

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI -5

(DESTRUCTION OF RECORD RULES, 1990)

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P.D. 08/07/2015
SECTION OFFICER (JUDL.)

8/7/2015

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH:

ORDERSHEET

1. Original Application No: 91 / 2009

2. Miscellaneous Petition No

3. Contempt Petition No

4. Review Application No

Applicant(S) Sri Tapan Borah

Respondant(S) Union of India & Ors.

Advocate for the Applicant(S): Mr. A.S. Choudhury, Sr. Advocate
Mr. I. Hussain,
Mr. M.H. Ahmed & Mrs S. Kamangoe

Advocate for the Respondant(S): 6
CGSC.

Notes of the Registrar	Date	Order of the Tribunal
<p>This application was filed in form is filed/C.F. for Rs. 10/- deposited vide IPO/BB No. <u>69 F 35179/ 351792</u> & Dated <u>12.5.2009</u></p> <p><u>N. Jinnu</u> 21.5.09 Dy. Registrar Hd. 21/5/09</p>	22.05.2009	<p>Heard learned counsel for both the parties.</p> <p>The O.A. is disposed of at the admission stage itself in terms of the order passed separately.</p> <p><u>7</u> (N.D. Dayal) Member (A)</p> <p><u>(M.R. Mohanty)</u> Vice-Chairman</p>
<p>21.5.2009</p> <p>9 copies of Application with envelopes received for issue notice to the Respondents No. 1 to 9. A copy of the same served upon the Sp. CGS.C on 20.5.2009. Extra charge deposited vide R. No 287/09</p> <p>Hd. 21/5/2009</p> <p>Received certified copy of final order dt. 22.05.09</p> <p><u>Hussain</u> 25.05.09 MR. I. HUSSAIN (ADVOCATE)</p>		

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**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Misc. Petition No.60 of 2009
(In Original Application No.91/2009)

Date of Order: This, the 30th Day of June, 2009

HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN

Sri Topon Borah
S/o Sri Tilakanta Borah
Resident of Chandan Nagar
Jorhat,
P.O. & Dist- Jorhat.

..... Applicant.

By Advocates: Mr. A.S. Choudhury, Mr. M.H. Ahmed, Mrs. S. Kanangoe

-Versus -

1. The Union of India
through its Secretary
Ministry of Finance
(Department of Revenue)
Govt. of India
New Delhi - 110 001.
2. The Commissioner
Central Excise & Service Tax
Dibrugarh, Milan Nagar
Lane 'F', P.O.- C.R. Building
Dibrugarh - 786 003, Assam.
3. The Additional Commissioner
Central Excise & Service Tax
Dibrugarh, Milan Nagar
Lane 'F', P.O.- C.R. Building
Dibrugarh - 786 003, Assam.
4. The Assistant Commissioner
Central Excise & Service Tax, Division
Jorhat, Station Godown Road
Jorhat - 785 001, Assam.
5. Sri Swarup Sarma
Inspector, in the Office of the
Assistant Commissioner
Central Excise & Service Tax, Division
Jorhat, Station Godown Road
Jorhat - 785 001, Assam.
6. Sri R.K. Singh
Inspector, in the Office of the
Assistant Commissioner
Central Excise & Service Tax, Division



Jorhat, Station Godown Road
Jorhat – 785 001, Assam.

7. Sri D. Bhattacharjee
Inspector in the Office of the
Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat – 785 001, Assam.
8. Sri Hitesh Sarma
Inspector in the Office of the
Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat – 785 001, Assam.
9. Md. Mazid Alom
Inspector in the Office of the
Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat – 785 001, Assam.

..... Respondents.

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

ORAL ORDER

30.06.2009

M.P.60/2009

(In O.A.91/2009 disposed of on 22.05.2009)

MANORANIAN MOHANTY, (V.C.) :

Applicant faced an order dated 08.05.2009 (transferring him from one office to another, within Jorhat) and officers (those who were asked to face transfer) were relieved in the afternoon of the same 08.05.2009; as it appears from the copy of the impugned transfer order at Annexure-10 of the O.A. No.91/2009. It appears that the Applicant (a) proceeded on leave, instead of reporting to duty at the new place of posting; (b) approached this Tribunal with the O.A. (No.91/2009 dated 11/21.05.2009) on 21.05.2009; (c) obtained direction from this Tribunal (on 22.05.2009) asking the Respondents (the authorities of the Applicant) to consider the grievances of the Applicant (as raised in his

O.A./by treating the copy of the O.A. as a representation, of the Applicant, to the official Respondents) within 60 days from the date of receipt of a copy of the order dated 22.05.2009 of this Tribunal rendered in O.A. No. 91/2009; (d) took a certified copy (of the order dated 22.05.2009 of this Tribunal) dated 25.05.2009; (e) submitted a copy of the order dated 22.05.2009 (of this Tribunal) along with a copy of the O.A. before the Assistant Commissioner (Respondent No.4) on 27.05.2009 and (f) submitted a joining report before the said Assistant Commissioner/Respondent No.4 on 01.06.2009 by stating as under:-

" Subject:- Joining report.

With due respect I would like to report myself for duty today on 01.06.2009 (F/N) after availing 19 days earned leave w.e.f. 11.05.2009 to 29.05.2009 prefixing 09.05.2009 and 10.05.2009 and suffixing 30.05.2009 and 31.05.2009 being Saturdays and Sundays.

This is for favour of your information."

It appears, further, that on 15.06.2009, the Applicant was informed (from the office of the Assistant Commissioner/Respondent No.4) in writing, as under:-

"Joining report not accepted. He should join at STS branch as ordered. Inform him accordingly."

Thereafter, by way of filing (on 26.06.2009) the present M.P. No.60/2009, the Applicant has sought direction to aforesaid Assistant Commissioner (Respondent No.4) to comply with the order dated 22.05.2009 rendered by this Tribunal in O.A. No.91/2009 by way of passing a reasoned order and to allow him (Applicant) to continue at his (Applicant) old place of posting (i.e., Anti Evasion Unit) till disposal of the representation.

2. A copy of this M.P. No.60/2009 has already been supplied to Mr.M.U.Ahmed, learned Addl. Standing counsel for the Government of India, on 29.06.2009.

3. Heard Mr. I.Hussain, learned counsel appearing for the Applicant and Mr.M.U.Ahmed, learned Addl. Standing counsel for the Government of India and perused the materials placed on record.

4. It appears, from the records of this Tribunal, that copies of the order dated 22.05.2009 (rendered in O.A. No.91/2009) along with the copies of this Original Application were sent to the Respondents under forwarding Memo dated 22.06.2009; which must have been received (by the Respondents) by now and, if the official Respondents have not yet passed any order (on consideration of the points/grievances, raised by the Applicant, in O.A. No.91/2009), then they (Respondent Nos.1 to 4) should do well and pass reasoned/speaking orders expeditiously (for which 31.08.2009 is hereby fixed as outer limit) in terms of the direction and observation made in the order dated 22.05.2009 of this Tribunal in O.A. No. 91/2009.

5. So far the second part of the prayer made in the present M.P. No.60/2009 (to ask the official Respondent No.4 to allow the Applicant to continue in the old place of posting, from which he has faced a transfer i.e., Anti Evasion Unit/Jorhat, till disposal of the representation) cannot be allowed; (i) because he was relieved by the impugned transfer order (dated 08.05.2009) in the afternoon of that 08.05.2009; (ii) because the other Respondent might have joined the Anti Evasion Unit in the meantime and (iii) because of the views of the Hon'ble Apex Court {rendered in the case of **S.C.Saxena vs. Union of**

India reported in (2006) 9 SCC 583} one must wait, after joining new station on transfer, for the result of the representation. That apart, the Applicant has faced a transfer within Jorhat, (from one office to another) and, in the event ^{of} favourable consideration of his grievances, the Applicant can resume back in his old post. Further, this Tribunal, not being an Appellate Authority, cannot say as to 'who should be posted where' and it can only interfere if there are glaring infractions of statutory rules or gross injustice. Otherwise the authorities are best persons to decide the matter and, while doing so, I am sure, they shall keep the interest of the organization vis-a-vis the best personnel management in view; especially when the Applicant is at the verge of retirement and, therefore, the authorities (official Respondents) would certainly keep in mind that any of their action should not bring a feeling of harassment in the heart and mind of an employee at the fag end of his career. As a disciplined officer, the Applicant need report to duty at the new post, if he has not joined there as yet, and wait for a reasoned and speaking order from the official Respondents.

8. In the above premises, subject to the above observations and directions, this M.P. No.60/2009 is disposed of.

9. Send copies of this order (by Registered Post) to the Applicant and the Respondents and free copies of this order be handed over to the learned counsel appearing for the both sides.


30/06/2009
(MANORANJAN MOHANTY)
VICE-CHAIRMAN

/bb/

28

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

O.A No. 91 of 2009

DATE OF DECISION: 22.05.2009

Sri Tapan Borah

.....Applicant/s.

Mr.I.Hussain

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

- Versus -

U.O.I. & Ors

.....Respondent/s

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

.....Advocate for the
Respondents

CORAM

**THE HON'BLE MR.M.R.MOHANTY, VICE CHAIRMAN
THE HON'BLE MR.N.D.DAYAL, ADMINISTRATIVE MEMBER**

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

Judgment delivered by


Vice-Chairman

2

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 91 of 2009

Date of Order: This, the 22nd Day of May, 2009

THE HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN

THE HON'BLE SHRI N.D.DAYAL, ADMINISTRATIVE MEMBER

Sri Tapan Bordh
S/o Sri Tilakanta Borah
Resident of Chandan Nagar
Jorhat,
P.O. & Dist- Jorhat- 785 001.

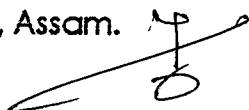
(Presently serving as Inspector of Central Excise
and Service Tax in the Office of the Assistant
Commissioner, Central Excise Tax Division, Jorhat,
Station Godown Road, Jorhat – 785 001.)

..... Applicant.

By Advocates: Mr. A.S. Choudhury, Mr. I. Hussain, Mr. M.H. Ahmed, Mrs.
S. Kanangoe

-Versus -

1. The Union of India
through its Secretary
Ministry of Finance
(Department of Revenue)
Govt. of India
New Delhi – 110 001.
2. The Commissioner
Central Excise & Service Tax
Dibrugarh, Milan Nagar
Lane 'F', P.O.- C.R. Building
Dibrugarh – 786 003, Assam.
3. The Additional Commissioner
Central Excise & Service Tax
Dibrugarh, Milan Nagar
Lane 'F', P.O.- C.R. Building
Dibrugarh – 786 003, Assam.
4. The Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat – 785 001, Assam.



5. Sri Swarup Sarma
Inspector, in the Office of the
Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat – 785 001, Assam.
6. Sri R.K. Singh
Inspector, in the Office of the
Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat – 785 001, Assam.
7. Sri D. Bhattacharjee
Inspector of Central Excise
and Service Tax, in the Office of the
Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat – 785 001, Assam.
8. Sri Hitesh Sarma
Inspector of Central Excise
and Service Tax, in the Office of the
Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat – 785 001, Assam.
9. Md. Mazid Alom
Inspector of Central Excise
and Service Tax, in the Office of the
Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat – 785 001, Assam.

..... Respondents.

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

ORDER (ORAL)
22.05.2009

MANORANJAN MOHANTY, (V.C.)

Heard Mr.I.Hussain, learned counsel appearing for the
Applicant and Mr. M.U.Ahmed, learned Addl. Standing counsel

appearing for the Government of India (to whom a copy of this O.A. has already been supplied) and perused the materials placed on record.

2. Having faced a transfer, the Applicant (who is going to face superannuation retirement from service within next 18 months) has approached this Tribunal with the present O.A. filed under Section 19 of the Administrative Tribunals Act, 1985. He has raised a point that the guidelines fixed by the Respondents have not been properly followed before passing the impugned order of transfer dated 08.05.2009. It appears from Annexure-10 dated 08.05.2009 that officers were relieved w.e.f. 08.05.2009 to join the new assignment; which are within Jorhat.

3. Mr.M.U.Ahmed, learned Addl. Standing counsel representing the Government of India has raised a point that without even exhausting alternative remedy, by way of submitting representation, the Applicant has straightway rushed to this Tribunal with the present O.A. and, therefore, this O.A. should not be entertained.

