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CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH  
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

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SECTION OFFICER (JUDL.)

22/2/2015

✓ 1. MS  
22/2/2015

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

ORDERSHEET

1. Original Application No: 61 / 2009

2. Misc Petition No /

3. Contempt Petition No /

4. Review Application No /

Applicant(s) Mukul Bezbarua

Respondent(s) De O.T. & OTS

Advocate for the Applicant(s): Satyayanayanan Nath  
Laban Kalita

Advocate for the Respondant(s): 6 CGSC

Notes of the Registry	Date	Order of the Tribunal
1. The application is in form is filed on 16.3.2009 deposited vide IPC/ID No. 396 403661 Dated 16.3.2009	02/04/2009	For the reasons recorded separately, this O.A. stands disposed of.
<i>W. S. Mohanty</i> Dy. Registrar 21/4/09	1/bb/	<i>Y</i> (M.R.Mohanty) Vice-Chairman
<u>2/4/2009</u> 4 copies of Application with envelope received for issue notice to the Respondents No. 1 to 4.		
<u>2/4/09</u> Copy of the order dated 2/4/09 alongwith copy of the Application sent to the Office for issue the same to the Respondents and a copy to the Appellant on 2/4/09 for his parties.		
<u>3/4/09</u>		

**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

Original Application No.61 of 2009

DATE OF DECISION: 02.04.2009

Sri Mukul Bezbarua

.....Applicant/s.

Mr. S.Nath

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

- Versus -

U.O.I. & Ors

.....Respondent/s

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

.....Advocate for the  
Respondents

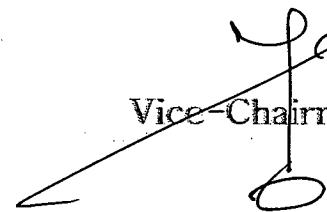
**CORAM**

**THE HON'BLE MR. MANORANJAN MOHANTY, VICE CHAIRMAN**

1. Whether Reporters of local newspapers may be allowed to see the Judgment? Yes/No
2. Whether to be referred to the Reporter or not? Yes/No
3. Whether their Lordships wish to see the fair copy of the Judgment? Yes/No

Judgment delivered by

Vice-Chairman



**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

Original Application No.61 of 2009

Date of Order: This, the 2<sup>nd</sup> Day of April, 2009

**HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN**

**Sri Mukul Bezbarua  
S/o Sri Arabinda Bezbarua  
Resident of Durga Sarobar  
House No.1, Ward No.11  
P.O: Bharalumukh, Guwahati-9.  
P.S: Jalukbari, Dist: Kamrup (M)  
Assam.**

**Applicant.**

**By Advocates: Mr.Satyanarayan Nath & Mr. Laban Kalita**

- VERSUS -

- 1. The Union of India represented by  
the Chairman  
Central Water Commission  
Govt. of India, Room No.303  
Sewa Bhawan, R.K.Puram  
New Delhi-110 066.**
  
- 2. The Chief Engineer  
Brahmaputra and Barak Basin Organisation  
Central Water Commission  
“Rebekka Ville”, Near Barki Point  
Temple Road, Lower Lachumiere  
Shillong-793 001.**
  
- 3. The Superintending Engineer  
Meghana Circle  
Central Water Commission  
“Fulkan Mansion” Panchayat Road  
Silchar – 788 004 (Assam).**
  
- 4. The Executive Engineer  
Meghna Investigation Division  
Central Water Commission  
“Yingyar Villa” Motinagar  
Shillong-793 014.**

...Respondents.

By Advocate: **Ms.Usha Das, Addl: C.G.S.C.**



\* \* \* \* \*

ORDER (ORAL)02.04.2009MANORANJAN MOHANTY, (V.C.) :

On being mentioned by Mr. Laban Kalita, learned counsel appearing for the Applicant (made in presence of Ms. Usha Das, learned Addl. Standing counsel for the Government of India), this matter is taken up.

2. Heard Mr. Satyanarayan Nath, learned counsel appearing for the Applicant, and Ms. Usha Das, learned Addl. Standing counsel for the Government of India (to whom a copy of this O.A. has already been supplied) and perused the materials placed on record.

3. Applicant is presently posted as Lower Division Clerk in Meghna Investigation Division of Central Water Commission having headquarters at Shillong. He has repeatedly represented, for genuine reasons, for his transfer to Guwahati in Assam. It is stated that the Applicant represented on 23.11.2007, on 24.01.2008 and, again, on 10.09.2008. His representations, having not yet been heeded to favourably by his authorities, the Applicant has approached this Tribunal with the present Original Application (under section 19 of the Administrative Tribunals Act, 1985; with a prayer to direct the Respondents to consider his said pending representations) filed on 01.04.2009.

4. Early and effective redressal of the grievances of the employees is a healthy personnel management, and therefore, without any

waste of time, this O.A. is, hereby, disposed of with direction to the Respondents to give due and sympathetic consideration to the grievances of the Applicant (as raised in his representations and in the present O.A.) and grant him necessary relief, as due and admissible under the facts and circumstances of the case and as permissible under the rules, expeditiously, preferably within a period of 60 days from the date of receipt of a copy of this order.

5. With the aforesaid observations and directions, this case stands disposed of.

6. Send copies of this order to the Applicant and to all the Respondents (along with copies of this Original Application) in the address given in the O.A.

7. Free copies of this order be also supplied to the learned counsel appearing for both the parties.

*Manoranjan Mohanty*  
02/04/09  
(MANORANJAN MOHANTY)  
VICE-CHAIRMAN

/bb/

01 APR 2009

DISTRICT :- KAMRUP.

गुवाहाटी न्यायपीठ  
Guwahati Bench

IN THE CENTRAL ADMINISTRATION TRIBUNAL GUWAHATI  
BENCH :: AT GUWAHATI

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

O.A. No. 61 of 2009

Sri Mukul Bezbarua

Applicant

-Versus-

Union of India & Ors.

Respondents

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Filed by-



(S. Nath)

ADVOCATE

01 APR 2009

गुवाहाटी न्यायालय  
Guwahati Bench

DISTRICT :- KAMRUP.

IN THE CENTRAL ADMINISTRATION TRIBUNAL GUWAHATI

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(An application under section 19 of the Administrative  
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Sri Mukul Bezbarua

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-Versus-

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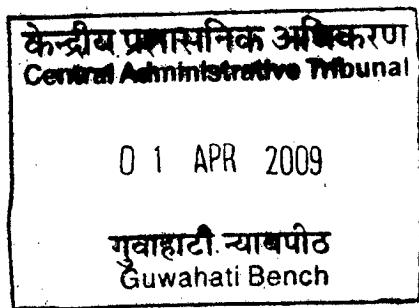
### SYNOPSIS

The applicant is an employee under Central Water Commission, Govt. of India as L.D. Clerk. He joined in the service on 28-10-1996. Thereafter he has worked at various places of the Department with full dedication and sincerity. The applicant is presently posted at Shillong under the Executive Engineer, Meghna Investigation Division, Central Water Commission, "Yingyar Villa", Motinagar, Shillong- 793014. The applicant is working in the said place since 02-09-2005. By the time the applicant had married a physically handicapped (dumb and deaf lady) in the year 2005. The wife of the applicant is an employee of Government of Assam in the Public Health Engineering Department, Guwahati. Hence there is no chance of transfer of his wife at Shillong. The applicant has blessed with a daughter and the said daughter is now 2 years and 6 months old. The applicant's wife is not in a position to provide initial education to her minor daughter and suffering from mental agony as the applicant is not able to provide any assistance to them due to his present posting place and service commitments. The applicants had filed three representations seeking his posting at Guwahati, by putting all his urgent and humanitarian grounds. In this connection three representations were submitted on 23-11-07, 24-01-08 and 11-09-08 respectively before the Respondents.

