

3

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

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com
02.6.2015

20/7/2015
SECTION OFFICER (JUDL.)

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

1. ORIGINAL APPLICATION No : 168 / 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) : Shri Harendra Das

Respondent (S) : Union of India & Ors.

Advocate for the : Mr. G. C. Phukan,
{Applicant (S)} Mr. R. S. Thakur & Mr. S. K. Singh.

Advocate for the : -----
{Respondent (S)} CGSC.

Notes of the Registry	Date	Order of the Tribunal
<p><u>This application is in form</u> is filed/C. F. for Rs. 50/- deposited vide IPO/BD No. <u>396 4206/7</u> Dated <u>24.8.09</u></p> <p><u>26.8.09</u> Dy. Registrar <u>26/8/09</u></p>	<p><u>27.08.2009</u></p>	<p>Heard Mr. G. C. Phukan; learned counsel for the Applicant and Mr. M. K. Boro, learned Addl. Standing Counsel representing the Government of India, to whom a copy of this O.A. has already been served and perused the materials placed on record.</p> <p>For the reasons recorded separately, this O.A. stands disposed of.</p>

(M. K. Chaturvedi)
Member(A)

(M. R. Mohanty)
Vice-Chairman

26.8.09
4. (Four) Copies of application
with envelopes received
for issue notices to
the Respondents No 2 to 4.
Copy served. The O.A.
has been mentioned
before the Hon'ble Court
for urgent matter to be
listed on 27.8.09 in
the supplementary list.
There are some typing
mistake in the petition and
advocate for the Applicant
submit an application for
this regard with a request
to accept this. Action at
flag A.
Laid before the Bench
for perusal of order.
Section Officer (T).
26/8/09

d Received 1500 copy
order dated 27/8/09
Rang Shankar Thakur
Advocate

Date - 28/8/09

28/8/2009

Judgment order dtd
27/8/09 alongwith Notice
send to the D/section
for issuing to the
Applicant & Respts..
by Regd post. and
free copies of both
side Applicant &
Respts counsels.

28/8/09
D/No 9842 to 9848
dtd 28/8/09
The undersigned, Mr. M. R. Thakur, Advocate,
has the honor to acknowledge the receipt of the
copy of the O.A. filed in the Court of the
Hon. Judge, District Court, Patna, and has
been directed to file the same in the Court.
The undersigned has the honor to inform
that the same has been filed in the Court
and the same is being followed up.
Yours faithfully,
Mr. M. R. Thakur, Advocate

(M.R. Thakur)
Advocate

(M.R. Thakur)
Advocate

✓

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, GUWAHATI:**

O.A.No. 168 of 2009

Date of Decision 27.08.2009

Sri Haradhan Das **Applicant/s**

Mr. G.C.Phukan **Advocate for the
Applicant/s**

- Versus -

U.O.I. & Ors. **Respondent/s**

Mr.M.K.Boro, Addl.Standing Counsel **Advocate
for the Respondents**

CORAM

**MR. MANORANJAN MOHANTY, VICE-CHAIRMAN
MR. M. K. 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** ✓


Vice-Chairman/Member (A)

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH

Original Application No.168 of 2009

Date of Order: This the 27th Day of August 2009.

**HON'BLE MR.MANORANJAN MOHANTY, VICE-CHAIRMAN
HON'BLE MR.M.K.CHATURVEDI, ADMINISTRATIVE MEMBER**

**Sri Haradhan Das,
S/O Late Jaladhar Ch.Das.
Old SSB Watt.Gohour Tinali
Chimpu P.O.R.K.Mission
District Papumpara (Arunachal Pradesh) Applicant
PIN-791113**

By Advocate Mr.G.C.Phukan, Mr.R.S.Thakur. Mr.S.K.Singh .

-Versus-

- 1. Union of India
Represented by the Secretary,
Ministry of Home Affairs
Govt. of India
New Delhi-110001**
- 2. Joint Director/E
Intelligence Bureau
Ministry of Home Affairs)
Govt. of India
New Delhi-110002**
- 3. Assistant Director/E
Subsidiary Intelligence Bureau
(Ministry of Home Affairs)
Govt.of India, Itanagar-791113**
- 4. Assistant Director
Subsidiary Intelligence Bureau
(Ministry of Home Affairs)
Govt of India
Siliguri
PIN-734401**

Respondents

**By Advocate Mr.M.K.Boro, Addl.
Standing Counsel**



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ORDER(ORAL)
O.A.NO.168 OF 2009
27.08.2009

MANORANJAN MOHANTY, V.C:

Applicant, an Upper Division Clerk in Service of Subsidiary Intelligence Bureau, having faced an order of transfer(from SIB/Itanagar to SIB/Siliguri) dated 30.01.2009, addressed a representation (on 15.03.2009) to the Joint Director/ IB Hqrs/New Delhi to the following effect:-

"With due regards, I am to lay the following few lines for favour of your kind consideration please.