4. Mr.I.Hussain, learned counsel appearing for the Applicant, in reply to the above objection of Mr.M.U.Ahmed, has stated that due to paucity of time, the Applicant has approached this Tribunal without filing a representation.

5. At the time of preliminary hearing, Mr.I.Hussain, learned counsel for the Applicant submitted that Respondents should consider the grievances of the Applicant as raised in the present O.A. within a time frame to be fixed by this Tribunal.



6. Having heard the learned counsel appearing for both the parties, this case is, hereby, disposed of with a direction to the Respondents to treat the copy of this present O.A. as a representation (of the Applicant) to the Respondents; consider the same and pass reasoned order thereon within a period of 60 days from the date of receipt of a copy of this order. While considering the grievances of the Applicant, the Respondents should keep in mind that the Applicant is going to retire from service within the next 18 months.

7. With the aforesaid observations and directions, this O.A. stands disposed of. Send copies of this order to the Respondents along with copies of this O.A. and free copies of this order be also supplied to the Applicant and to the learned counsel appearing for both the parties.



(N.D.DAYAL)
MEMBER (A)



(MANORANJAN MOHANTY)
VICE-CHAIRMAN

/bb/

1st
-9.
Annexure no. A
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No. 91 of 2009

Date of Order: This, the 22nd Day of May, 2009

THE HON'BLE SHRI MANORANJAN MOHANTY, VICE CHAIRMAN

THE HON'BLE SHRI N.D.DAYAL, ADMINISTRATIVE MEMBER

Sri Tapan Borah
S/o Sri Tilakanta Borah
Resident of Chandan Nagar
Jorhat,
P.O. & Dist- Jorhat- 785 001.

(Presently serving as Inspector of Central Excise
and Service Tax in the Office of the Assistant
Commissioner, Central Excise Tax Division, Jorhat,
Station Godown Road, Jorhat - 785 001.)

..... Applicant.

By Advocates: Mr. A.S. Choudhury, Mr. I. Hussain, Mr. M.H. Ahmed, Mrs.
S. Kanangoe

-Versus -

1. The Union of India
through its Secretary
Ministry of Finance
(Department of Revenue)
Govt. of India
New Delhi - 110 001.

The Commissioner
Central Excise & Service Tax
Dibrugarh, Milan Nagar
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Dibrugarh - 786 003, Assam.

3. The Additional Commissioner
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Dibrugarh, Milan Nagar
Lane 'F', P.O.- C.R. Building
Dibrugarh - 786 003, Assam.
4. The Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat - 785 001, Assam.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

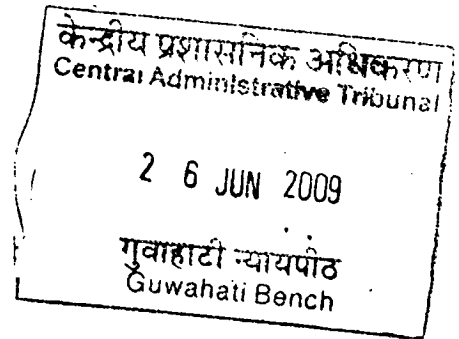
26 JUN 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

Certified to be
true Copy

Advocate

5. Sri Swarup Sarma
Inspector, in the Office of the
Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat - 785 001, Assam.
6. Sri R.K. Singh
Inspector, in the Office of the
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Inspector of Central Excise
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Inspector of Central Excise
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Jorhat - 785 001, Assam.
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Assistant Commissioner
Central Excise & Service Tax Division
Jorhat, Station Godown Road
Jorhat - 785 001, Assam.



..... Respondents.

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

ORDER (ORAL)
22.05.2009

MANORANJAN MOHANTY, (V.C.)

Heard Mr.I.Hussain, learned counsel appearing for the
Applicant and Mr. M.U.Ahmed, learned Addl. Standing counsel/

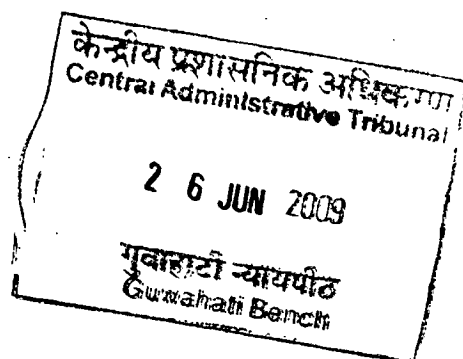
appearing for the Government of India (to whom a copy of this O.A. has already been supplied) and perused the materials placed on record.

2. Having faced a transfer, the Applicant (who is going to face superannuation retirement from service within next 18 months) has approached this Tribunal with the present O.A. filed under Section 19 of the Administrative Tribunals Act, 1985. He has raised a point that the guidelines fixed by the Respondents have not been properly followed before passing the impugned order of transfer dated 08.05.2009. It appears from Annexure-10 dated 08.05.2009 that officers were relieved w.e.f. 08.05.2009 to join the new assignment; which are within Jorhat.

3. Mr.M.U.Ahmed, learned Addl. Standing counsel representing the Government of India has raised a point that without even exhausting alternative remedy, by way of submitting representation, the Applicant has straightway rushed to this Tribunal with the present O.A. and, therefore, this O.A. should not be entertained.

Mr.I.Hussain, learned counsel appearing for the Applicant, in reply to the above objection of Mr.M.U.Ahmed, has stated that due to paucity of time, the Applicant has approached this Tribunal without filing a representation.

5. At the time of preliminary hearing, Mr.I.Hussain, learned counsel for the Applicant submitted that Respondents should consider the grievances of the Applicant as raised in the present O.A. within a time frame to be fixed by this Tribunal.



6. Having heard the learned counsel appearing for both the parties, this case is, hereby, disposed of with a direction to the Respondents to treat the copy of this present O.A. as a representation (of the Applicant) to the Respondents; consider the same and pass reasoned order thereon within a period of 60 days from the date of receipt of a copy of this order. While considering the grievances of the Applicant, the Respondents should keep in mind that the Applicant is going to retire from service within the next 18 months.

7. With the aforesaid observations and directions, this O.A. stands disposed of. Send copies of this order to the Respondents along with copies of this O.A. and free copies of this order be also supplied to the Applicant and to the learned counsel appearing for both the parties.

Sd/-

M.R. Mohanty
Vice-Chairman

Sd/-

N.D. Dey
Member(A)

TRUE COPY

प्रतिलिपि

अनुभाग अधिकारी

Section Officer (Judl)

Central Administrative Tribunal

गुवाहाटी न्यायपीठ

Guwahati Bench

25/5/09

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

26 JUN 2009

गुवाहाटी न्यायपीठ
Guwahati Bench

- 13 -

Typed Copy

ANNEXURE - B.

To
The Assistant Commissioner,
Central Excise and Service Tax,
Jorhat
Sir,

Sub :- Submission of the Central Administrative
Tribunal, Guwahati Bench, dated 22nd May,
2009 and original application No. 91 of 2009.

With due respect and humble submission I would like
to submit herewith the copy of the Central Administrative
Tribunal, Guwahati Bench order dated 22nd May, 2009 passed
against original application No. 91 of 2009 submitted by
Sri Tapan Borah, Inspector Central Excise and Service Tax,
Jorhat. The said original / application No. 91 of 2009 was
submitted in CAT, Guwahati against the order dated 08.05.2009
of the Assistant Commissioner Central Excise and Service Tax,
Jorhat.

This is for favour of your information and kind
necessary action.

Yours faithfully,

Sd/- Illegible,
dt. 27/05/09

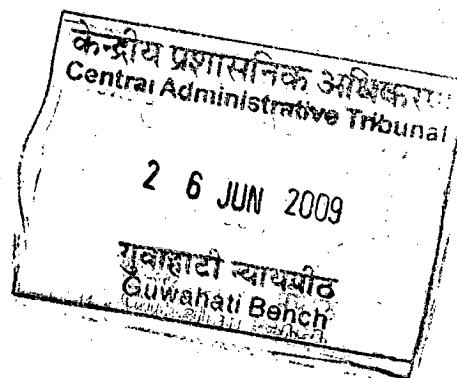
(Tapan Borah)

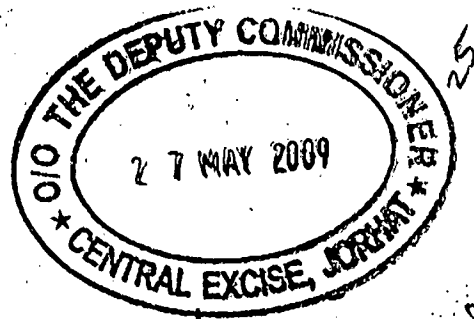
Inspector (AE) C. Ex. & S/Tax,
Jorhat.

Encls : 1) Order 4 (four) pages,
2) Original application
17 (Seventeen) pages.

Certified to be
true Copy

Advocate





The Assistant Commissioner,
Central Excise and Service Tax,
Jorhat.

Annexure No. B

Sir,

Sub: Submission of the Central Administrative
Tribunal, Guwahati Bench, dated 22nd
May, 2009 and original application No.
91 of 2009.

With due respect and humble submission I
would like to submit herewith the copy of the
Central Administrative Tribunal, Guwahati Bench
order dated 22nd May, 2009 passed against original
application No. 91 of 2009 submitted by Sri Topon
Borah, Inspector, Central Excise and Service Tax,
Jorhat. The said original application No. 91 of
2009 was submitted in CAT, Guwahati against
the order of the Assistant Commissioner, Central
Excise and Service Tax, Jorhat.

This is for favour of your information and
kind necessary action.

Yours faithfully,

[Signature]
27/05/09

Enclo: Order 4 (10+1) pages
2) original application
17 (Seventeen) pages.

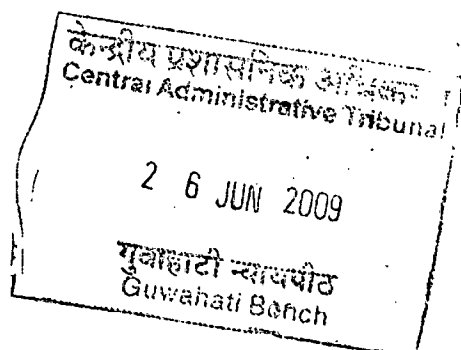
(TOPON BORAH)
Inspector C.Ex. & S/Tax
Jorhat

Received

Sign. P. Barua Dt. 27/5/09
O/o, The Asstt./Dept. Commn.
Central Excise, Jorhat

Certified to be
true Copy

Advocate



To

The Assistant Commissioner,
Central Excise & Service Tax,
Jorhat.

Annexure No. C

Sir,

Subject:- Joining report.

With due respect I would like to report myself for duty today on 01.06.2009 (P/N) after availing 19 days earned leave w.e.f 11.05.2009 to 29.05.2009 prefixing 09.05.2009 and 10.05.2009 and suffixing 30.05.2009 and 31.05.2009 being Saturdays and Sundays.

This is for favour of your information.

Yours faithfully,

Received
Sign. P Baruah Dt. 1/6/09
O/o, The Asstt./Dept. Comm.
Central Excise, Jorhat

A/E (Topon Borah)
Inspector of Central Excise & Service Tax,
Jorhat Division.

केन्द्रीय प्रशासनिक अदालत
Central Administrative Tribunal
26 JUN 2009
गुवाहाटी न्यायपीठ
Guwahati Bench

Certified to be
true copy

Advocate



GOVT. OF INDIA
OFFICE OF THE ASSISTANT COMMISSIONER
CENTRAL EXCISE DIVISION::JORHAT

Station Godown Road, Jorhat 785001
Phone/Fax: 0376 2320006 E-mail: div7463 & cenexjor@sanchamnet.in

C.No. II(20)21/ACj/ET-II/2009/ 2002

Dated: 15.06.09.

To

Shri Topon BORah, Inspector,
Central Excise & Service Tax,
Jorhat Division.

Subject :- Joining Report - regarding.

Please refer to your letter C. No. Nil dated 01.06.09 on the above subject.

In this connection the autographic order dated 12.06.09 of the Assistant Commissioner, Central Excise & Service Tax., Jorhat is reproduced below for your information and necessary action.