The applicant is facing critical problem and having no other ways has approached this Hon'ble Tribunal being aggrieved by non-disposal of the said representations. Hence the applicant has filed the present application.

-LIST OF DATES-

1. 03-04-1986 (24-09-1997) :



Office Memorandum, Posting of husband and wife at the same station issued by the Ministry of Personnel, P.G. & Pensions (Department of Personnel & Training) vide Office Memorandum No. 28034/7/86-Estt. (A) dated 03-04-86.

2. 24-07-1995 :

No. MC/ENT/13/63/151 Certificate of "deaf and dumb" issued by GMCH for Smt. Rita Das (Bezbaruah).

3. 25-10-1996 :

Appointment Letter No. NEIC/CWC/Estt.- 94/Rectt./3724-27.

4. 30-12-1996 :

Identity Card of (wife) Smt. Rita Das (Bezbaruah)

5. 27-04-2005 :

Marriage Certificate No. 388.

6. 02-09-2006 :

Birth record of (daughter) Miss Bhaswati Bezbaruah

7. 23-11-2007 :

Representation.

8. 24-01-2008 :

Representation.

9. 10-09-2008 :

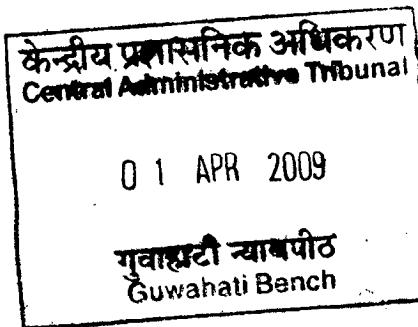
Representation, the applicant submitted representation seeking his transfer under special ground but there is no reply or disposal of any of the representations from the Respondents side.

Filed by-

A handwritten signature in black ink, appearing to read 'S. Nath'.

(S. Nath)

ADVOCATE



DISTRICT :- KAMRUP.

IN THE CENTRAL ADMINISTRATION TRIBUNAL GUWAHATI  
BENCH :: AT GUWAHATI

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

O.A. No. 61 of 2009

Sri Mukul Bezbarua

Applicant

-Versus-

Union of India & Ors.

Respondents

I. PARTICULARS OF THE APPLICANT :-

Sri Mukul Bezbarua

Son of Sri Arabinda Bezbarua

Resident of- Durga Sarobar,

House No. 1, Ward No. 11,

P.O.- Bharalumukh, Guwahati- 9,

P.S.- Jalukbari, Dist.- Kamrup(M), Assam.

II. PARTICULARS OF THE RESPONDENTS :-

1. **The Union of India**

Represented by The Chairman, Central Water Commission,  
Govt. of India, Room No. 303,  
Sewa Bhawan, R.K. Puram, New Delhi- 66.

2. **The Chief Engineer,**

Brahmaputra and Barak Basin Organisation,  
Central Water Commission,  
"Rebekka Ville", Near Barik Point,  
Temple Road, Lower Lachumiere,  
Shillong- 793001.

Mukul Bez barua  
filed by-  
Bezbarua  
(Sachin) Adv. for appellants

01 APR 2009

गुवाहाटी न्यायालय  
Guwahati Bench

-2-

3. The Superintending Engineer,  
Meghna Circle,  
Central Water Commission,  
"Fulkan Mansion" Panchayat Road,  
Silchar- 788004 (Assam).

4. The Executive Engineer,  
Meghna Investigation Division,  
Central Water Commission,  
"Yingyar Villa" Motinagar,  
Shillong- 793014

Mukul Bez baruah

III. PARTICULARS OF THE ORDER AGAINST WHICH THE APPLICATION IS MADE :-

The applicant submitted his transfer applications / representations before the respondent No. 2 and 3 respectively through respondent No. 4, dated 23-11-07, 24-01-08 and 11-09-08 respectively on various grounds. Transfer was also preferred by the applicant under the provisions of Office Memorandum No. 28034/7/86-Estt. (A) dated 03-04-86 issued by the Ministry of Personnel, P.G. & Pensions (Department of Personnel & Training). The applicant has not received any reply / disposal of the above said Respondents. Aggrieved by non-disposal of said representations, the applicant has filed the present application.

IV. JURISDICTION OF THE TRIBUNAL :-

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

V. LIMITATION :-

The present case is within the limitation.

01 APR 2009

गुवाहाटी न्यायालय  
Guwahati Bench

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VI. FACTS OF THE CASE :-

1. That the applicant is bonafide citizen of India. As such he is entitled to all the rights and privileges guaranteed by the Constitution of India and the laws framed thereon.
2. That the applicant is an employee under the Executive Engineer, i.e. the Respondent No. 4 with effect from 02-09-2005 as L.D. Clerk. The applicant had joined in the service of Central Water Commission on 28-10-1996. Since then, the applicant is serving in the department with full dedication and sincerity.

A copy of Appointment Letter dated 25-10-1996 is annexed herewith as Annexure- A.

3. That the applicant had married Smt. Rita Das (Bezbarua) on 27-04-2005. The wife of the applicant is "dumb and deaf" and she is an employee under the Government of Assam in the department of Public Health Engineering as a Group- D (Peon) employee at Guwahati under the Superintending Engineer, Guwahati- 21.

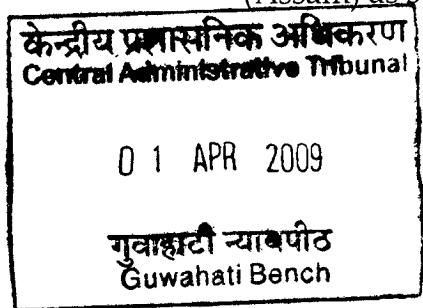
A copy of Marriage Certificate dated 27-04-2005, and a certificate of "deaf and dumb" of wife dated 24-07-1995 are annexed herewith as Annexure- B & C respectively.

4. That the applicant and his wife are blessed with a daughter on 02-09-2006 and the said daughter namely Miss Bhaswati Bezbarua is now 2 (two) years and 6 (six) months old.

A copy of Birth record dated 02-09-2006 is annexed herewith as Annexure- D.

Mukund Bezbarua

5. That the applicant is unable to keep his family members along with him as his wife is an employee in the Office of The State Government (Assam) as stated in paragraph- 3 above.



A copy of Identity Card issued by the Govt. of Assam dated 30-12-1996 is annexed herewith as Annexure- E.

6. That being aggrieved and under lot of strain and difficulties, due to the family settlement and to provide care and welfare to the minor daughter this applicant had submitted various representations for the transfer of his posting to Guwahati from Shillong. Whereas the family members are residing at Guwahati without any assistance from the applicant and there is no one to look after his family in his absence. In this regard three representations were forwarded to the respondents with details of the ground of seeking transfer. These Representations were submitted respectively on 23-11-2007, 24-01-2008 and 10-09-2008. But no action or disposal is made to these representations by the Respondents till date.

Copies of Representations dated 23-11-2007, 24-01-2008 and 10-09-2008 are annexed herewith as Annexure- F-1, F-2 & F-3.

7. That the Petitioner respectfully begs to state that the Respondents had not initiated any action even though clear direction is made in Office Memorandum No. 28034/07/86-Estt. (A) dated 03-04-86 issued by the Ministry of Personnel, P.G. & Pensions (Department of Personnel & Training) to provide posting of husband and wife at the same station.

