG (A&E) Nagaland, Kohima vice Shri Ramamoy Bhattacharjee, AAO

On transfer they stand released from the office of the A.G (A&E), Assam w.e.f 10.08.2009 (F.N) to enable them to join in their new place of posting on deputation basis.

[Authority: A.G's Order dated 05.08.2009 at p/33^N in file No. Admn. I/Cadre NE Separation Gr. 'B'/2008-09]

sd/-
(A. B. Purkayastha)
Deputy Accountant General (Admn.)

No. Admn. I/Cadre NE Separation Gr. 'B'/2008-09/2462

August 6, 2009

The Asstt. Comptroller & Auditor General (N),
O/o the Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi- 110 124.

sd/-
(A.B. Purkayastha)
Deputy Accountant General (Admn.)


*certified to be
true copy
forgeth Sonowal
Advocate.*

No. Admn. I/Cadre NE Separation Gr. 'B'/2008-09/2463-83

August 6, 2009

Copy forwarded for information and necessary action to:

1. The Pr. Director of Audit, N.F. Railway, Maligaon, Guwahati 781 011
2. The Senior Deputy Accountant General (Admn.), O/o the A.G. (A&E), Meghalaya, Shillong.
3. The Accountant General (A&E), Mizoram, Shri Ruathranga Building, Dintar, Aizwal-796 001. He is requested to release Shri Ajit Kr. Deb, AAO as soon as Shri Alok Chakrobarty, AAO joins his office and Shri Binoy Kr. Mandal, AAO as soon as Shri Pradip Kumar Das (I), AAO joins his office.
4. The Sr. Deputy Accountant General (Admn.), O/o the Sr. DAG (A&E), Nagaland, Kohima. He is requested to release Shri Sabyasachi Chowdhury, AAO as soon as Shri Uttam Kr. Saha, AAO joins his office and Shri Ramamoy Bhattacharjee, AAO as soon as Shri Amit Patranabis, AAO joins his office.
5. All concerned Branch Officers
6. Shri Alok Kr. Chakraborty, AAO. He is directed to report to the O/o the A.G. (A&E), Meghalaya, Shillong.
7. Shri Pradip Kr. Das (I), AAO. He is directed to report to the O/o the A.G. (A&E), Meghalaya, Shillong.
8. Shri Uttam Kr. Saha, AAO. He is directed to report to the O/o the Sr. DAG (A&E), Nagaland, Kohima.
9. Shri Amit Patranabis, AAO. He is directed to report to the O/o the Sr. DAG (A&E), Nagaland, Kohima.
10. Shri Ajit Kr. Deb, AAO, O/o the A.G. (A&E), Mizoram, Aizwal.
11. Shri Binoy Kr. Mandal, AAO, O/o the A.G. (A&E), Mizoram, Aizwal.
12. Shri Sabyasachi Chowdhury, AAO, O/o the Sr. DAG (A&E), Nagaland, Kohima.
13. Shri Ramamoy Bhattacharjee, AAO, O/o the Sr. DAG (A&E), Nagaland, Kohima.
14. The Pvt. Secretary to the A.G.
15. The Pay & Accounts Officer
16. The Steno Gr. II attached to DAG (Admn.)
17. The Steno Gr. I attached to DAG (P&F)
18. The AAO/ Confidential Cell
19. Hindi Cell
20. Admn. I Order Book.


(S. Dhar)
Sr. Accounts Officer (Admn.)