"Joining report not accepted. He should join at STS branch as ordered. Inform him accordingly."

(J.)

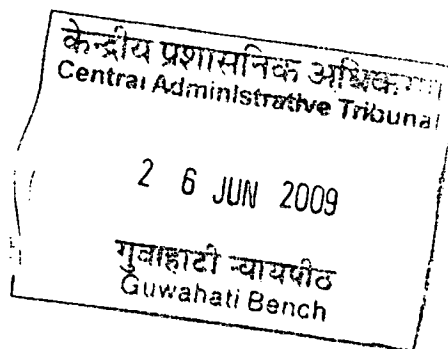
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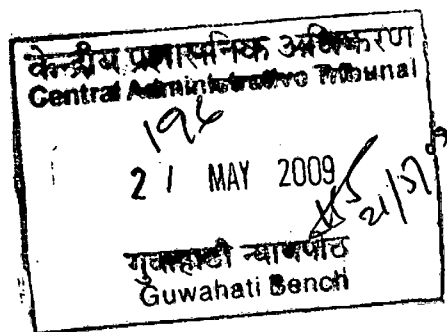
(J. Abedin,)

Administrative Officer,
Central Excise & Service Tax,
Jorhat.

Certified to be
true Copy

Advocate





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

ORIGINAL APPLICATION NO. 91 /2009

Sri Tapan Borah -Vs- The Union of India and Others

SYNOPSIS OF THE CASE

The Applicant herein is serving as Inspector of Central Excise and Service Tax Department under the Assistant Commissioner, Central Excise and Service Tax Division, Jorhat. He was posted in there on 10.4.07 after transfer from Dibrugarh and was serving in the Anti Evasion Unit and he was serving without any adverse remark.

That the respondent authorities prepared and circulated a guideline and circulated the same on 24.11.01 regarding transfer and posting in respect of officials of Customs and Central Excise in the North Eastern Region in the grade of Superintendents and Inspectors for administrative reasons, to give equal opportunity to all officers and effective distribution of Human Resources. All the places of postings have been graded as (1) Sensitive, (2) Non-sensitive, (3) Hard Posting as per the list enclosed. As per the guideline the postings shall not exceed two years for Sensitive area and one year for Hard Posting and the officers of Non-sensitive posting shall also be rotated on completion of two years. Apart from the

above there are other guidelines and list of different places of posting are reflected in the guideline.

The respondent authorities had been issuing orders/letters proposing and ordering adjustment/transfers in the grade of Inspectors from time to time and accordingly the officers were posted in different sensitive, non-sensitive, hard areas. By the said orders the Applicant was adjusted in Anti Evasion Unit under the Assistant Commissioner (Respondent No.4) on 7.5.07 which is a sensitive post. In similar manner the private respondents No.5 to 9 were also adjusted/posted in different sensitive and non-sensitive posts under the respondent No.4.

The respondent No.4 adjusted respondent No.4 & adjusted respondent No.5 in SIR Wing on 1.5.7.08 which is a non-sensitive post, the respondent No.6 was adjusted in Statistics Wing (Non-sensitive) on 1.4.08, the respondent No.7 in Technical Unit on 1.4.08 and respondent No.8 was adjusted in Refund/Law/Appeal on 1.4.08, which is also a non-sensitive post. However, the respondent No.9 was posted in Computer Cell/Confidential on 4.6.96 and they were serving in their respective posts.

While they were serving as such, the respondent No.4 (Asstt. Commissioner) sent a proposal to the Additional Commissioner for adjustment of the officials under him and the same was approved vide a letter dated 30.4.09. Thereafter the respondent No.4 issued the

impugned order dated 8.5.09 whereby the applicant was adjusted from Anti Evasion Unit to Statistics Unit (non-sensitive), the respondent No.5 to Anti Evasion Unit and Recovery (Sensitive), Jorhat Divisional Office, the ~~the respondent No. 6 to Anti Evasion & Recovery (Sensitive)~~ respondent No.7 from Technical-I to Jorhat Range (Sensitive), the respondent No.8 from Refund, Law, Appeal to Technical and Refund (sensitive) and respondent No.9 from Computer/Confidential to Computer/Confidential with Additional charge of Anti Evasion alongwith some other officials and they were released on 8.5.09 itself.

The aforesaid rotation/adjustment order was passed in violation of the guidelines of transfer as the private respondents have been transferred in place of the applicant and others before completion of two years just to deprive the applicant to continue in the Anti Evasion Unit. Moreover, the applicant is due to retire after about 18 months and he ought not to have disturbed on the verge of his retirement.

Hence this application before this Hon'ble Tribunal with a prayer for setting aside the impugned orders vide Annexure No.10 and allow the applicant to serve in his earlier place of posting in Anti Evasion Unit.

Filed by :-

[Signature]
20.5.09
(Iqbal Hussain)
Advocate.

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

ORIGINAL APPLICATION NO. 91 /2009

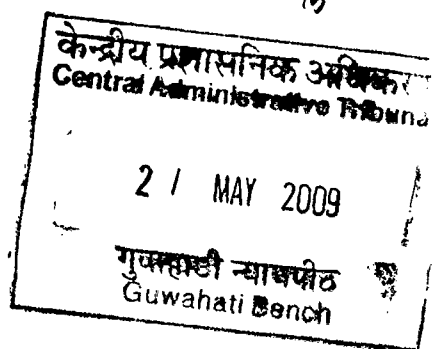
Sri Tapan Borah -Vs- The Union of India and Others

LIST OF DATES

Sl. No.	Date	Particulars	Annexure No.	Page
1.		Application with Verification		1 to 18
3.	24.11.01	The copy of Guidelines of the respondent No.2	1	19 to 24
4.	26.2.07	The copy of transfer and posting order of the respondent No.2	2	25 to 26
5.	26.3.07	The copy of Order of the respondent No.3 transferring the Applicant and others	3	27 to 28
6.	20.2.08	The copy of order of the respondent No.2 transferring the officers	4	29
7.	1.4.08	The copy of order of the respondent No.3 adjusting the officials	5	30
8.	19.6.08	The copy of order of the respondent No.2 transferring the respondent No.5 to Jorhat.	6	31
9.	15.7.08	The copy of order of the respondent No.3 adjusting the respondent No.5 to Service Tax Cell	7	32
10.	16.4.09	The copy of letter of the respondent No.4 to the respondent No.3	8	33
11.	30.4.09	The copy of letter of the respondent No.3 approving the proposal	9	34
12.	8.5.09	The copy of impugned order issued by the respondent No.4 adjusting the incumbents	10	35 to 36
13.	April/09	The copy of the Monthly disposition list of Officers (Inspectors) of Central Excise, Jorhat Division	11	37

Filed by -

S. Hossain
Advocate. 20.5.09



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH, AT GUWAHATI.

ORIGINAL APPLICATION NO. 91 /2009

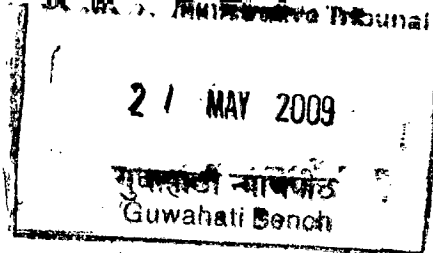
Sri Tapan Borah -Vs- The Union of India and Others

I N D E X

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11	The copy of impugned order issued by the respondent No.4 adjusting the incumbents	10	35 to 36
12	The copy of the Monthly disposition list of Officers (Inspectors) of Central Excise, Jorhat Division	11	37.
13.	VAKALATNAMA		
14.	NOTICE		

Filed by -

[Signature]
20.5.09
Advocate.



*Filed by the Applicant
Tapan Borah, 38
through
S. H. Hossain, Advocate
20.05.09*

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

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

ORIGINAL APPLICATION NO. 91/2009

Sri Tapan Borah

... Applicant

-Versus-

The Union of India and Others

... Respondents

DETAILS OF THE APPLICANT:-

Name and Address of the Applicant :

Sri Tapan Borah,

S/o Sri Tilakanta Borah,

Resident of Chandan Nagar, Jorhat,

P.O. & Dist. Jorhat. - 785001. ✓

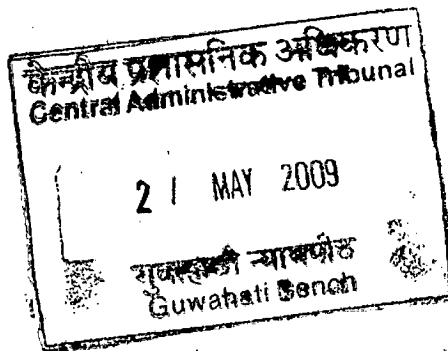
Designation and Office: Presently serving as Inspector of Central

Excise and Service Tax in the Office of

the Assistant Commissioner, Central

Excise & Service Tax Division, Jorhat,

Station Godown Road, Jorhat - 785 001.



Details of the Respondents :-

1. The Union of India, through its
Secretary, Ministry of Finance
(Deptt. of Revenue), Govt. of India,
New Delhi - 110 001. ✓
2. The Commissioner, Central Excise &
Service Tax, Dibrugarh, Milan nagar,
Lane 'F', P.O. C.R. Building,
Dibrugarh - 786 003, Assam. ✓
3. The Additional Commissioner, Central
Excise & Service Tax, Dibrugarh,
Milan nagar, Lane 'F', P.O. C.R.
Building, Dibrugarh - 786003, ✓
Assam.
4. The Assistant Commissioner, Central
Excise & Service Tax Division, Jorhat,
Station Godown Road, Jorhat -
785001, Assam. ✓
5. Sri Swarup Sarma,
Inspector, in the Office of the
Assistant Commissioner, Central
Excise & Service Tax Division, Jorhat,
Station Godown Road, Jorhat -
785001, Assam. ✓

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Jorhat Bench

6. Sri R. K. Singh,

Inspector, in the Office of the
Assistant Commissioner, Central
Excise & Service Tax Division, Jorhat,
Station Godown Road, Jorhat -
785001, Assam. ✓

7. Sri D. Bhattacharjee,

Inspector of Central Excise and
Service Tax, in the Office of the
Assistant Commissioner, Central
Excise & Service Tax Division, Jorhat,
Station Godown Road, Jorhat -
785001, Assam. ✓

8. Sri Hitesh Sarma,

Inspector of Central Excise and
Service Tax, in the Office of the
Assistant Commissioner, Central
Excise & Service Tax Division, Jorhat,
Station Godown Road, Jorhat -
785001, Assam. ✓

9. Md. Mazid Alom,

Inspector of Central Excise and
Service Tax, in the Office of the
Assistant Commissioner, Central
Excise & Service Tax Division, Jorhat,

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Station Godown Road, Jorhat -
785001, Assam. ✓

Jorhat Bench

1. Particulars of Order(s) against which the application is made :

Impugned Order dated 8th May, 2009 of the respondent No.4 for rotation and adjustments in the grade of Inspector of Jorhat Central Excise & Service Tax Division so far it related to Applicant and respondent Nos. 5 to 9 are concerned.

(Vide Annexure No.10)

2. JURISDICTION OF THE TRIBUNAL:-

The Applicant declares that the Application preferred is within the jurisdiction of this Hon'ble Tribunal.

3. LIMITATION :-

The Applicant declares that the application is filed before the Hon'ble Tribunal is within time limit prescribed under section 21 of the Central Administrative Tribunal Act, 1985.

4. FACTS OF THE CASE:-

- 4.1) That the Applicant begs to state that he is a citizen of India and a resident of Jorhat, District Jorhat, Assam and is presently serving as Inspector of Central Excise and Service Tax under the respondent No.4 and as such is entitled to all the rights, protections and privileges as guaranteed by the Constitution of India and other settled laws of the Country including all the relevant Rules,

guidelines etc. of the Customs and Central Excise Department.

- 4.2) That the Applicant begs to state that the respondent authorities prepared and circulated a guideline vide C. No. II(3)13/ET-I/CCE/DIB/04/10646-50 dt. 24.11.01 regarding transfer and posting in respect of Group-B, Group-C and Group-D officials of customs and Central Excise in the North Eastern Region i.e. in the grade of Superintendents and Inspectors for administrative reasons to give equal opportunity for experience to all officers and effective distribution of human resources. All the places of postings have been graded as (1) Sensitive, (2) Non-sensitive, (3) Hard Posting as per list enclosed. As per the guidelines the posting shall not exceed two years for sensitive area and one year for hard posting and the officers of non-sensitive posting shall also be rotated on completion of two years. Except for reasons recorded in writing no officer shall be rotated from one sensitive to another sensitive posting. Apart from the above there are other guidelines and list of different places of postings that are reflected in details in the guidelines annexed herewith.