A copy of the Office Memorandum dated 03-04-1986 along with the forwarding by the Central Water Commission, vide No. A-49011/197-Estt.- IV, Govt. of India dated 24-09-1997 is annexed herewith as Annexure- G.

01 APR 2009

Guwahati Bench

-5-

Mukund Basu Banerjee  
15

8. That this petitioner is aggrieved for the non action of all the representations submitted to the Respondents for his transfer to Guwahati under the facts and circumstances stated in the representations stated above.

VII. **GROUNDs :-**

- (I) For that the Respondents have not taken any action on the transfer applications submitted by the applicant dated 23-11-2007, 24-01-2008 and 10-09-2008 which is most illegal, arbitrary and unreasonable.
- (II) For that the applicant has legitimate expectation for considering his representations by the Respondents. Whereas the Respondents did not follow the contents of office Memorandum No. 28034/07/86-Estt. (A) dated 03-04-86 issued by the Ministry of Personnel, P.G. & Pensions (Department of Personnel & Training).
- (III) For that the Respondents did not consider the acute family problems of the applicant to attend his "dumb and deaf" wife and the minor daughter, which is a matter of humanitarian ground for allowing the application of transfer.
- (IV) For that the applicant is not within the reach of his helpless family members to provide necessary assistance at the time of medical and other urgent need. The action of keeping the representations pending is wholly illegal, arbitrary and contrary to the principle of natural justice. The Respondents may be directed to dispose the representations pending with them for the interest of justice.

VIII. **DETAILS OF THE REMEDIES EXHAUSTED :-**

The applicant declares that he exhausted all the remedies available to him and there is no other alternative remedy available to him.

01 APR 2009

Guwahati Bench

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IX. MATTER NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT:-

The applicant has not filed any other case / applications before any other Court / Tribunal regarding the present subject matter.

X. RELIEF SOUGHT:-

Under the circumstances, the applicant pray for the following relieves-

1. to issue notice to the Respondents,
2. call for the records of the case,
3. to direct the Respondents to dispose the pending representations, praying by the applicant for his transfer.
4. any other relief / relieves to which the applicant is entitled to under the facts and circumstances of the case as may be deemed fit and proper.

XI. INTERIM ORDER PRAYED FOR :-

To direct the Respondents to transfer the applicant at the Office located at Guwahati in temporary basis till final decision of the application.

XII. PARTICULARS OF THE POSTAL ORDER :-

Postal Order No.	:-	39C7 403661
Date	:-	16-3-09.
Issuing Officer	:-	GPO, Guwahati.
Payable	:-	Registrar, Central Administrative Tribunal, Guwahati Bench.

XIII. LIST OF ENCLOSERS:-

An index showing the particulars of documents enclosed is given.

Mukund Ben banch

01 APR 2009

गुवाहाटी न्यायालय  
Guwahati Bench

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VERIFICATION

I, Sri Mukul Bezbarua, son of Son of Sri Arabinda Bezbarua, aged about 40 years, resident of Durga Sarobar, House No. 1, Ward No. 11, P.O.- Bharalumukh, Guwahati- 9, P.S.- Jalukbari, Dist.- Kamrup(M), Assam, do hereby say that I am the applicant of the accompanying O.A. I am acquainted with the facts and circumstances of the O.A. I do hereby verify the statements made in paragraphs I to XII.. are true to my knowledge and that I have not suppressed any material fact.

I signed this verification this the 1st day of April, 2009 at Guwahati.

Mukul Bezbarua

APPLICANT

Gram : SENECA : SHILLONG

भारत सरकार  
 कार्यालय अधीक्षण अधिकारी  
 उत्तर पूर्व अन्वेषण परिमंडल, केन्द्रीय जल आयोग  
 जमीर मन्दन, नोंगशिलियांग, शिलांग-793014  
 GOVERNMENT OF INDIA  
 Office of the Superintending Engineer  
 NORTH EASTERN INVESTIGATION CIRCLE, CENTRAL WATER COMMISSION  
 JAMIR MANSION, NONGSHILLIANG, SHILLONG-793014

Phone : Off. 226845  
 केन्द्रीय प्रशासनिक अधिकारण  
 Central Administrative Tribunal

01 APR 2009

गुवाहाटी न्यायालय  
 Guwahati Bench

No. No. NEIC/CWC/Estt-94/Rectt/3724-27

Date 25/10/96

To

Shri Mukul Bezbarua,  
 C/o Sh. Arabinda Bezbarua,  
 P.O. Bharalumukh,  
 Vill: Durgasarobar  
 Distt: Kamrup (Assam)  
 Pin: 781009.

Sub:-

Recruitment to the post of Lower Division Clerk borne on the Ministerial Cadre of Subordinate Offices of Central Water Commission in the North Eastern Investigation Circle, Shillong on the basis of the recommendation received from Regional Staff Selection Commission, Guwahati.

sir,

In continuation of this office letter No. NEIC/CWC/Estt-94/Rectt./ dated 5th Oct '96, you are hereby directed to report for duty in the office of the Superintending Engineer, North Eastern Investigation Circle, CWC, " Nongshilliang, Shillong-14 instead of to Executive Engineer, North Eastern Inv. Division No. II, CWC, Aizawl latest by 6th Nov, '96 as requested by you.

Other terms and conditions will remain the same.

Yours faithfully,

Rajesh Dham  
 (Rajesh Dham ) 25/10/96  
 Superintending Engineer

Copy to:-

1. The Regional Director, Staff Selection Commission, North Eastern Regional Office, Nabagraha Road, Chenikuthi Hill site, Guwahati-781003
2. The Under Secretary (Attn: Section Officer-VII) CWC, Sewa Bhawan, R.K. Puram, New Delhi-110066.
3. The Superintending Engineer(C), Brahmaputra & Barak Basin, CWC, Shillong.

( Rajesh Dham )  
 Superintending Engineer

Certified to be true  
 photocopy of the  
 original  
 Rajesh Dham  
 Superintending Engineer  
 CWC, Guwahati  
 25/10/96

01 APR 2009

गुवाहाटी न्यायालय  
Guwahati Bench

GOVT. OF ASSAM

OFFICE OF THE MARRIAGE OFFICER KAMRUP DISTRICT



Marriage Certificate No. 388

Date 27.04.2005

I Shri Gautam Kr. Sarma Marriage Officer,Kamrup hereby certify that on the 27th day of April 2005Shri Mukul Bezbarua Son of Arabin da Bezbaruaat Vill. Dugasarbar P. S. JalukbariDist. Kamrup and Smti Rita DasD/o Sri Baidul Ram Das of Vill. KulhatiP. S. Hajo Dist. Kamrup

appeared before me and that each of them in my presence and in the presence of three witnesses  
 who have signed hereunder made the declaration required by section II and a Marriage under  
 Special Marriage Act, 1954 was solemnised between them in my presence.

Witness -

1. Sri. Basanta Kr. Das.

S/o. Lt. Hafiz Ram Das.

D.O.C. AHC, Kamrup (Metro)  
Assam

*Guwahati  
27/4/2005*  
Marriage Officer  
Kamrup (Metropolitan)  
District

Bridegroom - Mukul Bezbarua

2. Sri. Kishor Kumar. Kokoti

S/o. Sri. Khagendra Nath Kokoti

Vill &amp; P.O. - Kulhati, Dist. - Kamrup

P.S. - Hajo (Assam)

3. Sri. Ramesh Ch. Das.

Yo Late Amrit Ch. Das.

Vill &amp; P.O. - Kulhati

P.S. - Hajo, Dist. Kamrup  
(Assam)

Bride - Sri Rita Das.