2. Sir, I have been transferred to SIB, Siliguri vide your Order No.7/EST/CV/2004(31)-1554-63 dated 30-01.2009.
3. Sir, my wife is a patient of Gyne is under going treatment of Shri Abony Roy, Doctor who is attached with Gohpur Civil Hospital, Assam (Gohpur is located 30 Kms far away from our office).
4. In view of the above circumstances, I may kindly be retained at Itanagar till the recovery of my wife."

2. During pendency of the above said representation, it is alleged, office order dated 12.08.2009 was issued by the Assistant Director/E of SIB/Itanagar; relevant portion of which reads as under;-

"Consequent upon his transfer from SIB, Itanagar to SIB Siliguri, Shri Haradhan Das, UDC (PIS No.123000) stands relieved of his duties from SIB, Itanagar w.e.f. 31.08.2009(AN) with directions to report fo duty to Assistant Director/E, SIB Siliguri after

/s/

availing the admissible joining time.

3. A copy of the above noted relieve order dated 12.08.2009 was served on the Applicant with the following instructions:-

"7. Shri Haradhan Das, UDC, Itanagar: He is requested to surrender his Identity card etc. and submit clearance certificate before proceeding on transfer."

4. Applicant addressed another representation (on 20.08.2009) to the Assistant Director/E of SIB/Itanagar to the following effect:-

"Most respectfully, I beg to lay the following few lines for favour of your kind consideration please.

2. Sir, earlier I have been transferred to SIB, Siliguri from SIB, Itanagar and released on 31-7-2005. I joined at SIB, Siliguri on 23-08-2005 and after completion of 2 years 10 months, I again transferred to Itanagar and joined at SIB, Itanagar on 3-11-2008 and after completion of 3 months, again I have been transfer backed to SIB, Siliguri from SIB, Itanagar vide IB Hqrs, New Delhi order No.7/EST/CV/2004(31)-1554-63 dated 30-01-2009 and similarly I have been released on 31-8-2009 vide your order No.11/3/2008-EST-5802 dated 12-08-2009.

3. Sir, my wife is a patient of Gyne is under going treatment of Shri Abony Roy, Doctor who is attached with Fohpur Civil Hospital, Assam(Gohpur is located 30 Kms. Far away from our office).

4. Under the above circumstances, I am not in a position to shift my family again to Siliguri. Due to frequent transfer (4 times transfer within

4 years from 31-07-2005 to 31-8-2009) I could not continue her treatment. Now I desired to stay at Itanagar till her treatment overcome.

5. So it is therefore, earnestly submitting my passionate plea to re-consider the decision and I may kindly be retained here in cancellation of my release order so that I can continue of my wife's treatment at Itanagar and if possible my transfer order may kindly be treated cancel.

5. Being aggrieved by the above actions of the Respondents and without hearing from the Respondents (on his representation) the Applicant has approached this Tribunal with the present Original Application filed under Section 19 of the Administrative Tribunals Act, 1985; wherein he has prayed as under:-

i) "To set aside and quash the impugned transfer and release order of SIB Head quarter under endorsement No.7/ESTT/CV/2004(31)-1554-63 dated 30.01.2009 with an order to release the applicant w.e.f. 31.08.2009 issued by Asstt.Director/E SIB. Itanagar, Annexure-4 and 5.

ii) To direct the respondent authorities immediately to stay the impugned transfer and release order indicated in the Annexure-4 & 5 aforesaid.

iii) Cost of the Application and/or

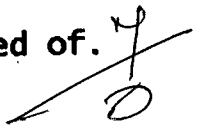
iv) Any other reliefs to which the Applicant is entitled under the facts and circumstances of the case and as may be deemed fit and proper by this Hon'ble Tribunal.

6. Heard Mr.G.C.Phukan, learned counsel appearing for the Applicant, and Mr.M.K.Boro, learned Addl.Standing Counsel for the Govt. of India (to whom a copy of this Original Application has already been supplied) and perused the materials placed on record.

7. Transfer is an incidence of service. 'Who should be posted where' is within the discretion of the authorities in Control of the matter. This Tribunal, not being the Appellate authority over the Respondents, should ordinarily not interfere in the matter of transfer and posting. But in the present case, we find that the Applicant has been asked to face transfer within six-months. He represented to his authority pointing out the health problem of his wife. Despite that he has been asked to be relieved on coming 31.08.2009. 'Redressal of grievances (representation) of the member of the staff, at the earliest opportunity', being a healthy personnel management, the Respondents ought to consider the grievances of the Applicant (as raised in his representations) at an early date.

8. In the above premises, we remit this matter to the Respondents (especially) to the Respondent No.2) requiring them to consider the grievances of the Applicant (as raised in his representations & in this Original Application) and pass a reasoned order by end of September 2009 and, until then, the above said orders dated 30.01.2009 and 12.08.2009 shall remain in-operative.