The copy of Guidelines dated 24.11.01 of the respondent No.2 is annexed as Annexure No.1.

- 4.3) That the Applicant begs to state that while he was serving as Inspector at Head Quarters at Dibrugarh under the

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respondent No.2 and 3, the respondent No.2 issued an order dated 26.2.07 posting and transferring as many as 33 officers (Inspectors). As per the said order the Applicant who was working in the Headquarter Audit, Dibrugarh was transferred to Jorhat under respondent No.4. By the same order the respondent No.5, Sri Swarup Sarma and respondent No.6 Sri R.K. Singh were transferred from Jorhat to Head Quarter at Dibrugarh.

The copy of transfer and posting order dated 26.2.2007 of the respondent No.2 is annexed as Annexure No.2.

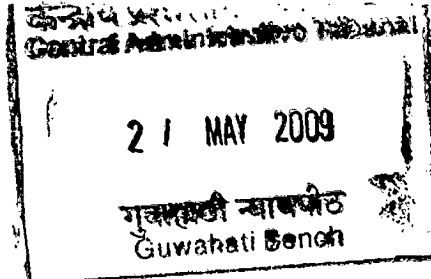
- 4.4) That the Applicant begs to state that thereafter the respondent No.3 issued an order dated 26.3.07 for rotation/posting of officers under him. Accordingly the Applicant was transferred from Head Quarters, Dibrugarh and was posted to Anti Evasion Unit at Jorhat and the respondent No.8 Hitesh Sarma from Tezpur to Jorhat in Tech. I.

The copy of Order dated 26.3.07 of the respondent No.3 transferring the Applicant and others is annexed as Annexure No.3.

- 4.5) That the Applicant begs to state that the respondent No.2 issued an order dated 20.2.2008 transferring as many as 25 Inspectors. By the said order the respondent No.6 was transferred from Dibrugarh HQ to Jorhat Division Office

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and respondent No.7 was transferred to Dibrugarh to Jorhat Division (Tech.) and they were released from Dibrugarh vide order dated 15.3.08.

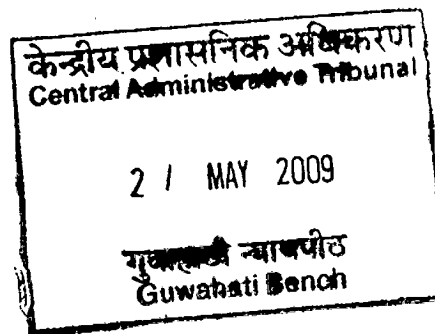
The copy of order dated 20.2.08 of the respondent No.2 transferring the officers is annexed as Annexure No.4.

- 4.6) That the applicant begs to state that, thereafter, the Deputy Commissioner vide an order dated 1.4.08 allotted the respondent No.6 to statistics branch and the respondent No.7 to Technical Branch and kept the applicant in his earlier posting of Anti Evasion Unit.

The copy of order dated 1.4.08 of the respondent No.3 adjusting the officials is annexed as Annexure No.5.

- 4.7) That the applicant states that the respondent No.2 issued an order dated 19.6.08 by which the respondent No.5 was transferred from Head Quarter (System), Dibrugarh to Jorhat and thereafter the respondent No.3 vide Order dated 5.9.08 adjusted the respondent No.5 in Jorhat Service Tax Cell.

The copy of order dated 19.6.08 of the respondent No.2 transferring the respondent No.5 to Jorhat and order dated 15.7.08 of the respondent No.3 adjusting the respondent No.5 to Service Tax Cell is annexed as Annexure No.6&7.

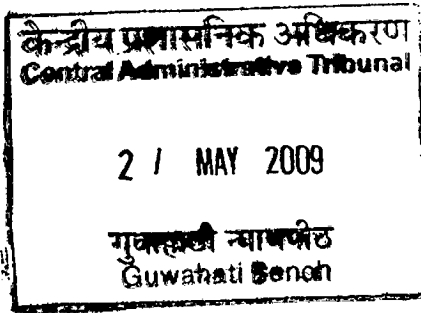


4.8) That the applicant states that while all the officials are serving in their respective places of postings, the respondent No.4 sent a proposal dated 16.4.09 to the respondent No.3 for adjustment of officials under him. As per the said proposal, the Applicant who was serving in Anti Evasion Unit was proposed to be adjusted to Statistics Division Office. By the same letter, it was proposed to adjust the respondent No.5 working in S.I.R. Wing Div. Office to Anti Evasion and Recovery, Jorhat Division and the respondent No.6 working in STS Unit, Division Office was proposed to be adjusted to Anti Evasion Unit & Recovery Division Office. Similarly it was proposed to adjust respondent No.7 who was serving in Tech.I to Jorhat Range, respondent No.8 from Refund, Law, Appeal to Tech. & Refund and respondent No.9 from Computer Cell/Confidential to Computer Cell/Confidential & Addl. charge of Anti Evasion. Accordingly the proposal was approved by the respondent No.3 vide his letter dated 30.4.09.

The copy of letter dated 16.4.09 of the respondent No.4 to the respondent No.3 is annexed as Annexure No.8.

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The copy of letter dated 30.4.09 of the respondent No.3 approving the proposal is annexed as Annexure No.9.

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- 4.9) That the Applicant states that after receipt of the approval, the respondent No.4 issued an order on 8.5.09 whereby the Applicant was adjusted from Anti Evasion Unit to STS, Division Office, the respondent No.5 from SIR Wing, Division Office to Anti Evasion Unit & Recovery, Jorhat Division Office and respondent No.6 from STS Unit, Division Office to Anti Evasion Unit and Recovery, Jorhat Division Office, the respondent No.7 from Tech. I to Jorhat Range, the respondent No.8 from Refund, Law to Tech. & Refund and respondent No.9 from Computer Cell/ Confidential to Computer Cell/Confidential & Addl. Charge of Anti Evasion and they have been released from their existing posts on 8.5.09 itself.

The copy of impugned order dated 8.5.09 issued by the respondent No.4 adjusting the incumbents is annexed as Annexure No.10.

- 4.10) That the applicant states that as per the monthly disposition of staff in the level of Inspectors in the establishment as on April, 2009, it was shown that the Applicant was posted in Anti Evasion Unit on 10.4.07, the respondent No.5 in SIR Wing on 15.7.08 and respondent

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Guwahati Bench

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No.6 in Statistics Unit at Division Office on 1.4.88, the respondent No.7 in Technical-I on 1.4.08, the respondent No.8 in Refund/Law/Appeal on 1.4.08 and respondent No.9 in Computer Cell/Confidential on 4.6.96. From the aforesaid chart it is inferred that the respondent Nos. 5, 6,7 and 8 are yet to complete 2 years of service in their respective posts before their adjustments.

The copy of the Monthly disposition list of Officers (Inspectors) of Central Excise, Jorhat Division as on April, 2009 is annexed as Annexure No.11.

- 4.11) That the Applicant begs to state that the concerned officials have been released from their posts on the same date of passing the impugned order without giving any opportunity to them to seek relief if aggrieved.
- 4.12) That the Applicant begs to state that he was posted in Anti Evasion Unit w.e.f. 10.4.07 which is a sensitive post as per Sl. No.3(2) Dibrugarh Central Excise Commissionerate vide Guidelines. Whereas the posts which were held by the respondent Nos. 5 to 9 are non-sensitive posts. But the respondent authorities issued the impugned transfer/adjustment orders in violation of the guidelines.
- 4.13) That the applicant states that in sensitive post, an official mainly does field work and is a challenging one. Whereas the non-sensitive post an official is required to work in office and routine nature. There is group of officials who

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are against working in non-sensitive posts and in collusion with higher authorities influenced to issuance of the posting/adjustment orders in their favour.

4.14) That the Applicant states that there is one sanctioned strength of Anti Evasion Unit and there is separate branch for Recovery wherein also strength is one. By the impugned orders it is not clear which official will take over charge from the applicant and in what capacity as such the applicant has made number of officials as private respondents (5 to 9). One Md. Mozid Alom (respondent No.9) who served in Computer section completed 10 years and now has been posted in Computer section alongwith the Additional charge for Anti Evasion. It be stated that, when there is only one sanctioned post in Anti Evasion, now they adjusted more than one person against one post without any detail of adjustments.

4.15) That the respondent No.8 who was serving in sensitive post since 1.4.08 has been again transferred to sensitive post. Likewise the respondent No.5 and respondent No.6 who are yet to complete 2 years in sensitive and non-sensitive branch respectively for less than 2 years have been adjusted in sensitive posts in violation of the guidelines.

4.16) That the applicant states that because of the impugned orders the applicant has been affected. Although the applicant was in sensitive post he was given additional

charge of Public Relation, I/c. of hired vehicle etc. because of which he did not get any opportunity to do the field works and the Applicant has been demoralized.

4.17) That the applicant states that he is to retire from service after about 18 months or so and he should not have been relocated/adjusted favouring the private respondents.

4.18) That the Applicant states that although he has been released from the original place of posting of Anti Evasion Unit, he has not joined in his new posting at Statistics Unit as yet and presently he is on leave.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS:

5.i) For that there was much anomalies in posting/adjustment of officers in the department and to mitigate the grievances, the guideline was issued and the same was adhered to in effecting transfer/adjustment etc. But of late the respondent authorities have started giving order of adjustments/transfers for vested interest and against public interest in violation of their own guidelines. As such the any order of transfer/adjustment in violation of the guidelines is nonest in law, illegal and is liable to be set aside and quashed.

5.ii) For that the respondent Nos. 5 to 8 have not completed their tenure of 2 years in the respective posts prior to the issuance of the adjustment orders. But the authorities adjusted them again much before their completion of 2 years because of some vested interest as inferred by the

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facts that the officials were released on the same date of issuance of the order and affected the applicant also.

- 5.iii) For that by the impugned order Sri Swarup Sarma (respondent No.5) and Sri R.K. Singh (Respondent No.6) have been given Anti Evasion & Recovery without any distinction as to who will work against whom and against what capacity to and as to who will takes place of the Applicant. The impugned order as such is a vague and non-specific and are liable to be set aside and quashed so far it relates to Applicant and respondent Nos. 5 to 9.
- 5.iv) For Sri Swarup Sarma (Respondent No.5) has been transferred from STR (Sensitive) to Anti Evasion (Sensitive) by the impugned order although he has not completed 2 years in the STR unit in violation of the guidelines.
- 5.v) For that Sri R.K. Singh (Respondent No.6) has been adjusted in place of the Applicant although he has not completed 2 years in Statistics Unit as per the guidelines. By the impugned orders undue favour has been shown to him as he already worked in Anti Evasion Unit for more than two years from 2003 to 2005 on earlier occasion under the same office.
- 5.vi) For that Sri Hitesh Sarma (respondent No.8) was working in Refund (Sensitive) post has been adjusted against Technical and Refund although he has not completed two

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Guwahati Bench

years in sensitive post, which is in violation of the guidelines in transfer/adjustment.

5.vii) For that Md. Mazid Alom (Respondent No.9) has been given undue favour by the impugned order as he has been adjusted against Computer/Confidential alongwith additional charge of Anti Evasion when admittedly he has served in the post of Computer/Confidential Unit for more than 10 years and thereby raising the strength of Inspector of Anti Evasion to three in numbers.

5.viii) For that the respondent No.4 ought not to have sent the proposal for adjustment of the official in violation of guidelines. Moreover, the respondents No.3 also approved the same mechanically without going through the procedure in force resulting the issuance of the final order of adjustment by the respondent No.4. As such the impugned order dated 8.5.09 (Annexure No.10) are bad in law, illegal and against the guidelines in force and as such are liable to be set aside and quashed.

5.ix) For that the Applicant is having only 18 months of service and he ought not to have adjusted in non-sensitive post at this fag end of his service when the respondents have been adjusted in the same category of posts although they have not completed two years of service in the same category in violation of the guidelines.