*Certified to be true  
true photocopy of  
one original  
given on 27/04/2005  
(Labon Baruah)  
01.04.05*

OFFICE OF THE PROFESSOR AND HEAD OF THE DEPARTMENT OF E.N.T.  
GAUHATI MEDICAL COLLEGE :: GUWAHATI

NO. MC/BNT/13/63/151 Dated Guwahati, the 24th July, 1995.

TO WHOM IT MAY CONCERN

This is to certify that Miss Rita Das attended E.N.T.OPD of G.M.C.Hospital, Guwahati on 24th July, 1995 ~~xx~~ vide Hosp.No. C-16333 and Regd.No. 9294/95. On audiological investigation she has been diagnosed to be a case of Bilateral profound hearing loss, (Deafmutism).

*Dr. D.K. Baruah*  
(Dr. D.K. Baruah)  
Assoc. Professor of E.N.T.,  
Gauhati Medicel College.

Dr. D.K. Baruah  
Surupola P.H.  
MAR 9574

केन्द्रीय न्यायालय कार्यालय  
Central Administrative Tribunal

01 APR 2009

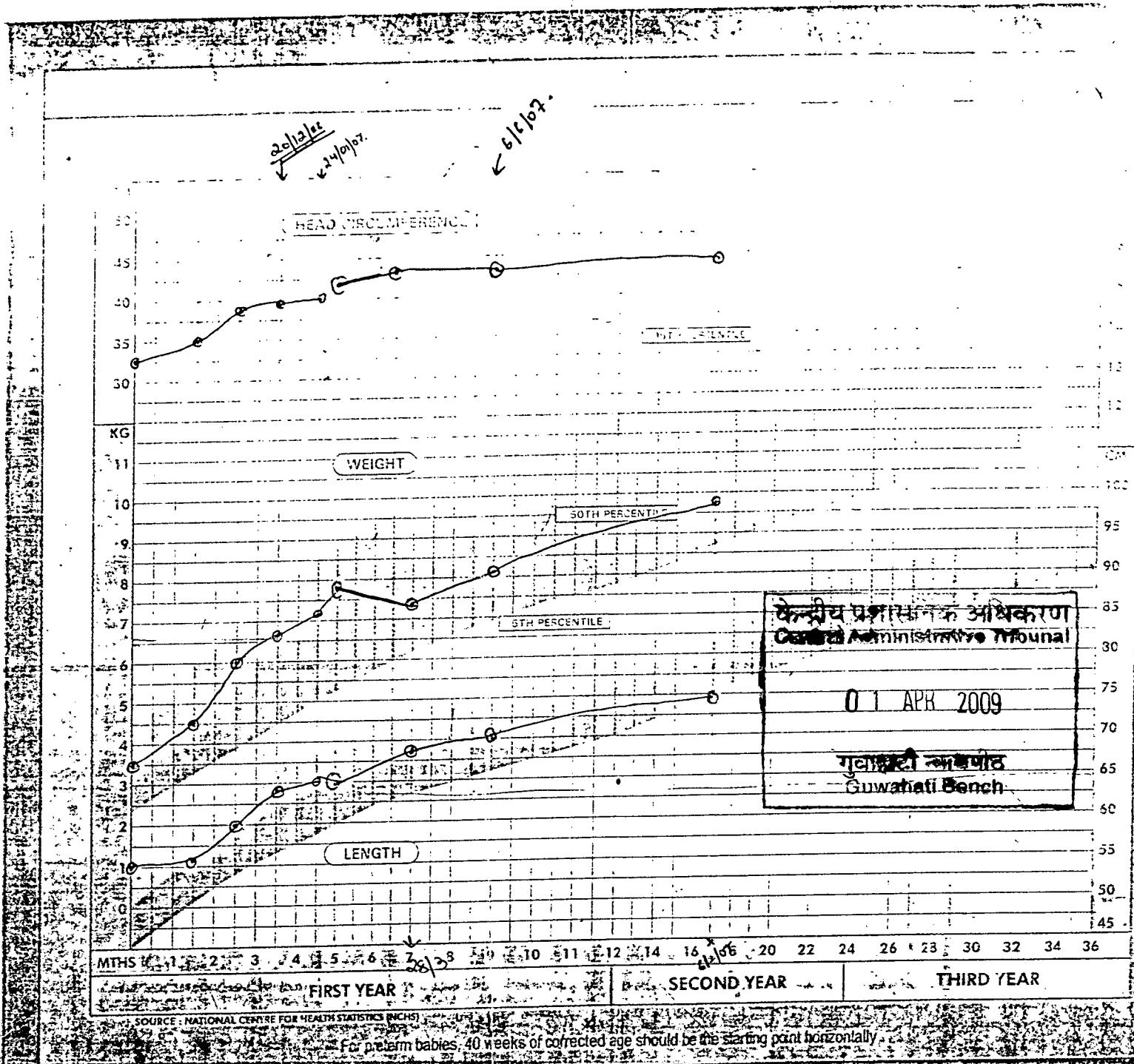
गुवाहाटी न्यायालय  
Guwahati Bench

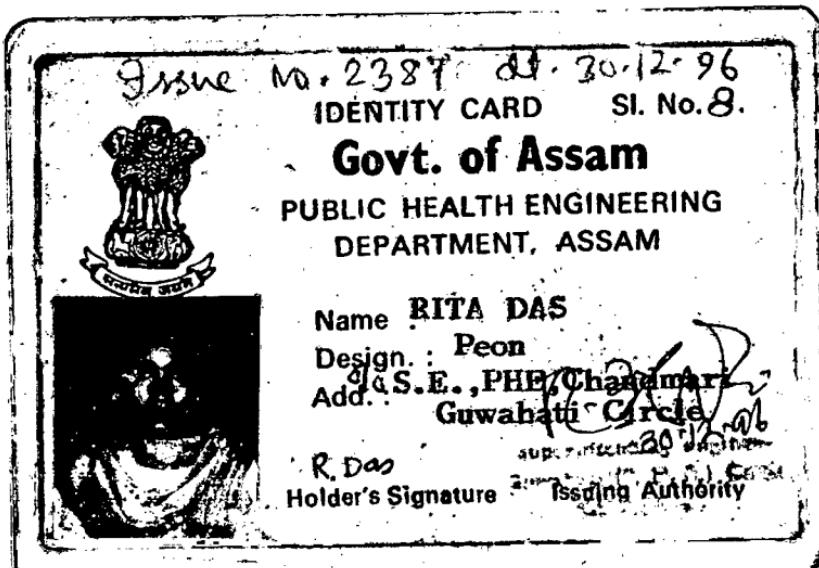
Certified to be the  
photocopy of the  
original of the  
original document  
Rita Das  
Date: 01/04/09  
01/04/09



## IMMUNIZATION RECORD

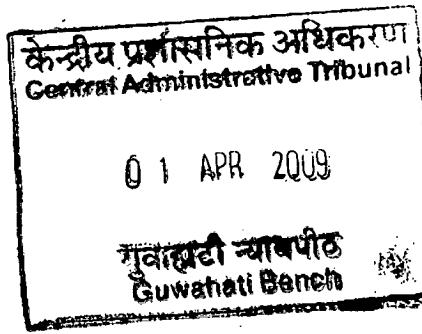
Age	Date
1 month	3/9/06
2 months	18/10/06
3 months	20/11/06
4 months	20/12/06
5 months - Measles	6/1/07
6-18 mos	DPT OPV-1st booster
8 yrs	DPT OPV-2nd booster
10 yrs	TT
15 yrs	TT, thereafter every 5 years
Other Vaccines (IAP recommended)	
6 weeks	Hepatitis B-1 (if missed at birth)
Hib	24/11/07
10 weeks	Hib-2, Hepatitis B-2
14 weeks	Hib-3, Hepatitis B-3
15-18 mos	Hib-4
2 years+ thereafter every 3 yrs.	Typhoid
1 year+	Varicella (Chicken Pox)
2 yrs+	Hepatitis A-1
after 6 mos	Hepatitis A-2





Certified to be the  
true photocopy of  
the original  
(Adarsh  
Labor Party  
Adv. Cmt  
01.04.09)





## Annexure - F<sub>1</sub>



Government of India  
Central Water Commission  
Meghna Investigation Division  
"Yingyar Villa", Motinagar,  
Shillong: 793 014.