9. With above observations & directions, this case stands disposed of.

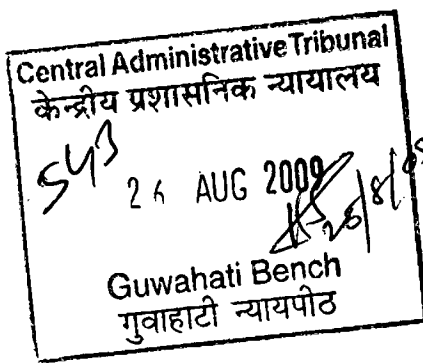


10. Send copies of this order to the Applicant and the Respondents (along with the copies of this Original Application) in the address given in the O.A. The Respondents should treat the copies of this Original Application as a representation (to the Respondents) of the Applicant. Free copies of this order be also supplied to the Advocates of both parties.


(M.K. CHATURVEI)
ADMINISTRATIVE MEMBER


(MANORANJAN MOHANTY)
VICE-CHAIRMAN

LM



Filed by
Rama Shankar Thakur
Advocate
on 26-8-2009

THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH

AT GUWAHATI

O.A. NO. 168 /2009

Sri Haradhan Das

...Applicant

-Versus-

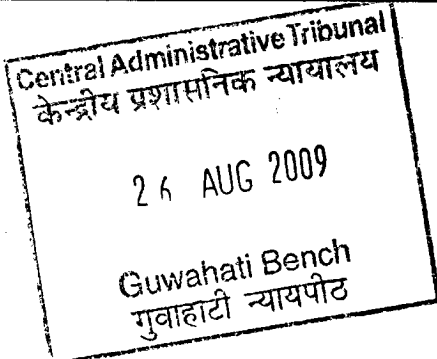
Union of India & Ors.

.....Respondents

SYNOPSIS

This original application is filed by the applicant against impugned transfer and release order dated 30.1.09 and 12.8.09 respectively for the direction to the Respondents to cancel the transfer and release order and for stay of the impugned order.

The applicant is UDC in the department of SIB, Itanagar. The applicant joined in service in the department as LC in 1991 at Tezpur from where he was transferred to Itanagar. That within a short time on 28.6.2005 the applicant was transferred to Siliguri. And again from Siliguri he was transferred to Balurghat on 31.10.2005 and from Balurghat he was again transferred to SIB Siliguri. And again from Siliguri he was transferred to Itanagar on 3.7.2008. At Itanagar he was working without any complain against him but from Itanagar there is another order dtd. 12.8.2009 for his transfer to the Siliguri and as shown in the order concerned he is released from Itanagar w.e.f. 31.8.09. This kind



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of transfer of the applicant from one place to another without any just cause making him to suffer from all the troubles of transfer and for such transfer the applicant's wife has not been able to get proper treatment for her gynaecological problem. The applicant has submitted the representation for stay before the respondent authority but they did not consider. This is respectfully submitted this a man holding clerical post does not deserve transfer unless the same is for public interest. Hence, the present application.

Filed by:

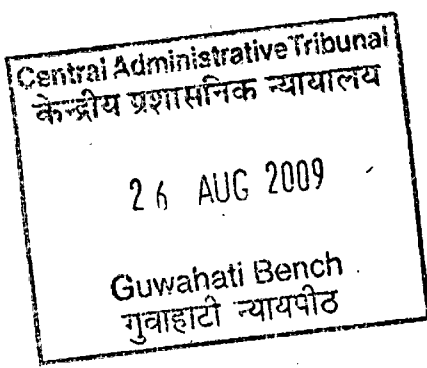
[Signature]
26/8/09
Advocate

LIST OF DATES

- 24.12.2004 & : Transfer and release order and transfer
28./6.2005 from SIB. Itanagar to SIB. Siliguri
Annexure - 1. Page- 11
- 31.10.2005 : Transfer order from PRC. Siliguri to
Balurghat Annexure - 2. Page- 12
- 3.7.2008 : Shri Haradhan Das. UDC is transferred
from SIB Siliguri to SIB Itanagar.
Annexure - 3. Page- 13
- 30.01.2009 : Shri Haradhan Das. UDC is transferred
from SIB Itanagar to SIB Siliguri.
Annexure - 4. Page- 14
- 12.8.2009 : Transfer from SIB Itanagar to SIB.
Siliguri. Shri Haradhan Das. UDC Stands
relieved of his duties from SIB Itanagar
w.e.f. 31.8.09 - Annexure - 5. Page- 15
- 15.3.2009 : The applicant submitted the advance copy
of representation before the Joint
Director. IB. Govt. of India. New Delhi
Annexure - 6. Page- 16
- 21.8.2009 : The applicant has submitted the
representation before the Assistant
Director/E. SIB Itanagar.
Annexure - 7. Page- 17
- 22.8.2009 : Medical Certificate prescribed by
Medical Officer - Annexure - 8. Page- 18

Filed by:

R. S. Akur
26/8/09
Advocate.



THE CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH

AT GUWAHATI

O.A. NO. 168 /2009

Sri Haradhan Das ...Applicant

-Versus-

Union of India & Ors.