5.x) For that the Applicant was made to look after the work of Assistant Public Relation Officer (APRO), Hired Vehicle and

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Guwahati Bench

was caretaker of the Office as a result of which the applicant did not get any opportunity to do field work.

- 5.xi) For that in any view of the matter the impugned proposal/orders are liable to be set aside and quashed so far the same relates to the Applicant and respondent Nos. 5 to 9 are concerned and the officials should be sent back to their respective posts in which they are serving prior to the passing of the impugned order.

6. DETAIL OF RELIEF EXHAUSTED :-

That the Applicant state that as the final impugned order was passed only on 8.5.09 he could not approach the authorities and has approached this Hon'ble Tribunal directly for appropriate relief.

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

That the applicant states that he has not filed any application, petition etc. in any court of law against the aforesaid orders, which are challenged in this Hon'ble Tribunal.

8. RELIEF SOUGHT FOR:

Under the facts and circumstances of the case, the applicant prays that your Lordship would be pleased to admit this application, issue notices to the respondents to show cause as to why the relief sought for by the applicant

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Guwahati Bench

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shall not be granted, call for the records of the case and on perusal of the same and after hearing the parties, your Lordship may be pleased to grant the following relief/s:

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- i) to set aside and quash the impugned order dated 8.5.2009 of the Assistant Commissioner (Respondent No.4) for rotation/ adjustment of the officers (vide Annexure No.10) so far the same relates to the applicant and respondent Nos. 5 to 9 are concerned.
- ii) to direct the respondent authorities to post the Applicant and the respondents in their respective posts which they were serving prior to issuance of impugned order (Annexure No.10) was issued.
- iii) to grant any other relief as the applicant may be entitled to.

9. INTERIM ORDER PRAYED FOR:

That during pendency of the application the applicant prays for the interim order/orders as follows:-

- i) to stay the operation of the impugned adjustment/rotation order dated 8.5.2009 of

the Assistant Commissioner (Vide Annexure No.10), so far the same relates to the applicant and respondent Nos. 5 and 6 are concerned and further be pleased to direct the respondent authorities to re-adjust the Applicant and respondent No.5 & 6 in their earlier place of posting prior to issuance of the impugned order dated 8.5.2009 in the interest of justice.

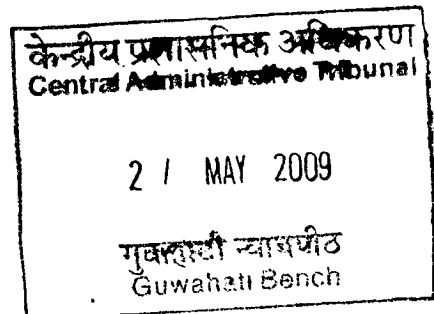
Japan Bench

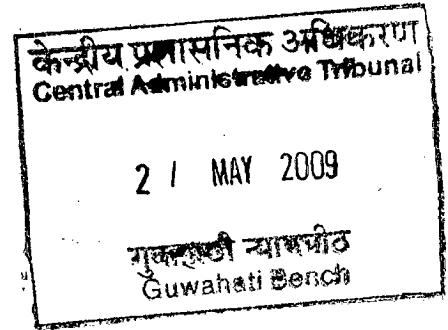
10. PARTICULARS OF I.P.O.

I.P.O. Nos. 69F-351791, 351792 and 351793 DT. 12.5.09
issued by the G.P.O. Guwahati for Rs.60.00.

11. LIST OF ENCLOSURES:

As per Index





VERIFICATION

I, Sri Tapan Borah, aged about 58 years, son of Sri Tilokanta Bora, resident of Chandan Nagar, Jorhat, District Jorhat, Assam presently serving as Inspector, Central Excise Department at Jorhat, Assam, do hereby verify that the contents in paragraphs 1,2,3,4,6,7,10 and 11 are true to my personal knowledge and paragraphs 5, 8, 9 are believed to be true as legal advice and I have not suppressed any material facts.

Date : 11 th May, 2009

Place : Guwahati

Tapan Borah

Signature of the Applicant

- 19 -

247

1
2008

OF THE ASSISTANT D-
COMMISSIONER

GUIDELINES FOR TRANSFER AND POSTING IN RESPECT OF GROUP -B (EXECUTIVE & MINISTERIAL) GROUP-C (EXECUTIVE & MINISTERIAL) AND GROUP-D OFFICERS OF CUSTOMS AND CENTRAL EXCISE IN THE NORTH EASTERN REGION.

Annexure NO.1

1. This may be called general guidelines for posting of Executive Officers in the grade of Superintendents and Inspectors working in the North Eastern Region.
2. The Guidelines aims to:-
 - a. Ensure minimum dislocation of officers in lines with the recent Department of Expenditure instruction for reducing expenditure on transfer.
 - b. Give equal opportunity to all officers in Customs, Central Excise and Service Tax,
 - c. Effective and proportionate distribution of available human resources in all the formations with a view to bring out the potential of the officers to the highest level in performing their duties.
3. Inter Commissionerate placement shall be done by the Chief Commissioner of Customs and Central Excise, North Eastern Region. The posting of the officers within the Commissionerate up to the Range/ CPF/LCS level shall be done by the respective commissioners within 5(five) working days of the A.G.T. This has been decided considering the geographical constraints which includes two tiers or three tier transfer orders.
4. Option for posting is to be exercised by the 31st October and posting order shall be issued by the 15th December. All officers are to be released latest by 31st January or on completion of the officers' children's academic sessions, if their ward is within class 12 standard - which ever is later.
5. All postings may be graded as, (1) sensitive, (2) Non-sensitive, (3) Hard Posting. List of classification of all the posts is enclosed. This list may be re-looked once a year.
6. While considering an officer for transfer, S/he shall be transferred to the nearest possible station while keeping in mind the overall guidelines.
7. Tenure in sensitive posting shall not exceed two years and one year for hard posting. Officers in non sensitive posting shall also be rotated on completion of two years. Except for reasons to be recorded in writing no officer shall be rotated from one sensitive to another sensitive posting.
8. A person shall not be posted to a place where he has worked earlier unless there are no optees for that Station.
9. The Normal tenure in Customs and Central Excise formations shall not exceed six years. On completion of two years in Dibrugarh Commissionerate, an officer is to be transferred out if a request is made to that effect.
10. For posting to Dibrugarh and other places where no optees are available, the vacancies shall be filled up by taking officers from the following categories in that order:
 1. Newly recruited officers.
 2. Officers promoted from one rank to another.
 3. Officers returning from deputation.
 4. Officers who have their hometown in and around that particular station.
 5. Officers who have completed maximum tenure in any particular station.
 6. It has also been decided to give posting at a place of choice to all officers who have completed their tenure at Dibrugarh.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

21 MAY 2009

गुवाहाटी बेंच
Guwahati Bench

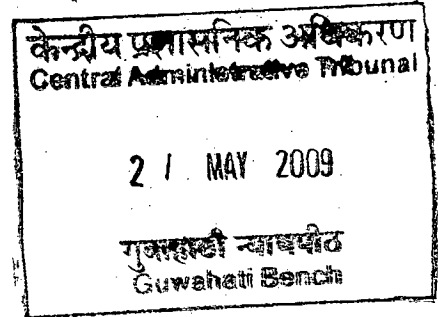
Certified to be
true Copy

Advocate

11. Transfer from one place to another shall be made on the basis of station seniority and after completion of tenure of posting.
12. In places where an officer is willing to continue and if no option is exercised by other officers, the incumbent may be allowed to continue provided there are no administrative grounds for s/he to discontinue.
13. (i) During AGT the case of representation is to be considered first. If an officer is to be transferred as the result of representation by the other officer s/he should be rotated as per his option or to the nearby station.
(ii) All representations shall be submitted through proper channel with a copy to the respective Associations.
(iii) Representation shall be considered only for choice of station or place and not for specific posting,
(iv) If representations are considered on compassionate ground, the officer/s shall be given non-sensitive posting for the extended period of stay for which representation has been considered.
14. Guidelines on posting of husband and wife and officers with only two years for retirement shall be as per the policy issued by the Department of Personnel and Training from time to time.
15. Officers repatriated from deputation shall report to the Chief Commissioner's Office and postings of such officer/s shall be decided by the Chief Commissioner. Except for exceptional cases, posting on loan basis shall be avoided as far as practicable.
16. Posting on promotion shall be as per exigency of the administration.
17. In exceptional cases for which reasons is to be recorded in writing administration may deviate from the above guidelines while considering an officer for transfer.
18. Due to uneven distribution of posting in customs, central excise and service tax in different areas it is not found feasible to have zones within the 'Chief Commissioner', Zone, as this will defeat the aim of equal opportunity to work in the three formations.

GROUP 'B' AND 'C' MINISTERIAL OFFICERS ASSOCIATION

1. All ministerial officers are liable to be transferred within the Zone. Routine transfer of Ministerial Officers from one station to another shall be avoided. However on administrative ground or on promotion/vacancy and representations, Gr. 'B' & 'C' Ministerial officers are liable for transfer from one station to another station.
2. Gr. 'B' and 'C' Ministerial officers shall be rotated from Customs to Central Excise and vice versa after every 5 to 6 years.
3. All ministerial officers shall be rotated from one charge to another within the same station after every 3 years.



GROUP 'D' OFFICERS

1. Though Gr. 'D' staff are also liable to be transferred anywhere within the Zone, frequent transfer of Gr. 'D' staff shall be avoided.
2. Transfer and Posting of Gr. 'D' within the Commissionerate shall be done from the respective Head Quarters of the three Commissionerates.
3. Tenure of posting in border area/ field position shall be for two years extendable by another one year. while considering the options for border area posting preference will be given to those who have never been posted to such areas on Seniority .
- 4 Except for posting to sensitive/ border areas, Gr. 'D' Officers will normally be posted nearest to their Hometown.
5. If a situation arises where there are no options for a particular area, administration will take its own decision as is convenient for Administration.

GR. 'C' DRIVERS ASSOCIATION

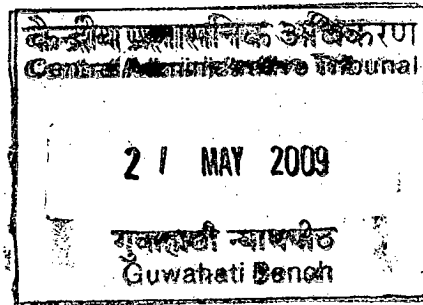
1. Gr. 'C' Drivers are liable to be transferred within the zone, however routine transfer from one Station to another shall be avoided as far as practicable.
2. Tenure of posting for Gr. 'C' Drivers in a particular Station other than Borders/Sensitive areas will be for 4-6 years.
3. Tenure of posting to Border/sensitive posts will be for a period of 2 years.
4. Gr. 'C' Drivers will be rotated from Customs to Central Excise and vice versa after every 4 to 6 years depending on administrative convenience.

LIST OF SENSITIVE, NON-SENSITIVE AND HARD POSTING

A. Shillong Central Excise Commissionerate:-

1. Sensitive Posts :-

- a) Byrnihat Range -I
- b) Byrnihat Range -II
- c) Guwahati Range -I
- d) Gueahati Range -II
- e) Guwahati Range - III
- f) Guwahati Range - IV
- g) Guwahati Range - V
- h) Guwahati Range -VII
- i) Hqrs. Anti- Evasion Branch
- j) Anti - Evasion Branch (Division)
- k) Audit Branch
- l) E O U S
- m) Personnel Section
- n) Vigilance Section



2. Hard Posts :-

- a) Diphu Range
- b) Imphal Range
- c) Aizawl Range

3. Non-Sensitive Posts :-

All the remaining posts in the Commissionerate/All Divisional Hqrs. And Ranges:

B. Shillong Customs (Preventive) Commissionerate:-

1. Sensitive Stations:-

i. Agartala :-

- a). Agartala LCS and Dhaka Bus Service
- b) Bishalgarh CPF
- c) Srimantapur LCS
- d) Sonamura CPF

ii. Aizawl :-

- a) Seling PP
- b) Champhai-Zokhawthar LCS/CPF

iii. Dhubri :-

- a) Ghasuapara LCS
- b) Mahendraganj LCS

iv. Dimapur :-

- a) Lumding CPF

v. Guwahati Division:-

- a) ICD Amingaon
- b) LGBI Airport

vi. Imphal :-

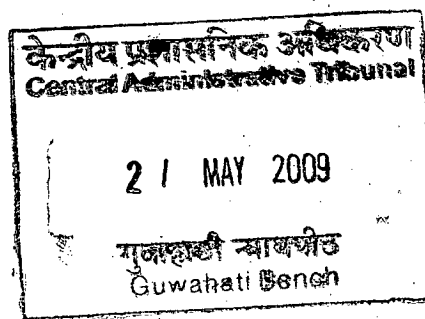
- a) Pallel CPF
- b) Moreh LCS
- c) Moreh CPF

vii. Karimganj :-

- a) Silchar CPF
- b) K.S.F.S LCS
- c) Sutarkandi LCS

viii. Shillong :-

- a) Dawki LCS
- b) Borsora LCS
- c) Pynursla CPF

2. Sensitive Post. :-

i. Hqrs. Office, Shillong :-

Hqrs. Preventive Unit.

ii. Divisions :-

All Divisional Preventive Force.