TEL: (0364) 2521713  
FAX: (0364) 2521226

No.MID/P-16022/268/2005/3030

Dated: 30.11.2007.

To

The Superintending Engineer,  
Meghna Circle,  
Central Water Commission,  
"Furkan Mansion" Panchayat Road,  
Silchar- 788 004 (Assam).

Sub: Submission of transfer application in respect of Shri Mukul Bez baruah,  
L.D.Clerk- reg.

Sir,

Please find enclosed herewith the transfer application (in duplicate) addressed to the Chief Engineer, B&B.B.Organisation, CWC, Shillong received from Shri Mukul Bez baruah, L.D.Clerk of this office who is requesting for his transfer to Guwahati on humanitarian ground for favour of onward transmission

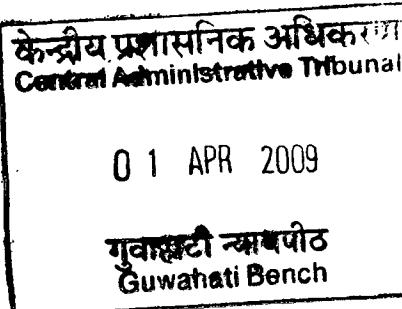
In this regard, his transfer case is considered, a suitable substitute may please be posted in his place.

Yours faithfully,

Encl: As above

SD/-  
d1.30.11.2007  
(M.S.SAHARE)  
EXECUTIVE ENGINEER

Certified to be the true  
photocopy of the  
original.



-14-

To

The Chief Engineer,  
Brahmaputra and Barak Basin Organization,  
Central Water Commission,  
“Rebekka Ville”, Near Barik Point,  
Temple Road, Lower Lachumiere,  
Shillong- 793 001.

(Through proper channel)

Sub:

Prayer for transfer from MID, CWC, Shillong to Guwahati on humanitarian ground.

Sir,

With due respect I beg to lay before you the following few lines for your sympathetic consideration and favourable order please.

That Sir, I am working as L.D.Clerk in the office of the Executive Engineer, MID, CWC, Shillong since September, 2005.

That Sir, I would like to mention herein that my wife is an employee of Assam State and at present working in Guwahati. As her posting in State Government office I am unable to keep my family alongwith me. Moreover, I have been keeping my family i.e. wife and daughter at rented house in Guwahati. It is also stated that my daughter whose age is about 15 months have been suffering from some disease like Fever and Dysentery etc. since birth. So it is very difficult for my wife to look after my daughter as there is no any male member.

That Sir, as my posting in Shillong it is very difficult to look after my family in these hard days.

Under the circumstances narrated above I fervently request your honour kindly to consider my case of transfer from MID, CWC, Shillong to Guwahati as to look after my family

An early action is solicited.

Thanking you.

Yours faithfully,

*Mukul Bez Baruah*  
(MUKUL BEZ BARUAH)  
L.D.CLERK  
MID, CWC, SHILLONG-14.

Copy in advance to the Chief Engineer, Brahmaputra and Barak Basin Organization, CWC, Shillong- 1 for sympathetic consideration at the earliest please.

*Certified to be the  
true copy of  
Original  
Document  
After Comparing  
01-05-09*

*Mukul Bez Baruah*  
(MUKUL BEZ BARUAH)  
L.D.CLERK  
MID, CWC, SHILLONG-14.

संघीय प्रशासनिक अधिकारी  
Central Administrative Tribunal

01 APR 2009

गुवाहाटी न्यायालय  
Guwahati Bench

To

The Chief Engineer,  
Brahmaputra and Barak Basin Organization,  
Central Water Commission,  
“Rebekka Ville”, Near Barik Point,  
Temple Road, Lower Lachumiere,  
Shillong- 793 001.

(Through proper channel)

Sub: Prayer for transfer from MID, CWC, Shillong to Guwahati on humanitarian ground.

Sir,

With due respect I beg to lay before you the following few lines for your sympathetic consideration and favourable order please.

That Sir, I am working as L.D.Clerk in the office of the Executive Engineer, MID, CWC, Shillong since September, 2005.

That Sir, I would like to mention here in that my wife is an employee of Assam State and at present working in Guwahati. As her posting in State Government office I am enable to keep my family alongwith me. Moreover, I have keeping my family i.e. wife and Daughter at rented house in Guwahati. It is also stated that my daughter whose age is about 15 months have been suffering from some disease like Fever and Dysentery etc since birth. So it is very difficult for my wife as there is no any male member.

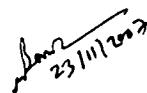
That Sir, as my posting in Shillong it is very difficult to look after my family in these hard days.

Under the circumstances narrated above I fervently request your honour kindly to consider my case of transfer from MID, CWC, Shillong to Guwahati as to look after my family.

An early action is solicited.

Thanking you.

Yours faithfully,



(MUKUL BEZ BARUAH)  
L.D.CLERK  
MID, CWC, SHILLONG-14.

Copy in advance to the Chief Engineer, Brahmaputra and Barak Basin Organization, CWC, Shillong- 1 for sympathetic consideration at the earliest please.



(MUKUL BEZ BARUAH)  
L.D.CLERK  
MID, CWC, SHILLONG-14.

Certified to be  
the true copy  
of original  
Signature  
Sdr. B. B.  
01.04.09

Annexure - F<sub>2</sub>

To

The Executive Engineer,  
Meghna Investigation Division,  
Central Water Commission,  
"Yingyar Villa", Motinagar,  
Shillong - 793014.

Sub:

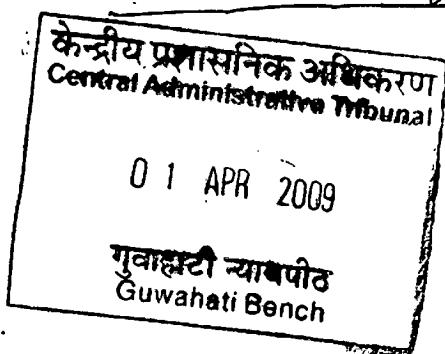
Submission of transfer application of self.

Sir,

I do hereby submit my transfer application (in quadruplicate) in the prescribed proforma duly filled in and signed for favour of further necessary action please.

Encl:

As above



Yours faithfully,

(MUKUL BEZ BARUAH)  
L.D.CLERK  
M.I.DIVISION, CWC.  
SHILLONG-14.

Certified to be the  
true photocopy of  
the original.

Dglets  
Lazar Kalis  
Ddu. Gdy.  
01. 04. 09

To

The Chief Engineer,  
Brahmaputra and Barak Basin Organization,  
Central Water Commission,  
"Rebekka Ville", Near Barik Point,  
Temple Road, Lower Lachumiere,  
Shillong- 793 001.

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal

01 APR 2009

गुवाहाटी न्यायपीठ  
Guwahati Bench

(Through Proper Channel)

Sub: Prayer for transfer from MID, CWC, Shillong to Guwahati on own interest.