.....Respondents

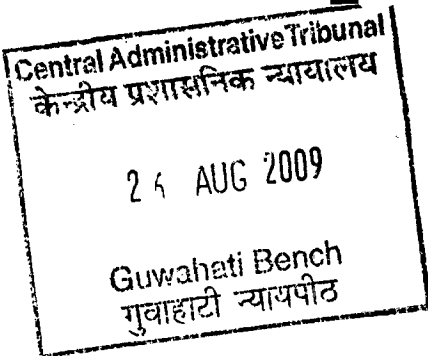
I N D E X

SL.NO.	PARTICULARS	PAGE NOS.
1.	Application	1 to 9
2.	Verification	10
3.	Annexure - 1	11
4.	Annexure - 2	12
5.	Annexure - 3	13
6.	Annexure - 4	14
7.	Annexure - 5	15
8.	Annexure - 6	16
9.	Annexure - 7	17
10.	Annexure - 8	18

Filed by:

R. S. Thakur
Advocate 26/8/09

Filed by
Rang Sankar Thakur
Advocate
on 26-8-2009



Filed by
Rang Shankar Thakur
Advocate
Haradhan Das on 26-8-09

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI BENCH

AT GUWAHATI

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

O. A. NO. 168 /2009

Sri Haradhan Das.

S/o Late Jaladhar Ch. Das.

Old SSB Watt. Gohpur Tinali.

Chimpu. P.O. R.K. Mission.

District Papumpara (Arunachal

Pradesh) PIN - 791113. ✓

...Applicant

-AND-

1. Union of India.

represented by the Secretary.

Ministry of Home Affairs.

Govt. of India.

New Delhi-110004 ✓

2. Joint Director/E

Intelligence Bureau.

(Ministry of Home Affairs)

Govt. of India.

New Delhi-110002 ✓

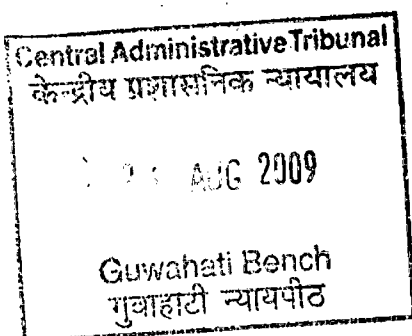
3. Assistant Director/E

Subsidiary Intelligence Bureau.

(Ministry of Home Affairs)

Govt. of India. Itanagar-791113. ✓

Contd..P/-



[2]

4. Assistant Director/E
Subsidiary Intelligence Bureau.
(Ministry of Home Affairs)
Govt. of India.
Siliguri. PIN - 734401

.. Respondents

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

This is an order dated 31.1.09 by the Respondent No.2 vide Annexure-4 transferring the applicant from Itanagar to Siliguri. The applicant has been ordered to be released with effect from 31.8.2009 vide Annexure-5 by the Asstt. Director/E.SIB. Itanagar. The applicant challenge the above order as the same are malafide and motivated.

2. JURISDICTION OF THE TRIBUNAL:

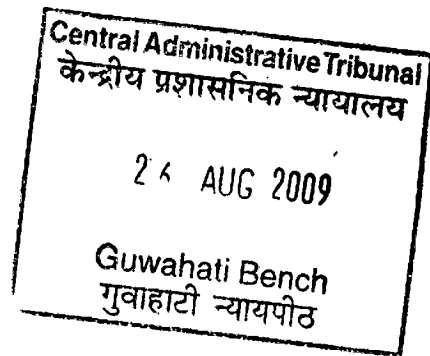
The applicant declares that the subject matter of the instant application is within the jurisdiction of this Hon'ble Tribunal.

3. LIMITATION:

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

Contd..P/-

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Harshan Das



4. FACTS OF THE CASE:

(i) That the applicant is a citizen of India and permanent resident at the above address and as such he is entitled to all the rights both fundamental and others provided under the Constitution of India and also to all other rights provided under other statutes and the rules in force in the country.

(ii) That the applicant belongs to S.C. community which is a reserved community in the State of Assam. He joined as an Office Assistant in the office of the Subsidiary Intelligence Bureau (SIB) at Tezpur in the year 1991 and discharged his duty regularly to the satisfaction of all concerned.

(iii) That while the applicant was in the service at Tezpur as aforesaid he was transferred to Itanagar from where he was again transferred to Siliguri vide N. 4/TP/CV/2005(9)-18478-555 dated 24.12.2004. Basing on this transfer order he was released from Itanagar by the concerned officer namely Deputy Director w.e.f. 28.6.2005 vide No. 26/E/91(1)-4454 of the above date.

The copy of the order mentioned above is annexed herewith as Annexure-1.

Contd..P/-

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Haradhan Das

26 AUG 2009

Guwahati Bench
गुवाहाटी न्यायपीठ

[4]

(iv) That accordingly the applicant proceeded to Siliguri and joined there as per direction of the office concerned.

(v) That the applicant begs to state that while he was at Siliguri, he was again transferred to Balurghat where he joined on 2.11.2005 in compliance with the order dated 31.10.2005 issued by the Deputy Director vide No. S.1/Estt/2005(36)-2481.

The copy of the order relating to the transfer and joining at Balurghat is annexed herewith as Annexure- 2.