2. Hardship Post :-

i. Agartala :-

- a) Sabroom CPF
- b) Khowaighat LCS & PP
- c) Dholaighat LCS

ii. Aizawl :-

Demagiri LCS

iii. Dhubri :-

- a) Ullapani LCS
- b) Hatisar LCS

iv. Dimapur:-

Nampong LCS

3. Non-Sensitive Posts :-

All posts other than Sensitive or Hardship will be classified as Non-Sensitive posts.

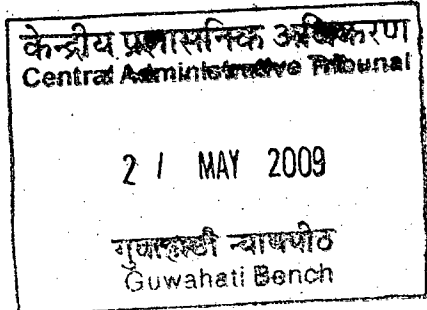
C. Dibrugarh Central Excise Commissionerate :-

1. Sensitive Posts:-

1. Anti-Evasion Unit of Commissionerate Hqrs. Dibrugarh.
2. Anti-Evasion Unit and refund section of Divisional Hqrs. At Dibrugarh/Tinsukia/Digboi/Jorhat & Tezpur.
3. All Range Offices of the Commissionerate.

2. Hard Posting:-

1. Sonari Range under Jorhat Division
2. Amguri Range under Jorhat Division.



3. Non-Sensitive Posting:-

All posts other than Sensitive or Hardship will be classified as Non-Sensitive posts.

C.No. II(3)13/ET-I/CCE/DIB/04/10646-50

Dated: 24/11/09

Copy forwarded for information and necessary action to:-

1. The Deputy/Assistant Commissioner, Central Excise, Dibrugarh/Tinsukia/Digboi/Tezpur/Jorhat Division.

(J. B. PURKAYASTHA)
Administrative Officer (H)
Central Excise, Dibrug

C. NO. 11/13/2/ET/96/PT-1/05/

Dated:-

Forwarded for information & necessary action

to:-

1. The Supdt. Central Excise, _____ Ranges

2. The Supdt. C. Ex. Tech-1/11/111/S. Tax/AIE Unit, Jorhat Division.

2

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Annexure No 2

Feb. 27 2007 02:42PM PT

FROM : OFF. OF THE COM. CENTRAL EXCISE

FAX NO. : 0373 2314081

Feb. 27 2007 01:29PM PT

FAXSPEED POST



GOVT. OF INDIA

OFFICE OF THE COMMISSIONER

CENTRAL EXCISE & SERVICE TAX DIBRUGARH

Mitan Nagar, Lane 'F', P. O. : C. R. Building, Dibrugarh — 786 003

Ph. : 0373-2314078, Fax : 0373-2314031, Email : commdbr@sancharnet.in, Website : www.cexdibrugarh.gov.in

ESTABLISHMENT ORDER NO. 03/2007
DATED, DIBRUGARH, the 26th February 2007

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

21 MAY 2009

गुवाहाटी ब्याचरीठ
Guwahati Bench

Subject: Intra-Commissionerate transfer and posting of officers in the grade of Inspector — order regarding.

Consequent upon Inter-Commissionerate transfer and placement of officers at the disposal of this Commissionerate vide Chief Commissioner, Customs & Central Excise, Shillong's Order No. 9/2007 dated 10th January 2007, Order No. 11/2007 dated 25th January 2007 and Order No. 15/2007 dated 12th February 2007, the following transfer, posting and adjustment in the grade of Inspector is hereby ordered with immediate effect and until further orders.

Sl. No.	Name of the Officers	From	To
01.	Shri. Sandip Das	Shillong, CB	Digboi
02.	Shri. Nirmal Bhandari	Customs	Head-quarter, Dibrugarh
03.	Shri. Ashok R. Paul	Customs	Jorhat
04.	Shri. A.S. Phanbuh	Customs	Jorhat
05.	Shri. Joyanta K. Hazarika	Customs	Head-quarter, Dibrugarh
06.	Shri. Bhaking Mungleng	Customs	Dibrugarh Division
07.	Shri. Dominic K.K. Thang	Customs	Dibrugarh Division
08.	Shri. L.H. Haokip	Customs	Dibrugarh Division
09.	Shri. Pankaj Das	Customs	Jorhat
10.	Shri. Bhanjahari Duma	Customs	Tinsukia
11.	Shri. Kaptalam Taibhal	Customs	Tinsukia
12.	Shri. L. Happyson	Customs	Dibrugarh Division
13.	Shri. A. Sarmah	Div. Office Tinsukia	Jorhat
14.	Shri. D.K. Sarmah	Div. Office Digboi	Jorhat
✓ 15.	Shri. T. Borah	Hqrs. Audit, Dibrugarh	Jorhat
16.	Shri. K.D. Shyam	Hqrs. Audit, Dibrugarh	Jorhat
17.	Shri. A. Rouf	Div. Office Digboi	Jorhat
18.	Shri. B. Deb Choudhary	Hqrs. A.E., Dibrugarh	Digboi
19.	Shri. K.K. Deori	Hqrs. Computer	Dibrugarh Division
20.	Shri. G.K. Gogoi	Doomdooma Range, Digboi	Dibrugarh Division
21.	Shri. S.S. Dasgupta	Dibrugarh Range I	Law Cell (Guwahati)
22.	Shri. Pulak Bhattacharjee	Tinsukia Range II	Dibrugarh Division
23.	Shri. Subhas Dutta	Dibrugarh Range III	Tinsukia
24.	Shri. N. Chakraborty	Dibrugarh Range I	Digboi
25.	Shri. K. Ali Ahmed	Digboi	Dibrugarh Division
26.	Shri. S. Sarma	Jorhat	Head-quarter, Dibrugarh
27.	Shri. R.K. Sinoh	Jorhat	

Certified to be
true Copy

Advocate

FROM :	NAME OF OFFICER	JOINT	FAX NO. :	DATE
27.	Shri. R.K. Singh	Jorhat		Feb. 27 2007 02:43PM P2
28.	Shri. A.K. Das	Jorhat		Head-quarter, Dibrugarh
29.	Shri. S. Deb	Dibrugarh Div.		Head-quarter, Dibrugarh
30.	Shri. A. Sengupta	Digboi		Head-quarter, Dibrugarh
31.	Shri. A.K. Bezbaruah	Tinsukia		Head-quarter, Dibrugarh
32.	Shri. H.C. Sarmah	Tezpur		Head-quarter, Dibrugarh
33.	Shri. H. Sarmah	A.E. Tezpur		Head-quarter, Dibrugarh
				Jorhat

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

21 MAY 2008

गुवाहाटी - बांग्लादेश
Guwahati-Bangladesh

Sd/-
(EVA M.R. HYNIEWTA)
Commissioner

FROM : OFF. OF THE COM. CENTRAL EXCISE FAX NO. : 0373 2314081

Feb. 27 2007 01:29PM P2

C No II(3)/ET-1/CCF/DIB/06/14424-43

Copy forwarded for information and necessary action to:-

Dated: 27-02-2007

1. The Chief Commissioner, Customs & Central Excise, Shillong Zone, Crescens Building, M.G. Road, Shillong - 1.
2. The Commissioner, Central Excise, Shillong.
3. The Commissioner, Customs Preventive, Shillong.
4. The Deputy/Assistant Commissioner, Central Excise, Dibrugarh/Digboi/Jorhat/Tezpur/Tinsukia. He is to please submit proposal for rotation of officers within the Division within a week for prior approval of Commissioner, Central Excise, Dibrugarh. The Officers transferred may please be relieved latest by 01 March 2007 positively under intimation to this office. The required copies of this order may please be downloaded from Commissionerate web-site for distribution to the concerned officers.
5. The Assistant Commissioner, Audit/Anti-Evasion, Central Excise, Dibrugarh.
6. The Assistant Chief Accounts Officer, Central Excise, Dibrugarh.
7. The Pay & Accounts Officer, Central Excise, Dibrugarh.
8. The Superintendent (System), Central Excise, Dibrugarh.
9. The General Secretary, Group "C" Executive Officers Association, Central Excise, Dibrugarh.
10. The Accounts/Dill/Cash/Confidential/Adjudication/Vigilance, Central Excise Hqrs, Dibrugarh.

(Signature)
27.02.07
(NAGESH PATHAK)
Joint Commissioner (P&V)



-27-

Annexure No 3

GOVT. OF INDIA
OFFICE OF THE DEPUTY COMMISSIONER
CENTRAL EXCISE DIVISION::JORHAT

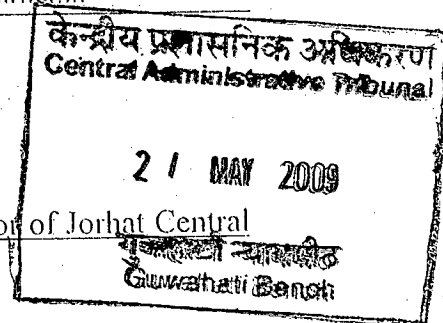
Station Godown Road, Jorhat 785001

Phone: (0376) 2322805, Fax : 2320006 E-mail:div7403 & cenexjor@sanchargel.in

ORDER

Dated 26th March 2007.

Subject :- Proposal for rotation/posting of Superintendent & Inspector of Jorhat Central Excise Division in the light Hqrs. Instruction.



The following rotation/posting of officers in the grade of Superintendent & Inspectors of this Division are hereby ordered with immediate effect and until further order.

Sl. No.	Name of the officer	Designation	From	To
1.	Sri R.N. Pegu	Superintendent	Transferred to Jorhat Division from Hqrs office, Dibrugarh	A/E with addl. Charge of Audit, Inspection & STS.
2.	Sri S. Ganguly	-- do --	Transferred to Jorhat Division from Dimapur Customs Division	Amguri Range
3.	Sri M. Baruah	-- do --	Amguri Range	Jorhat Range
4.	Sri. D.N. Doley	-- do --	Tech-II	Tech-I with Addl. Charge of Adjudication
5.	Sri Hitesh Sarmah	Inspector	Transferred to Jorhat Division from Tezpur Division	Tech-I after release of Sri S. Sharma
6.	Sri A. Sharma	-- do --	Transferred to Jorhat Division from Tinsukia Division	Adjudication, Audit and STS (Tech-II)
7.	Sri Topon Borah	-- do --	Transferred to Jorhat Division from Hqrs office, Dibrugarh	Anti Evasion Unit
8.	Sri A.S. Phanbuh	-- do --	Transferred to Jorhat Division from Shillong	Sonari Range
9.	Sri Abhijit Bhuyan	-- do --	Sonari Range	Service Tax
10.	Sri Pankaj Das	-- do --	Transferred to Jorhat Division from Tezpur Division	Jorhat Range
11.	Md. A Rouf	-- do --	Transferred to Jorhat Division from Digboi Division	Misc. OE (Tech-I)

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Advocate

12.	Sri D.K. Sarmah	-- do --	Transferred to Jorhat Division from Digboi Division	Amguri Range
13.	Sri K.D. Shyam	-- do --	Transferred to Jorhat Division from Hqrs office, Dibrugarh	Sonari Range

This issues with the approval of the Commissioner, Central Excise, Dibrugarh.