Sir,

With due respect I beg to lay before you the following few lines for your sympathetic consideration and favourable order please.

That Sir, I am working as L.D.Clerk in the office of the Executive Engineer, N.H.C. CWC, Shillong since September, 2005.

That Sir, I would like to mention herein that my wife is an employee of Assam State and is present working in Guwahati. As her posting in State Government office I am unable to keep my family alongwith me. Moreover, I have been keeping my family i.e. wife and daughter at rented house in Guwahati. It is also stated that my daughter whose age is about 16 months have been suffering from some disease like Fever and Dysentery etc. since birth, as like as my wife also suffering <sup>from</sup> different type of disease. So it is very difficult for my wife to look after my daughter as there is no any male member. On the other hand my old aged parents are also depending on me, who needs my presence and help for their medical checkup.

That Sir, as my posting in Shillong it is very difficult to look after my family in these hard days.

Under the circumstances narrated above I fervently request your honour kindly to consider my case of transfer on own interest from MID, CWC, Shillong to Guwahati as to look after my family.

An early action is solicited.

Thanking you.

Yours faithfully

Sub: 17/04/2009

BY BARCLAY  
L.D.CLERK  
CWC, SHILLONG-14.

Certified to be the  
true copy of  
the original  
Dulal  
Baruah  
01-04-09

01 APR 2009

गुवाहाटी न्यायपीठ  
Guwahati Bench

-18-

28  
ANNEXURE- 1

PROFORMA FOR INDICATING CHOICE STATION/REGION FOR TRANSFER ON REQUEST.

1. Name : SHRI MUKUL BEZ BARUAH.  
 2. Designation : LOWER DIVISION CLERK  
 3. Date of birth : 01.10.1968  
 4. Date of joining service in CWC : 28.10.1996 (F.N.)  
 5. Date of superannuation : 30.09.2028 (A.N.)  
 6. Declared home town : DURGASAROBAR, P.O. BHARALUMURI,  
GUWAHATI-781009 (ASOM).  
 7. Place of present posting and since when posted : MEGHNA INVESTIGATION DIVISION,  
CWC, SHILLONG since 02.09.2005.  
 8. Details of previous posting since appointment in CWC : As mentioned below:

Post Held	Office/Place & Region	Period of Stay		Remarks
		From	To	
L.D.CLERK	NEIC, CWC, Shillong.	28.10.1996	31.03.1997	
L.D.CLERK	Puthimari Pagladiya Sub-Division, CWC, Nalbari under M.B.Division, CWC, Guwahati.	01.04.1997	15.06.2005	
L.D.CLERK	Meghna Investigation Division, CWC, Shillong.	16.06.2005	Till date	

9. Opted Stations:

1. GUWAHATI
2. GUWAHATI
3. GUWAHATI

10. Any Specific information the official wishes to furnish : My wife is an employee of Assam state and at present working at Guwahati. My daughter whose age is about 16 months have been suffering frequently by some disease like Fever and Dysentery etc. and my old aged parents are fully depending on me who needs my presence and day today help for their medical checkup and other home affairs.

Place: Shillong.  
Date: 24.01.2008.

Signature:

Name: (MUKUL BEZ BARUAH)  
Lower Division Clerk,  
Meghna Investigation Division,  
CWC, Shillong-14.

*Certified to be  
the true copy  
of the original  
Rakesh  
Adv. Ghy.  
01-09-09*

केन्द्रीय प्रशासनिक अधिकाराण  
Central Administrative Tribunal

01 APR 2009

गुवाहाटी न्यायपीठ  
Guwahati Bench



Government of India  
Central Water Commission  
Meghna Investigation Division  
"Yingyar Villa", Motinagar,  
Shillong: 793 014.

- 19 -

Annexure- F<sub>3</sub>

SPEED POST



TEL: (0364) 2521713  
FAX: (0364) 2521226

No.MID/P-16022/268/2005/ 2403

Dated: 11.09.2008.

To

The Superintending Engineer,  
Meghna Circle,  
Central Water Commission,  
"Furkan Mansion" Panchayat Road,  
Silchar- 788 004 (Asom).

Sub: Submission of transfer application in respect of Shri Mukul Bez baruah,  
L.D.Clerk- reg.

Sir,

Please find enclosed herewith the transfer application (in duplicate) alongwith Annexure-II addressed to the Chief Engineer, B&B.B.Organisation, CWC, Shillong received from Shri Mukul Bez baruah, L.D.Clerk of this office who is requesting for his transfer to Guwahati for favour of onward transmission.

In this regard if his transfer case is considered, a suitable substitute may please be posted in his place.

Yours faithfully,

Encl: As above.

sd/-

11.09.2008

(M.S.SAHARE)

EXECUTIVE ENGINEER

Certified to be the  
true copy of the  
original  
*R. Dahal*

*Labon Dahal*  
*Adv. C.Wy.*  
*61, 04-09*

M.I.D. CWC, SHILLONG.

File No. 2233

dt. 10/09/2008

To

The Executive Engineer,  
Meghna Investigation Division,  
Central Water Commission,  
"Yingyar Villa", Motinagar,  
Shillong- 793014.

Sub: Submission of transfer application of self.

Sir,

I do hereby submit my transfer application (in triplicate) in the prescribed proforma duly filled in and signed alongwith self explanatory representation for favour of further necessary action please.

Encl: As above.

Yours faithfully,

*Mukul Bez Baruah*  
(MUKUL BEZ BARUAH)  
L.D.CLERK  
M.I.DIVISION, CWC,  
SHILLONG-14.

Certified to be the  
true photocopy  
of the original

*Dalles*

*Laban Kalit*

*Adv. Ghy.*

*01.09.09*

To

The Chief Engineer,  
Brahmaputra and Barak Basin Organization,  
Central Water Commission,  
"Rebekka Ville", Near Barik Point,  
Temple Road, Lower Lachumiere,  
Shillong- 793 001.

01 APR 2009

गुवाहाटी न्यायपीठ  
Guwahati Bench

(Through Proper Channel)

Sub.

Prayer for transfer from MID, CWC, Shillong to Guwahati- regarding.

Sir,

With due respect I beg to lay before you the following some points for your sympathetic consideration and favorable order please.

That Sir, I am working as L.D.Clerk in the office of the Executive Engineer, MID, CWC, Shillong since 2<sup>nd</sup> September, 2005.

(1) My wife is an employee of Assam State and at present working in Guwahati. As her posting in State Government office I am unable to keep my family alongwith me. A xerox copy of office Identity card of my wife is enclosed for your information.

(2) My wife is a person of Bilateral profound hearing loss (Deaf-mutism) i.e. Deaf and Dumb since her birth. A copy of medical certificate from concerned doctor of E.N.T. Department of Guwahati Medical College and copy of Identity card regarding her Deaf-mutism is also enclosed.

(3) My family i.e. wife and daughter have been keeping at rented house in Guwahati. It is also stated that my daughter age is about 2 years. My wife being a disable (Deaf-Dumb) person it is very difficult for my wife to look after my daughter as there is no any male member. So, my wife needs my presence and day today help for their medical treatment/check up and other home affairs. In this regard a "Proforma for verification of Tenants" from house owner regarding staying my family in "Guwahati", and a copy of birth certificate of my daughter (Date of birth 02.09.2006) is also enclosed.

(4) At present my wife have been suffering from Gynecology problem i.e. bleeding and pain in the lower abdomen since long time. Now, my wife is under treatment in Guwahati under Dr. P.N.Nobis, M.D., Obstetrics & Gynecology. So, it is very difficult for her for facing any emergent situation. A copy of doctor's prescription regarding her treatment is also enclosed.