(vi) That the applicant states that he was at Balurghat from 2.11.05 and then he was again transferred from the said place to Itanagar vide order dated 3.7.08 communicated by No. 7/EST/CV/97(3)-11203-11214.

The copy of the above order is annexed herewith as Annexure - 3.

(vii) That as per order the applicant joined at Itanagar but again by an order dated 30.1.2009 he was transferred from Itanagar to Siliguri. For joining at Siliguri he has been ordered to be released w.e.f. 31.8.09 vide office order No. 461/09 dated 12.8.09 issued by Asstt. Director/E of the department concerned.

Contd..P/-

Shradhan Das

26 AUG 2009

Guwahati Bench
गुवाहाटी न्यायपीठ

[5]

The copy of the order dated 30.1.09 and released order dtd. 12.8.09 are annexed herewith as Annexure - 4 & 5 respectively.

(viii) That the applicant begs to state that for his repeated transfer in the above manner from one place to another, he suffers immensely. For his transfer in the above manner his wife even could not get proper treatment for her genealogical problems. Against the repeated transfer the applicant made representation but the same have been simply ignored.

The copies of the representation dated 15.3.09 and 21.8.09 are annexed herewith as Annexure - 6 & 7 respectively.

(ix) That now the condition is such that if again he is to move from Itanagar to Siliguri there would be heavy toll on the health of his wife. The applicant would also suffer the pang of frequent transfer if he is compelled again to proceed to Siliguri as indicated in Annexure - 5 above.

The medical certificate relating to the applicant's wife is annexed herewith as Annexure-8.

Contd..P/-

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Shradhan Das

Pradeep Das

(x) That the applicant begs to state that within a short period of time beginning from 2005 to 2009 he has been shuttled from one place to another without any just and valid reason.

It is respectfully submitted that the reason for such type of transfer of the applicant is never expressed in any manner. To his knowledge he has done nothing for which he should be so treated. From the conduct of the authority in the department, the applicant is bound to believe that there is malafiditily in the action the authority in the department.

5. GROUNDS FOR RELIEF WITH LEGAL PROVISIONS:

1. For that within a short time beginning from 2005 to 2009 he has been shuttled move then once from one place to another without any just and valid reason.

2. For that for the frequent transfer the applicant has suffered mentally, physically and financially. Due to such transfer his wife even cannot get appropriate treatment for her ailment.

3. For that from the facts and circumstances narrated above it would definitely indicate that every transfer order is a motivated one with malice. In other words such transfer order is nothing but arbitrary and malafide which may be interfered with by the Hon'ble Tribunal. This is respectfully submitted that the appli-

Contd..P/-

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Shreehan Das

cant is entitled to fair dealings from the employer, But in clear violation of the mandate in Article 14. 19(1)(a) and 21 of the Constitution of India, said order have been repeatedly passed.

4. For that due to the conduct of authority of the department there has been a clear violation of the principle of natural justice.

5. For that there is no procedure or the rule which permits such type of transfer order of a clerk without any rhyme and reason. Out and out the transfer order is nothing but malafide which may be order to be cancelled by the Hon'ble Tribunal. The transfer orders cannot be claimed to be for public interest also.

6. For that the applicant submitted representations before the concerned authority but the authority did not consider the same and as such the Hon'ble Tribunal would be pleased to set aside and quash the impugned order as indicated in Annexure - 4 and 5.

7. For that the applicant prayed for cancellation of the transfer order but instead an order is issued that he is released from Itanagar w.e.f. 31.8.09. If the release order given effect to the applicant would suffer great injustice. Such a frequent transfer from one place to another would again affect

26 AUG 2009

Guwahati Bench
गुवाहाटी न्यायपीठ

[8]

the position of the applicant with severe consequences even. This being so the applicant again approached the authority concerned for justice but the same has been denied and hence this application for appropriate relief.

6. DETAILS OF REMEDIES EXHAUSTED:

That the applicant declared that he has no other alternative remedy then to come under to protective hands of this Hon'ble Tribunal for cancellation of transfer and release orders.

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

The humble applicant further declares that no other case has been preferred for the relief sought anywhere.

8. RELIEF SOUGHT FOR:

Under the facts and circumstances stated above, the applicant humbly and respectfully prays that the instant application be admitted, relevant records be called for and upon hearing the parties, or the cause or causes that may be shown, be pleased to grant the following reliefs to the applicant:

- i) To set aside and quash the impugned transfer and release order of AIB Head quarter under endorsement No.

Contd..P/-

Haradhan Das

- 9 -

7/ESTT/CV/2004(31)-1554-63 dated 30.01.2009 with an order to release the applicant w.e.f. 31.8.2009 issued by Asstt. Director/E SIB. Itanagar, Annexure-4 and 5.

ii) To direct the respondent authorities immediately to stay the impugned transfer and release order indicated in the Annexure-4 & 5 aforesaid.

iii) Cost of the application and/or

iv) Any other reliefs to which the applicant is entitled under the facts and circumstances of the case and as may be deemed fit and proper by this Hon'ble Tribunal

9. INTERIM RELIEF PRAYED FOR:

Pending disposal of the instant application the applicant prays for an interim order directing the respondent authorities to stay the impugned transfer and release order dated 31.8.09 indicated in the Annexure- 4 & 5 and/or pass such further order/orders as this Hon'ble Tribunal fit and proper.