Sd/-

(B.B. BARUAH),
ADMINISTRATIVE OFFICER,

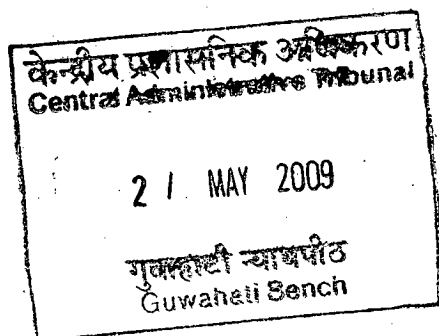
C. No. II(9)52/CON/ACJ/2001/

2064

Dated : 7/4/07

Copy to :

1. The Chief Commissioner, Customs & Central Excise, Shillong Zone, Crescens Building, M.G. Road, Shillong.
2. The Commissioner, Central Excise, Dibrugarh for information.
3. The Joint Commissioner (P&V), Central Excise, Dibrugarh for information.
4. The Pay & Accounts Officer, Central Excise, Dibrugarh for information.
5. The A.C.A.O. Central Excise, Dibrugarh for information. :
- ✓ 6. Sri A. Sharomey, Insp. for compliance.
7. The Accounts/Bill/Cash/Store branch of Central Excise, Jorhat Division.



Sd/-

(B.B. BARUAH),
ADMINISTRATIVE OFFICER,



OFFICE OF THE COMMISSIONER
CENTRAL EXCISE AND SERVICE TAX : DIBRUGARH
LANE - F, MILAN NAGAR, DIBRUGARH - 786003
e-mail: -commissioner@cecdibrugarh.gov.in
Ph. 0373-2314082 Fax 0373-2314079

Annexure no 4

Fax/Speed Post केन्द्रीय प्रशासनिक अपेक्षारण Central Administrative Tribunal
21 MAY 2009
गुवाहाटी न्यायापीठ Guwahati Bench

OFFICE ORDER NO. 05/2008

Dated : Dibrugarh, the 20 February, 2008

The following transfer and postings officers in the grade of Group-B, Non-gazetted (Inspector) of Customs & Central Excise under Dibrugarh Commissionerate are hereby ordered with immediate effect and until further order.

Sl. No.	Name of the officer	Present place of posting	Transfer /posted to	Remarks
1	L.K. Lara	Dibrugarh Division	Tezpur Div. Office	- Existing vacancy
2	Dilip Deka	Audit Hqrs, Dibrugarh	Tezpur Range	- Existing vacancy
3	D.P. Borah	Customs Dimapur	Tezpur Div. Office	- Existing Vacancy
4	A.S. Phanduh	Sonari Range (excess)	Tezpur Div. Office	- Existing Vacancy
5	Abdur Rouf	Tech. Jorhat Div.	Tezpur Div. Office	- Existing Vacancy
6	P.K. Daimari	CCP, Shillong	Tangla Range	- Existing Vacancy
7	S. Choudhury	Law Branch, Hqrs Dibrugarh	Mongoldoi Range	- Vice S.K. Singh
8	N. Basumatari	C.C.P. Shillong	Naharlagun ST Cell	- Vice Swapan Das
9	U.C. Mech	Customs, Dimapur	B. Chariali Range	- New post
				- Existing vacancy
10	H. Ginzalam	Customs Dimapur	Jorhat Div. Office	- Existing vacancy
11	R.K. Singh	Appeal Br. Hqrs Dibrugarh	Jorhat Div. Office	- Existing vacancy
12	Mrinal Pegu	Tinsukia Range - V	S.I.R. Cell Jor. Div. *	- Existing vacancy
13	P.K. Deka	Customs, Dimapur	Sibsagar ST Cell *	- Vice Abhijit Bhuyan
14	M. Karmakar	Customs, Dimapur	Jorhat S.T. Cell *	- New post
15	D. Bhattacharjee	Adj. Br. Dib. HQ	Jorhat Div. Tech. *	- Vice Abdur Rouf
				- Vice Dilip Deka
16	S. Adani	CCP, Shillong	Audit Hqrs, Dib.	- Vice S. Choudhury
17	B.D. Roychoudhury	CCP, Shillong	Law Br. Hqrs Dib.	- Vice R.K. Singh
18	M. Mazumdar	Tinsukia - I	Appeal Br. Dib. HQ.	- New post
19	Firoze Gogoi	CPF, Dibrugarh	Dibrugarh ST Cell	- Vice D. Bhattacharjee
20	N.M. Sheikh	C.C.P. Shillong	Adj. Br. Dib. HQ	- Vice L.K. Lara
21	Arun Ch. Bora	Marianj Range (excess)	Dibrugarh Division	- New post
22	Abhijit Sengupta	Dib. Hq. STS	Digboi ST Cell	- Vice M. Majumdar
				- Vice Mrinal Pegu
23	K.D. Singh	CCP, Shillong	Tinsukia Range - I	- New post
24	Abhijit Bhuyan	Jorhat SIR Cell	Tinsukia Range - V	
25	Kalidas Paul	Back from Deputation	Tinsukia S.T. Cell	

With this all representations for transfer and postings are disposed off, as utmost care have been taken to consider the representations of Officers wherever possible.

The Officers under order of transfer should be relieved by 2nd Week of March 2008 by the A.C. /D.C. with due compliance to the undersigned by 14th March, 2008.

Sd/-
(T. Haokip)
Commissioner

Contd. Page.....2

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Advocate



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GOVT. OF INDIA
OFFICE OF THE DEPUTY COMMISSIONER
CENTRAL EXCISE & SERVICE TAX DIVISION: JORHAT
Station Go down Road, Jorhat 785001
Phone: (0376) 2322805 Fax: 2320006 E-mail: div7403 & cenexjor@sancharnet.in

Annexure no. 5

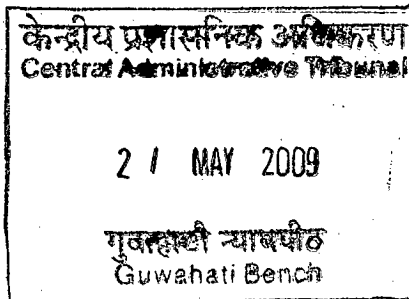
ORDER

Dated Jorhat the _____

Subject: - Rotations & adjustments in the grade of Inspectors order --- Regarding

The following rotations and adjustments in the grade of Inspectors of Jorhat Central Excise & Service Tax Division are hereby ordered with immediate effect and until further order.

Sl. No.	Name of the officer	Allotted branch
1.	Sri H. Sarmah	Refund/Law & Appeal
2.	Sri D. Bhattacharya	Tech - I 7
3.	Sri R. Kumar	S.I.R.
4.	Sri M. Pegu	S.I.R.
5.	Sri H. Ginzolam	S.I.R.
6.	Sri R. K. Singh	Statistics 6
7.	Mrs A. Borah	Audit
8.	Sri A. Sarmah	Recovery/Adjudication
9.	Sri T. Borah	Anti Evasion pt



This is issued with the approval of the Deputy Commissioner, Central Excise & Service Tax, Jorhat.

(R. N. PEGU)
ADMINISTRATIVE OFFICER
CENTRAL EXCISE: JORHAT.

Dated: -

C. No. I (1) 1/ET-II/ACJ/2008/

Copy forwarded for information & necessary action to: -

1. The Commissioner, Central Excise & Service Tax, Dibrugarh.
2. The Assistant Commissioner (P & V), Central Excise & Service Tax, Dibrugarh.
3. The Pay & Accounts Officer, Central Excise, Dibrugarh.
4. The Assistant Chief Accounts Officer, Central Excise, Dibrugarh.
5. The Superintendent (A/E)/Adjn./S.I.R./Audit & Statistics/Tech-I/Recovery, Jorhat.
6. Sri H. Sarmah / D. Bhattacharya / R. Kumar / M. Pegu / H. Ginzolam / R. K. Singh / A. Sarmah / T. Borah & Mrs. A. Borah.
7. The Branch I/C of Bill / Cash / Store / T. A. Central Excise, Jorhat Division.

Certified to be

True Copy

Advocate

(R. N. PEGU)
ADMINISTRATIVE OFFICER
CENTRAL EXCISE: JORHAT.



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GOVT. OF INDIA

**OFFICE OF THE COMMISSIONER
CENTRAL EXCISE & SERVICE TAX
DIBRUGARH**

Milan Nagar, Lane 'F', P. O. : C. R. Building, Dibrugarh -- 786 003
73-2314078, Fax : 0373-2315257/2314079, Email : commdbr@sancharnet.in, Website : www.cexdibrugarh.gov.in

ESTT. ORDER NO. 16/2008

Dated Dibrugarh, the 19th June, 2008.

Annexure no. 6

The following transfer and posting in the grade of Group - 'B' Non-gazetted (Inspector) of Central Excise Hqrs., Dibrugarh are hereby ordered with immediate effect and until further orders.

Sl. No.	Name of the officer	From	To
01.	Sri Swarup Sarma	Hqrs. Systems, Dibrugarh	Jorhat
02.	Sri Amio Kumar Das	Hqrs. Appeal, Dibrugarh	Jorhat
03.	Sri A.C. Borah	U.O.T. to Dibrugarh Division	Hqrs. Appeal Branch, Dibrugarh

The Officers under Sl. No. 1 and 2 above stands relieved w.e.f. 30-06-2008 (A.N.)

Sd/-
(T. HAOKIP)
Commissioner

Dated : 19-06-2008

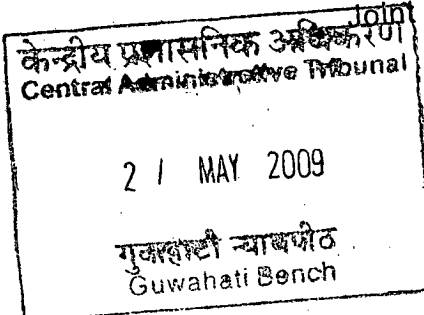
C.No. II(3)2/ET-I/CCE/DIB/2008/3842-53

Copy for information & necessary action to :-

01. The Deputy Commissioner, Central Excise, Jorhat Division. Sri Arun Ch. Borah, Inspector who was granted retention upto June, 2008 may please be relieved positively on 30-06-2008 (A.N.)
02. Sri Swarup Sarma, Inspector, Systems, Central Excise Hqrs., Dibrugarh.
03. Sri Amio Kumar Das, Inspector, Appeal Branch Central Excise Hqrs., Dibrugarh.
04. Sri A.C. Borah, Inspector, Central Excise, Mariani Range, P.O. Mariani, Dist. Jorhat.
05. The Superintendent, Systems/Appeal Branch, Central Excise Hqrs., Dibrugarh.
06. The Assistant Chief Accounts Officer, Central Excise Hqrs., Dibrugarh.
07. The Pay & Accounts Officer, Central Excise, Dibrugarh.
08. The Establishment Branch - II/III, Bill/Cash Branch, Central Excise Hqrs., Dibrugarh.

**Certified to be
true Copy**

[Signature]
Advocate



(A.K. SAHA)
Joint Commissioner (P&V)

19/06



GOVT. OF INDIA
OFFICE OF THE DEPUTY COMMISSIONER
CENTRAL EXCISE DIVISION::JORHAT

Station Godown Road, Jorhat 785001

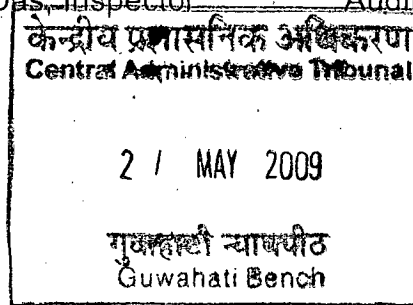
Phone: (0376) 2322805 Fax: 2320006 E-mail: div7403 & cenexjor@sancharnet.in

ORDER

Dated Jorhat the 15th July 2008

Consequent upon the Estt. Order No.16/2008 dated 19.06.08 issued under C.No.II(3)2/ET-I/CCE/DIB/2008/3842-53 dated 19.06.08, the following Inspectors are adjusted with effect until further order as shown below.