*Certified to be the  
true copy of  
the original*

*R. Saikia  
Laban Saikia  
Ass. Secy.  
01. 04. 09*

Count/- 2

01 APR 2009

गुवाहाटी न्यायघरीठ  
Guwahati Bench

(5) Since my joining in service I am not posted in my home town "Guwahati" till date. It is also state that at present I have completed three years of service in Shillong as my posting is in Shillong it is very difficult to look after my family in these hard days and also affects the medical treatment/checkup, proper guidance and welfare of my wife and daughter.

I like to mentioned here that I applied for transfer on 23.11.2007 and 21.01.2008, but no result has come out with regard to my transfer to Guwahati.

Under the circumstances narrated above I fervently request your honour kindly to consider my case (as a special case) of transfer from MID, CWC, Shillong to Guwahati.

An early action is solicited.

Thanking you.

Yours faithfully,

Dated: 10-09-2008

*Mukul Bez Baruah*  
(MUKUL BEZ BARUAH)  
L.D.CLERK  
MID, CWC, SHILLONG-14

Copy in advance to the Chief Engineer, Brahmaputra and Barak Basin Organization, CWC, Shillong- 793 001 for sympathetic consideration at the earliest please.

*Mukul Bez Baruah*  
(MUKUL BEZ BARUAH)  
L.D.CLERK  
MID, CWC, SHILLONG-14

*Certified to be the  
true copy of  
the original.*

*Parlely*  
01.04.09

PROFORMA FOR EXERCISING OPTION OF CHOICE STATION/REGION FOR TRANSFER IN TURN

1. Name	SHRI MUKUL BEZ	BARUAH Central Administrative Tribunal
2. Designation	LOWER DIVISION CLERK	01 APR 2009
3. Date of birth	01.10.1968	गुवाहाटी न्यायपीठ Guwahati Bench
4. Date of joining service in CWC	28.10.1996 (F.N.)	
5. Date of superannuation	30.09.2028 (A.N.)	
6. Declared home town	DURGASAROBAR, P.O. BHARALUMURI GUWAHATI-781009 (ASOM).	
7. Place of present posting and since when posted	MEGHNA INVESTIGATION DIVISION CWC, SHILLONG since 02.09.2005 to till date.	
8. Details of previous posting since appointment in CWC	As mentioned below:	

Post Held	Office/Place & Region	Period of Stay		Remarks
		From	To	
L.D.CLERK	NEIC, CWC, Shillong.	28.10.1996	31.03.1997	
L.D.CLERK	Puthimari Pagladiya Sub-Division, CWC, Nalbari under M.B.Division, CWC, Guwahati.	01.04.1997	15.06.2005	
L.D.CLERK	Meghna Investigation Division, CWC, Shillong.	16.06.2005	Till date	

9. Opted Stations:

1. GUWAHATI
2. GUWAHATI
3. GUWAHATI

10. Any Specific information the official wishes to furnish : My wife is an employee of Assam state and at present working at Guwahati. My wife is a person of Bilateral profound hearing loss (Deaf and Dumb) since her birth. My daughter whose age is about 2 years have been suffering frequently by some disease like Fever and Dysentery etc. and at present my wife have been suffering from Gynecology problem. Now she is under treatment of doctor.

Place: Shillong.

Date: 10.09.2008

Signature:

Name: (MUKUL BEZ BARUAH)

Lower Division Clerk,

Meghna Investigation Division  
CWC, Shillong-14.

*Certified to be  
the true copy  
of the original  
Signature  
Sar. Ghy.  
01.09.09*

- 24 -

मोर्या :  
No. A-49011/1/97-Batt.-IV  
भारत गवर्नर  
Government of India  
केन्द्रीय पान आयोग  
Shri D.W. Roy

Central Water Commission



Room No. 303, Sewa Bhawan,  
R.K. Puram, New Delhi

Dated 2 - 9 - 97

परिपत्र

CIRCULAR

दिव्य:

Subject:- Posting of husband and wife at the same station.  
उपर्युक्त विषय पर निम्नलिखित कागजातों की युनता एवं आधारक  
कायदाओं द्वारा दिया गया है।

A copy of following papers is enclosed herewith for  
information and necessary action.

मोर्या एवं परिपत्र

Number & Date

No. 28034/7/86-Batt. (A)

Dated 3.4.86

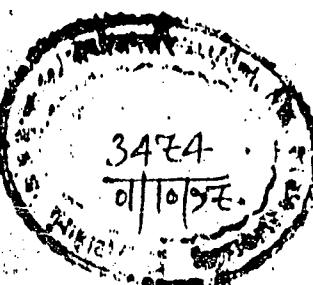
किया गया है

Received from whom

Ministry of Personnel, P.G.  
and Pensions  
(Dept. of Personnel & Training)

दीर्घ राज्य सेवा  
अनुग्राम अधिकारी

Section Officer



1. P.P.S. to Chairman, C.W.C.  
2. P.S. to All Members, C.W.C.  
3. All Chief Engineer(H.Q.)/Field formation, C.W.C.  
4. Secretary, C.W.C./Director(Admin.)/Director(Batt.) C.W.C.  
5. All S.E.'s/Account Officers, C.W.C/P.A.O., C.W.C.  
6. All Batt. Sections/All Directorates/Account Sections,  
C.W.C., New Delhi.

Certified to be the  
true copy of the  
original  
*Shri D.W. Roy*

Adv. Aby.  
01-04-09

Annexure - G

E-5

1052

12/12/97

केन्द्रीय प्रशासनिक अधिकारण  
Central Administrative Tribunal

01 APR. 2009

गुवाहाटी न्यायालय  
Guwahati Bench

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M  
-25-

Gram:Oncast  
Guwahati  
Phone: 561073

No. 2/100/1111/97 Estt. I/IV (T) - 73  
Central Water Commission  
Hyd. Observation Circle  
Nabin Nagar, Janapath  
Guwahati-781024 (Assam)

Dated, Guwahati the 10th X. 97

A copy of the following papers and its enclosures is enclosed herewith for information, guidance and necessary action.

केन्द्रीय प्रशासनिक अधिकारी  
Central Administrative Tribunal

01 APR 2009

गुवाहाटी न्यायालय  
Guwahati Bench

No. 2/100/1111/97 Estt. IV

Encl: - As above

Received from whom  
Section Officer, Estt. IV  
Central Water Commission  
R.K. Puram, New Delhi

2/10/97

b. SUPERINTENDING ENGINEER ADW

Copy to:-

1. The Ex.Engineer, U.B.Division, CWC, Dibrugarh
2. The Ex.Engineer, M.B.Division, CWC, Guwahati
3. The Ex.Engineer, L.B.Division, CWC, Jalpaiguri
4. Estt. II & III, HOC, CWC, Guwahati

No. M.P.O/97/1/100-4/97/7620-25

At 6/12/97

6 copies

Copy to:-

1. The Asstt. Ex. Engineer / Divisional Laboratory, M.O. Guwahati-7/ P.P. Sub-Division, cwe., ~~W.C.E.S.~~ / Mechanical Sub-Division, cwe., Guwahati-7
2. The Asstt. Engineer of M.O. Sub-Division, cwe., Guwahati-3/ Basak Sub-Division, cwe., Silchar
3. One copy for circulation among the staff of this Ministry, ~~copy of the letter~~ <sup>copy of the letter</sup> dated 2/1/97

Certified to be the  
true copy of the  
original

Adv. G. W. G.  
01. 04. 09

01 APR 2009

गुवाहाटी न्यायपाठ  
Guwahati-Bench

L 26  
No. 28034/7/05-Entt. (A)

Government of India  
Ministry of Personnel, P.G. & Pensions  
(Department of Personnel & Training )

New Delhi, 3.4.86

OFFICE MEMORANDUM

Subject:- Posting of husband and wife at the same station

1. The question of formulation of policy regarding the posting at the same place of husband and wife who are in Govt. service or in the service of Public Sector Undertakings has been raised in parliament and other forums on several occasions. Govt's position has been that requests of Govt. servants and employees of public sector undertakings for posting at the same station usually receive sympathetic consideration, and that each case is decided on merits, keeping in view the administrative requirements.