10. PARTICULARS OF THE POSTAL ORDER:

Indian Postal Order No. 396 420617

Date : 24-8-2009

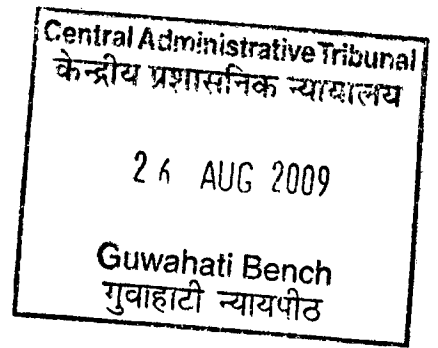
Issuing Officer : Guwahati GPO

Payable at : Guwahati. GPO

11. LIST OF ENCLOSURES:

An Index showing the particulars of documents is enclosed herewith.

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Shriharan Das



VERIFICATION

I, Shri Haradhan Das son of Late Jaladhar Ch. Das, resident of old SSB Watt, Gohpur Tinali, Chimpu, PO. R.K.Mission Pin 791113, Dist. Papumpare, Arunachal Pradesh to solemnly hereby affirm and declare as follows:-

That I am the applicant in the accompanying application and I do hereby verify and state that the statements made therein are true to the best of my knowledge, belief and information.

And I sign this verification on this 26th the day of August, 2009 at Guwahati.

Place...Guwahati

Date...26/08/2009

Haradhan Das
Signature.

OFFICE ORDER NO. 264 /2005

- Ref.: 1. IB, Hqrs. N. Delhi Order issued under endorsement *transfer order*
No.4/TP/CV/2005(9)-18478-555 dated 24.12.2004.
2. SIB, Itanagar O.O. No.532/2005 issued under endorsement
No.26/E/91(1)-4454 dated 28.06.2005. *referred order*

Consequent upon his transfer from SIB, Itanagar to SIB, Siliguri and having been relieved of his duties at Itanagar with effect from the afternoon of 31-07-2005, Shri Haradhan Das, LDC(PIS No.123000) joined SIB, Siliguri on the forenoon of 23-08-2005.

2. His joining time and leave is regularized as follows :

- i) 12 days joining time w.e.f. 01-8-2005 to 12-8-2005.
 ii) 10 days Earned Leave w.e.f. 13-8-2005 to 22-8-2005.

3. On joining at SIB, Siliguri, Shri Das, LDC is granted following pay and allowances with effect from the forenoon of 23-08-2005.

Basic Pay	--	Rs.3200/- p.m. in the pay scale of Rs.3050-75-3950-80-4590/-
DA/Tpt./ Other Allow.	--	Under Central Govt. rate.
HRA	--	State Govt.(WB) rate as per option exercised by him.
Joining time & Leave period Pay & Allow.	--	As per LPC (enclosed)

Central Administrative Tribunal
 केन्द्रीय प्रशासनिक न्यायालय

26 AUG 2009

Guwahati Bench
 गुवाहाटी न्यायापीठ

[Signature]
 Deputy Director

No. S.1/Estt/2005(35)- *1869*
 Subsidiary Intelligence Bureau,
 (Ministry of Home Affairs),
 Government of India,
Siliguri

Dated, the *26/8/2005*

Copy for information and necessary action to :-

01. Shri Haradhan Das, LDC, SIB, Siliguri
02. O.O. Book, SIB, Siliguri.
03. ADs: E/G/CC/CV/ACR/Computer Cell, IB Hqrs., New Delhi.
04. The Assistant Director/E, SIB, Itanagar
05. The Assistant Director/E, SIB, Kolkata.
06. Accts Br., SIB, Siliguri (2 cps). His LPC is also enclosed herewith in original.
07. E-list/ACR/TA/GPF/IBRF/SB/NGO, SIB, Siliguri.
08. F/No. S.3/Estt/2005(2)

*certified to be
 true copy*

*Rama Shankar Thakur,
 Advocate*

[Signature]
 Deputy Director

ORDER

Ref.: SIB, Siliguri order under endt. No.
S.1/Estt/2005(36)-2481 dated 31.10.2005.

Consequent upon his transfer from PRC, Siliguri to Balurghat and having been relieved of his duties at PRC w.e.f. 31.10.2005/AN, Sri Haradhan Das, LDC reported for duty at Balurghat on the forenoon of 02.11.2005.