<u>Sl. No.</u>	<u>Name of officers</u>	<u>Place of posting</u>
1.	Sri S. Sharma, Inspector	Jorhat Service Tax Cell till regular officer joins. S
2.	Sri A. K. Das, Inspector	Audit Branch, Divisional Office.



(R. N. PEGU)
Administrative Officer

C.No.I(1)1/ET-II/ACJ/2008/ 5021-29

Date : 15/7/08

Copy forwarded for information and necessary action to :

1. The Assistant Commissioner (P&V), Central Excise & Service Tax, Dibrugarh.
2. The Superintendent, Service Tax Cell, Jorhat.
3. The Superintendent, Audit Branch, Central Excise Division, Jorhat.
4. Sri S. Sharma, Inspector, Central Excise, Jorhat.
5. Sri A.K. Das, Inspector, Central Excise, Jorhat.
6. The Branch in-charge Bill/Cash/ET-II/Store, Central Excise, Jorhat Division.

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Advocate

15/7/08
(R. N. PEGU)
Administrative Officer

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GOVT. OF INDIA

Annexure No. 8

OFFICE OF THE ASSTT. COMMISSIONER C. EXCISE & S. TAX
JORHAT DIVISION, JORHAT.

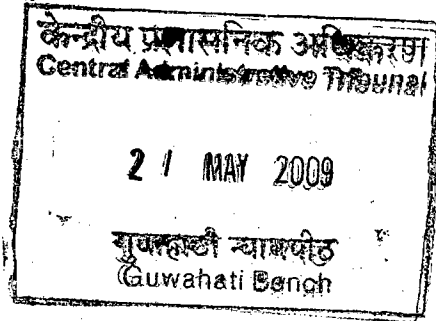
C.No. I(1)1/ET-II/ACJ/2008/

Dated:- 16-04-2009

To,

The Additional Commissioner,
Office of the Commissioner,
Central Excise & Service Tax;
West Milan Nagar,
'F' Lane,
Dibrugarh - 786003.

Sir,



Sub:- Proposal for adjustment of officers -- regarding.

The following proposal is submitted herewith for adjustment of officers in the grade of Inspector for favour of your kind approval :-

Sl. No.	Name	From	To	Remarks
1.	Sri D. Bhattacharjee	Tech - I	Jorhat Range	
2.	Sri Hitesh Sarmah	Refund, Law, Appeal	Tech. & refund	
3.	Sri Arup Kr. Gogoi	Jorhat Range	Law & Appeal, Divisional office	
4.	Sri Swarup Sharma	S.I.R. Wing, Divn. office	Anti-Evasion & Recovery, Jorhat Divn. office	
5.	Sri Abhijit Sarmah	Anti-Evasion/Recovery/Adjn.	Adjn. Divn. office	
6.	Sri Tapan Bora	Anti-Evasion unit	Statistics, Divn. office	
7.	Sri R.K. Singh	STS unit, Divn. office	Anti-Evasion unit & Recovery, Divn. office	
8.	Sri Arun Bora	On transfer from Hqrs. Appeal Dibrugarh	S.I.R., Divn. office	
9.	Md. Majid Alom	Computer Cell /Confidential	Computer Cell/Confidential & addl. Charge of A.E.	

Yours faithfully,

(K. AHMED)

Assistant Commissioner

**Certified to be
True Copy**

Advocate

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Annexure no. 9



GOVT. OF INDIA

OFFICE OF THE COMMISSIONER CENTRAL EXCISE & SERVICE TAX
DIBRUGARH,

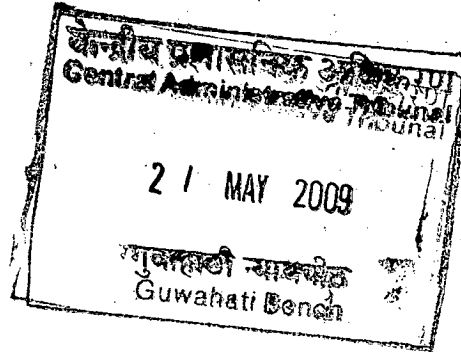
Milan Nagar, Lane 'F', P. O. : C. R. Building, Dibrugarh --- 786 003
Ph. : 0373-2314078, Fax : 0373-2314031, Email : commdbr@sancharnet.in,
Website www.cexdibrugarh.gov.in.

Dated: 30-04-2009

C.No.II(3)1/ET-I/CCE/DIB/2008/730

To

The Assistant Commissioner,
Central Excise,
Jorhat Division,
Jorhat.



Sir,

Sub:- Proposal for adjustment of officers - regarding.

Please refer to your C.No. I(1)1/ET-II/ACJ/2008 dated 16/04/2009 on the subject cited above.

In this connection I am directed to inform you that the proposal for adjustment of officers in the grade of Superintendent & Inspector as submitted by you has been approved by the Additional Commissioner, Dibrugarh.

You are, therefore, requested to issue formal posting order with a copy to this office for record.

Yours faithfully

(J.B. PURKAYASTHA)
Administrative Officer (Hqrs.) 20/04/09

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True Copy

Advocate

-35-

An nexure no. 10

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GOVT. OF INDIA
OFFICE OF THE ASSISTANT COMMISSIONER
CENTRAL EXCISE & SERVICE TAX DIVISION::JORHAT
Station Godown Road, Jorhat 785001
Phone/Fax: 0376 2320006 E-mail:div7403 & cenexjor@sancharnet.in

केन्द्रीय प्रशासनिक अधिकारी
Central Administrative Tribunal
21 MAY 2009
गुवाहाटी न्यायाधीश
Guwahati Bench

ORDER

Dated Jorhat the 8th May, 2009

The following rotations and adjustments in the grade of Inspector of Jorhat Central Excise & Service Tax Division are hereby ordered with immediate effect and until further order.

Sl. No.	Name	From	To	Remarks
1	Sri. D Bhattacharjee	Tech-I	Jorhat Range	R-7
2	Sri Hitesh Sarmah	Refund, Law, Appeal	Tech. & Refund	R-8
3	Sri Arup Gogoi	Jorhat Range	Law & Appeal, Divn. Office	
4	Sri Swarup Sharma	SIR Wing, Divn. Office Jorhat	A.E & Recovery, Jorhat Divn. Office	R-5
5	Sri Abhijit Sarmah	A.E./Recovery/Adjn	Adjn. Divn. Office	Applicane
6	Sri Topon Borah Jorhat	Anti-Evasion Unit	STS, Divn. Office	
7	Sri R.K. Singh	STS Unit, Divn. Office	A.E. Unit & Recovery. Jorhat Divn. Office	R-6
8	Sri Arun Ch. Borah	On transfer from Hqrs Appeal Dibrugarh	SIR Divn. Office	
9	Md. Majid Alom	Computer Cell/Confidential	Computer/Confidential & Addl. Charge of A.E.	R-9

This order is issued in concurrence with the Additional Commissioner, Central Excise & Service Tax, Dibrugarh Commissionerate. The officers are relieved w.e.f. 08.5.09 (A/M)

Sd/-
(K. AHMED)
ASSISTANT COMMISSIONER

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Advocate

Dated : 08.05.09

C. No. I(1)1/ET-II/ACJ/2008/1486-1505

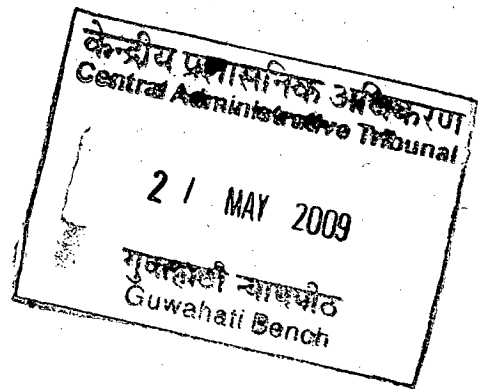
Copy forwarded for information & necessary action to :-

7. The Commissioner, Central Excise & Service tax Dibrugarh.
8. The Additional Commissioner, Central Excise & Service Tax Dibrugarh.
9. The Pay & Accounts Officer, Central Excise, Dibrugarh.
10. The Assistant Chief Account Officer, Central Excise, Dibrugarh.
11. The Superintendent (Tech)/A.E./Adjn/STS/SIR/Audit/System and Jorhat Range.
12. Sri ~~Tapen Bora~~....., Inspector, Central Excise & Service Tax, Jorhat Division for compliance.
13. The Branch incharge Accounts/Store Central Excise & Service Tax, Jorhat.

K. Ahmed
08/05/09

(K. AHMED)

ASSISTANT COMMISSIONER



**MONTHLY DISPOSITION LIST OF JORHAT DIVISION INSPECTOR (Non Gazetted) OFFICERS OF THE ESTABLISHMENT OF THE DEPUTY COMMISSIONER
CENTRAL EXCISE, JORHAT DIVISION AS ON APRIL 2009.**

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Annexure 11

Sl. No.	Name of the Officer	Designation	Basic Pay	Date of Birth	Date of Appointment in Present Pay	Date of appointment in the present grade	Date of Joining in the commissionerate	Date of appointment in the Division	Date of posting in the unit	Name of the Unit
1	2	3	4	5	6	7	8	9	10	11
Inspector on Rs.9300 - 34800/-										
1	Shri D.Bhattacharjee	Inspector	14840.00	06.02.57	01.07.2008	02.07.97	Nov'2002	25.03.08	01.04.08	Tech - I
2	Shri Hitesh Sarmah	---do---	14840.00	01.03.70	-do-	12.09.96	Nov'2002	14.05.07	01.04.08	Ref/Law/Appeal
3	Shri Lila Phukan	--do--	17730.00	01.09.59	-do-	28.04.87	Nov'2002	05.08.05	13.08.05	Sibsagar Range
4	Shri Anuro kr. Das	---do---	17240.00	20.05.57	-do-	01.11.90	Nov'2002	11.07.08	15.07.08	Audit Branch.
5	Shri Pradip Gohain	--do--	17670.00	29.11.55	-do-	27.04.89	Nov'2002	03.07.06	31.03.08	Jorhat Division
6	Shri Arup Kr. Gogoi	--do--	16470.00	01.01.60	-do-	15.10.90	Nov'2002	20.01.05	15.6.06	Jorhat Range
7	Shri Swarup Sharma	-do-	15240.00	11.09.70	-do-	20.12.95	Nov'2002	11.07.08	15.07.08	SIR Wing.
8	Shri Abhijit Sarmah	---do---	17730.00	01.01.67	-do-	01.01.93	Nov'2002	02.04.07	01.04.08	Recovery/ Adju.
9	Shri Dilip Kr.Sarmah	---do---	16470.00	04.03.54	-do-	25.09.91	21.02.06	03.04.07	18.04.07	Amguri Range.
10	Shri Upen Ch Mech	-do-	16870.00	06.10.1961	-do-	16.08.89	18.03.08	18.03.08	18.03.08	Mariani Range
11	Shri Topon Borah	-do-	17270.00	01.12.50	-do-	08.06.88	Nov'2002	05.04.07	10.04.07	A/E Unit.
12	Shri K.D. Shyam	-do-	17670.00	01.01.54	-do-	27.4.87	Nov'2002	09.04.07	10.04.07	Sonari Range.
13	Shri R.K. Singh.	-do-	15680.00	14.11.65	-do-	18.11.03	Nov'2002	20.03.08	01.04.08	Statistics
14	Shri. Munindra Karmakar	--do--	17730.00	01.12.1958	-do-	19.01.82	06.03.08	06.03.08	06.03.08	Jorhat Range(S.Tax
15	Shri H.Ginzalam	--do--	15850.00	25.02.1970	-do-	07.07.95	10.03.08	10.03.08	10.03.08	SIR Wing
16	Shri Punya Kr. Deka.	-do-	13090.00	01.02.1977	-do-	10.11.2006	07.03.08	07.03.08	07.03.08	Sivasaghor Range (S.Tax Cell)
17	Shri M. Pegu	-do-	13610.00	26.06.75	-do-	04.08.05	01.04.08	01.04.08	01.04.08	S.I.R Wing
18	Md.Majid Alom	2 do -	11950.00	01.03.69	-do-	29.12.08	Nov'02	04.06.96	04.06.96	Computer Cell/Confidential

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Advocate