2. The Govt. of India have given the outmost importance to the enhancement of women's status in all sectors and all walks of life. Strategies and policies are being formulated and implemented by different Ministries of the Central Govt. to achieve this end. It is also considered necessary to have a policy which can enable women employed under the Govt. and the Public Sector Undertakings to discharge their responsibilities as wife/mother on the one hand and productive workers on the other, more effectively. It is the policy of the Govt. that as far as possible and within the constraints of administrative feasibility, the husband and wife should be posted at the same station to enable them to lead a normal family life and type ensure the education and welfare of their children.

3. In Feb. 1976 the then Department of Social Welfare had issued a circular 'O.O.' letter to all Ministries and Depts. requesting them to give serious consideration to the question of posting husband and wife at the same station. However, representations continue to be received by the Department of Women's Welfare in the Ministry of Human Resources Development from women seeking the intervention of that Department for a posting at the place where their husbands are posted. It has, therefore, now been decided to lay down a broad statement of policy at least with regard to these employees who are under the purview of the Govt./Public Sector Undertakings. An attempt has, therefore, been made in the following paragraphs to lay down some guidelines to enable the cadre controlling authorities to consider the requests from the spouses for a posting at the same station. At the outset, it may be clarified that it may not be

....2.

Certified to be the  
true copy of the  
original.

Blank  
Adv. G. M.  
01-04-09

possible to bring every category of employees within the ambit of the policy as situations of husband/wife employment are varied and manifold. The guidelines given below are, therefore, illustrative and not exhaustive. Govt. desires that all other cases the cadre controlling authority should consider such requests with utmost sympathy.

## केन्द्रीय प्रशासनिक अधिकारी ट्रिब्युनल Central Administrative Tribunal

01 APR 2009

## गुवाहाटी न्यायपीठ Guwahati Bench

"The classes of cases that may arise, and the guidelines  
aligning with each class of case, are given below:

(i) Where the spouses belong to the same all India Service or two of the AIS namely IAS, IPS and India forest Service (Group 'A'):

g The spouse will be posted to the same cadre by providing for a cadre transfer of one spouse to the Cadre of the other spouse subject to their not being posted by this process to their home cadre. Postings within the Cadre will, of course, fall within the purview of the State Govt.

(ii) Where one spouse belongs to one of the all India Services and the other spouse belongs to one of Central Services:

g The cadre controlling authority of the Central Service may post the officer to the station or if there is no post in that station, to the state where the other spouse belonging to the All India Service is posted.

(iii) Where the spouses belong to the same Central Service:

g The Cadre controlling authority may post the spouse to the same station.

(iv) Where the spouse belongs to one Central Service and the other spouse belongs to another Central Service:

g The spouse with the longer service at a station may apply to the appropriate cadre controlling authority and the said authority may post the said officer to the station, or if there is no post in that station to the State where the other spouse belonging to the other Central Service is posted.

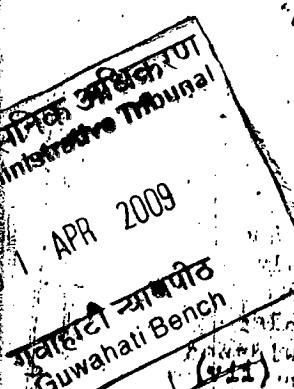
(v) Where one spouse belongs to an All India Service and the other spouse belongs to a public sector undertakings:

g The spouse employed under the Public Sector Undertakings may apply to the competent authority and said authority may post the said officer to the station, or if there is no post under the PSU in that station, to the State where the other spouse is posted.

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(vi) Where one spouse belongs to a Central Service and the other spouse belongs to PSU i-

The spouse employed under the PSU may apply to the competent authority and the said authority may post the officer to the station or if there is no post under the PSU in that station, to the state where the other spouse is posted. If, however, the request cannot be granted because the PSU has no post in the said station/state then the spouse belonging to the Central Service may apply to the appropriate cadre controlling authority and the said authority may post the said officer to the station or if there is no post in that station to the state where the spouse employed under PSU is posted.



(vii) Where one spouse is employed under the Central Govt. and the other spouse is employed under the state Govt.

The spouse employed under the Central Govt. may apply to the competent authority and the competent authority may post the said officer to the station or if there is no post in that station to the state where the other spouse is posted.

5. As will be seen from the illustrations given above, they do not cover all possible categories of cases which may arise. In fact it is not possible to anticipate all the categories of cases. Each case, not covered by the above guidelines will have to be dealt with keeping in mind the spirit in which these guidelines have been laid down and the larger objective of ensuring that a husband and wife are, as far as possible, and within the constraints of administrative convenience posted at the same station.

6. The Ministry of Finance, etc. are requested to bring the above instructions to the notice of all administrative authorities under their control and ensure compliance.

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

8. This issues with the concurrence of the Department of Public Enterprises.

9. Hindi version will follow.

Sd/-

( Mrs. Aarti Khosla )  
Joint Secretary to the Govt. of India

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true photocopy of  
the original

Rakesh  
Adv. Ghy.  
01.04.09

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01 APR 2009 A copy of Ministry of Personnel, Public Grievances & Pensions  
Department of Personnel & Training's O.M. No. 28034/2/97-Batt.

dated 12th June, 1997.

गुवाहाटी न्यायालय  
Guwahati Bench

OFFICE MEMORANDUM

Subject:- Posting of husband and wife at the same station.

The undersigned is directed to say that on the subject mentioned above, Government had issued detailed guidelines vide O.M. No. 28034/7/86-Batt. (A) dated 3.4.86. The Fifth Central Pay Commission has now recommended that not only the existing instructions regarding the need to post husband and wife at the same station need to be reiterated, it has also recommended that the scope of these instructions should be widened to include the provision that where posts at the appropriate level exist in the organisation at the same station, the husband and wife may invariably be posted together in order to enable them to lead a normal family life and look after the welfare of the children, especially till the children are 10 years of age.

2. The Government, after considering the matter, has decided to accept this recommendation of the Fifth Central Pay Commission. Accordingly, it is reiterated that all Ministries/ Departments should strictly adhere to the guidelines laid down in O.M. No. 28034/7/86-Batt. (A) dated 3.4.86 while deciding on the requests for posting of husband and wife at the same station and should ensure that such posting is invariably done, especially till their children at 10 years of age, if posts at the appropriate level exist in the organisation at the same station and if no administrative problems are expected to result as a consequence.

3. It is further clarified that even in cases where only the wife is a government servant, the concession elaborated in para 2 of this O.M. would be inadmissible to the government servant.

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

5. A copy of this Department's O.M. No. 28034/7/86-Batt. (A) dated 3.4.86 is enclosed for ready reference and guidance.

6. Hindi version of the O.M. is enclosed.

sd/-

( HARINDER SINGH )  
JOINT SECRETARY TO THE GOVT. OF INDIA  
TEL. NO. 3011276

Certified to be the  
true copy of  
the original  
by  
Adm. G.W.  
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