Sd/-
 Deputy Director

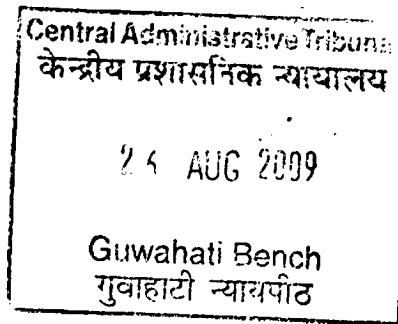
No. S.1/Estt/2005(36)- 25/3
 Subsidiary Intelligence Bureau,
 (MIA), Government of India,
Siliguri

Dated, the 8/11/05

Copy for information and necessary action to:

1. Sri Haradhan Das, LDC, SIB, Balurghat.
2. O.O. Book, SIB, Siliguri.
3. AD, SIB, Malda.
4. DCIO, SIB, Balurghat.
5. Accts. Br./E-list/TA/SB, SIB, Siliguri.
6. F.No.S.3/Estt/2005(2)

1832
 14.11.05



Section Officer
 7.11.05

certified to be
 true copy
 Ram Shankar Thakur,
 Advocate.

-18-

-13-

NO-B-4/Estt/2008-120

DA-15-7-2008

ANNEXURE-3

SSSS

22/7/08

3254

8/7

Restricted

O R D E R

Shri Haradhan Das, UDC (PIS No. 123000) is transferred from SIB Siliguri to SIB Itanagar with immediate effect.

Sd/-

(A.K. Mishra)

Deputy Director

No. 7/EST/CV/97(3)-11203-11214
Intelligence Bureau

(Ministry of Home Affairs)
Government of India

New Delhi, the

31/7/08

Copy to:

1. JDs SIBx: Kolkata/Itanagar
2. DD/E, IB Hqrs.
3. ADs: ACR/PIS/G/CC, IB Hqrs.
4. ADs SIBx: Itanagar/Siliguri ✓
5. PF of Shri Haradhan Das, UDC
6. BOB/OOB

Central Administrative Tribunal केन्द्रीय प्रशासनिक न्यायालय
26 AUG 2009
Guwahati Bench गुवाहाटी न्यायपीठ

Sn MPC
b
AT

Section Officer

No. S.3/Estt/2008(2)-1970
Subsidiary Intelligence Bureau,
(MHA), Government of India,
Siliguri

Dated, the

10/7/08

Copy for information and necessary action to:-

01. Shri Haradhan Das, UDC, SIB, Balurghat.
02. The DCIO, SIB, Balurghat.

15.9.08

certified to be
true copy

Ramesh Chandra Thakur
Advocate

Section Officer/E

-14-

ANNEXURE-4

SIB, ITANAGAR

Estt. Branch

Diary No. 710

Date 6/2/09

Restricted

O R D E R

Shri Haradhan Das, UDC (123000) is transferred from SIB Itanagar to SIB Siliguri with immediate effect.

Sd/-

(S.S. Sidhu)

Joint Director

No.7/EST/CV/2004(31) -1554-63
Intelligence Bureau
(Ministry of Home Affairs)
Government of India

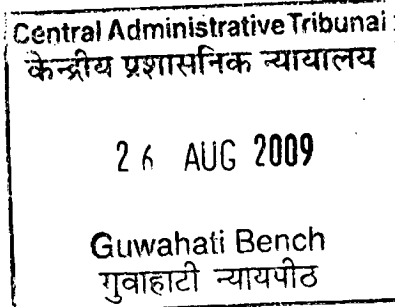
New Delhi, the 30/01/09

Copy to:

1. JD/E, IB Hqrs.
2. JDs SIBx: Itanagar, Kolkata.
3. DD, SIB Siliguri.
4. ADs: ACR/PIS, IB Hqrs.
5. ADs SIBx: Itanagar, Siliguri.
6. BOB

Is it on medical ground?
30/01/09

(S.K. Sahoo) 30/1
Section Officer



Shu S.S.
6/2

certified to be
true copy
Ramesh Shankar Thakur
Advocate.

OFFICE ORDER NO. 461/09 DATED 12/08/09

Ref :IB Hqrs. order under endorsement
No.7/Estt/CV/2004(31)-1554-63 dated 30.01.2009

Consequent upon his transfer from SIB, Itanagar to SIB Siliguri, Shri Haradhan Das, UDC (PIS No.123000) stands relieved of his duties from SIB, Itanagar w.e.f. 31.08.2009 (AN) with directions to report for duty to Assistant Director/E, SIB Siliguri after availing the admissible joining time.

Central Administrative Tribunal
केन्द्रीय प्रशासनिक न्यायालय

26 AUG 2009

Guwahati Bench
गुवाहाटी न्यायपीठsd/-
Assistant Director/ENo.11/3/2008-ESTT- SE02
Subsidiary Intelligence Bureau
(MHA), Govt. of India
Itanagar

Dated, the - 10 2 AUG 2009

Copy to:

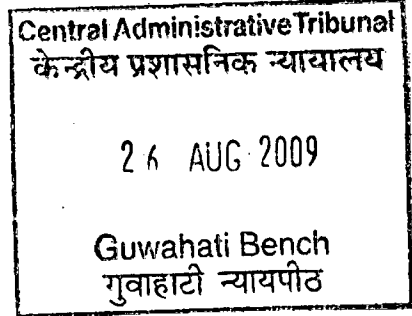
1. The Deputy Director, SIB, Siliguri.
2. The ADs (CV) & (ACR), IB Hqrs. New Delhi.
3. The Jt. Deputy Director/Tech-ME, IB Hqrs. New Delhi.
4. The Assistant Director/E, SIB, Siliguri.
5. The Sr. AO, RPAO (IB), Shillong.
6. The Section Officer (A), SIB, Itanagar: His LPC may please be sent to AD/E, SIB Siliguri.
7. Shri Haradhan Das, UDC, Itanagar: He is requested to surrender his Identity card etc. and submit clearance certificate before proceeding on transfer.
8. The SB Cell/ACR /OO Book/E.List/PF, SIB, Itanagar.

sd/-
Assistant Director/E

certified to be
true copy
Rama Shankar Thakur,
Advocate.

Advance copy

To
The Joint Director/E
IB Hqrs., New Delhi



Sub:- Request for retention

Sir,

With due regards, I am to lay the following few lines for favor of your kind consideration please.

2. Sir, I have been transferred to SIB, Siliguri vide your Order No-7/EST/CV/2004(31)-1554-63 dated- 30-1-2009.


3. Sir, my wife is a patient of Gyne is under going treatment of Shri Abony Roy, Doctor who is attached with Gohpur Civil Hospital, Assam (Gohpur is located 30 kms far away from our office).

4. In view of the above circumstances, I may kindly be retained at Itanagar till the recovery of my wife.

Thanking you Sir,

Dated - 15-3-2009

Yours faithfully,

 15-3-2009

(HARADHANDAS)
UDC
SIB, Itanagar

certified to be
true copy
Rama Shankar Thakur
Advocate

To
The Assistant Director/E
SIB, Itanagar

SIB, ITANAGAR
Estt. Branch
Diary No. 50.54
Date 21/08/2009

Sub:- Request for retention at Itanagar in cancellation of my
release order as well as transfer order

Sir,

Most respectfully, I beg to lay the following few lines for favor of your kind consideration please.

2. Sir, earlier I have been transferred to SIB, Siliguri from SIB, Itanagar and released on 31-7-2005. I joined at SIB, Siliguri on 23-8-2005 and after completion of 2 years 10 months, I again transferred to Itanagar and joined at SIB, Itanagar on 3-11-2008 and after completion of 3 months, again I have been transfer backed to SIB, Siliguri from SIB, Itanagar vide IB Hqrs., New Delhi order No-7/EST/CV/2004(31)-1554-63 dated- 30-1-2009 and similarly I have been released on 31-8-2009 vide your order No-11/3/2008-EST-5802 dated- 12-8-2009.

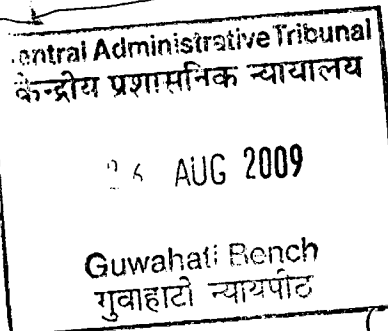
3. Sir, my wife is a patient of Gyne is under going treatment of Shri Abony Roy, Doctor who is attached with Gohpur Civil Hospital, Assam (Gohpur is located 30 kms far away from our office).

4. Under the above circumstances, I am not in a position to shift my family again to Siliguri. Due to frequent transfer (4 times transfer within 4 years from 31-7-2005 to 31-8-2009) I could not continue her treatment. Now I desired to stay at Itanagar till her treatment overcome.

5. So it is therefore earnestly submitting my passionate plea to re-consider the decision and I may kindly be retained here in cancellation of my release order so that I can continue of my wife's treatment at Itanagar and if possible my transfer order may kindly be treated cancel..

Thanking you Sir,

Dated - 20-8-2009



Yours faithfully,

(HARADHANDAS)
UDC
SIB, Itanagar

certified to be
true copy

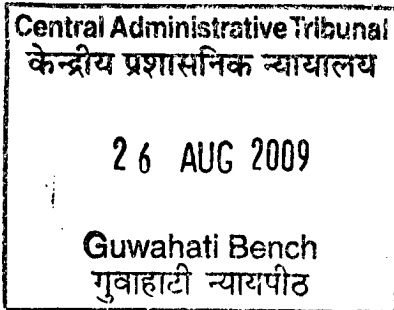
Rama Shankar Thakur
Advocate

Dr. ABANI ROY MBBS
Sr. M. & H.O. GOHPUR CHC
Regd. No. 9087 (AMC)

© : 243178
GOHPUR
SONITPUR, ASSAM
Date 22/08/09

MEDICAL CERTIFICATE

Certify that Mrs. Sonita Das, w/o Mr. Haradhan Das has been under treatment for her ailments since 04/03/09. She has been suffering from Lt. Ovarian cyst with PID associated with Chr. Bronchial Asthma.



Senior Medical & Health Officer
Gohpur C. H. C.
Dist. Sonitpur, Assam

certified to be
true copy
Ramesh Shankar Thakur,
Advocate.