

100

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

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SECTION OFFICER (Judl.)

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH : GUWAHATI

ORIGINAL APPLN.NO.	201	OF 1995
TRANSFER APPLN.NO.		OF 1995
CONT EMPT APPLN.NO.		OF 1995 (IN NO.)
REVIEW APPLN.NO.		OF 1995 (IN NO.)
MISC.PETITION NO.		OF 1995 (IN NO.)

.....K.K. Sahoo..... APPLICANT(S)

-vs-

.....K.O.I. RESPONDENT(S)

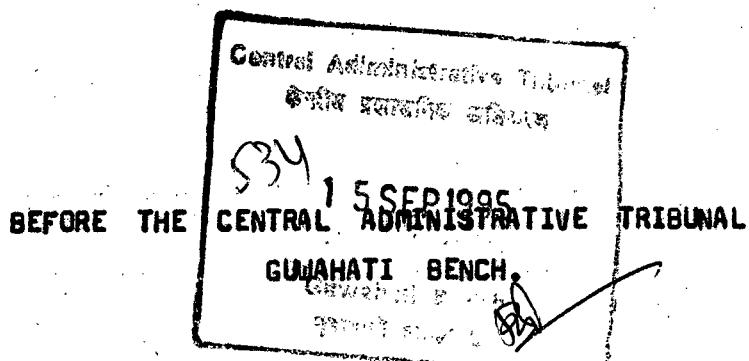
For the Applicant(s)	Mr. B.K. Sharma
	Mr. P.C. Mazumdar
	Mr.
	Mr. A.K. Sahoo Mr. G. Sarma
For the Respondent(s)	Mr. A.K. Sahoo Mr. C.A.S.

OFFICE NOTE	DATE	ORDER
<p>This application is in form and within time. C. F. of Rs. 50/- deposited vide IPO/BD No 3268.54 Dated 15/9/95</p> <p><i>Minh</i> By Registrar (s) 15/9/95 <i>AB</i></p>	15.9.95	<p>(Mentioned for urgent admission) Mr B.K.Sharma, learned counsel for the applicant moves this application on behalf of Dr.Karuna Kar Sahoo. Learned Addl.C.G.S.C Mr G.Sarma is present for the respondents.</p> <p>In this application the applicant has challenged the transfer order No. IGAR(N)/4/5/6/9/19/25 dated 17.8.95 (Annexure-V to the application) by which the applicant was transferred from CMO 5 AR to 25 AR. I find that there is no case for scrutiny and decision pertaining to this transfer order. The application is therefore not entertained. However, another ground of the applicant is that according to paragraph (ix) of his appointment letter dated 28.6.1979 (Annexure I to the application) he cannot be transferred as he is due to be repatriated to his parent department i.e. Directorate of Health Services, Ministry of Health and Family Welfare, Govt. of India and he had submitted a representation dated 22.8.95(Annexure-VII) to</p>

(contd.to Page No.2)

QA/TA/CP/RA/MP No. 19

OFFICE NOTE	DATE	ORDER
8.12.95 copy of order dtd. 15.9.95 issued to all concerned to and their counsel at the side of No. dtd. gts.	15.9.95	<p>to that effect. The applicant has also mentioned his personal difficulties in the aforesaid representation. These are matters to be considered and disposed of by the competent authorities of the respondents.</p> <p>The respondents are directed to dispose of this representation of the applicant within a period of 14 days from today.</p> <p>As an interim order the respondents are also directed to retain the applicant in the same station 5 AR till disposal of the representation as indicated above.</p> <p>The application is disposed to be as indicated above. Copy of this order may be furnished to the applicant and his counsel as well as to the respondent and their counsel urgently.</p> <p style="text-align: right;">Member</p> <p style="text-align: center;">Pg</p> <p style="text-align: center;">189</p>



Application under Sec. 19 of the Administrative Tribunal Act,
 1985.

O.A. 201/95
 BETWEEN

DR. KARUNA KAR SAHOO....

APPLICANT

AND

UNION OF INDIA & ORS....

RESPONDENTS.

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For use in Tribunal's Office.

Date of filing: 15/9/95.

Registration No:

O.A. 201/53

Karunakar Sahoo

11

Signature
Registrar.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: GUWAHATI-BENCH

Between

Dr. Karuna Kar Sahoo, CHS APPLICANT

VS.

Union of India & Others.....

RESPONDENTS

(1) Particulars of the Applicant:-

Name:-

Dr. Karuna Kar Sahoo,
Chief Medical Officer
5 Assam Rifles
C/o 99 APO: Lekra,
Sonitpur, Assam.

(2) Particulars of Respondents :- Union of India,

Represented by Secretary to the
Govt. of India, Ministry of
Home, New Delhi.

(ii) The Director General of
Assam Rifles, Shillong.

(iii) The Secretary to the Govt.
of India, Ministry of Health
& Family Welfare, New Delhi.

(3) Particulars of the Order in respect of which the application
is made:- The Inter Unit posting (Civil Medical Officer) vide
under No.A-1583 Dated 17/8/95 whereby the applicant
has been transferred from 5 Assam Rifles, Lekra to
25 Assam Rifles, Manipur arbitrary and illegal.

(4) Jurisdiction of the Tribunal:- The applicant declares that the
subject matter of the order against which he has approached
the Hon'ble Tribunal is within the Jurisdiction of this Court.

(5) Limitation :- The applicant declares that the application is
within the limitation prescribed under Section-20 of the
Tribunal Act 1985.

(6) Facts of the Case:-

i) That the applicant is a Citizen of India by Birth and as such he is entitled rights and privileges granted by the Constitution of India.

ii) The Applicant is Chief Medical Officer (from the Central Health Service) and is working under the Respondent since 8-7-1975 and is working in 5 Assam Rifles, Lekhra since July 1994.

iii) That prior to his posting to Lekhra (5 Assam Rifles) he has served in many Units of Assam Rifles and during the last 10 preceding years he has been transferred and posted in as many as 5 times.

iv) That prior to Joining in the 5 Assam Rifles, he was posted in 13 Assam Rifles and during July 1994 he was posted in 5 Assam Rifles only in his health ground and health ground of his wife.

v) That the applicant invites the Clause- 9 (IX) of the Letter of Appointment issued by the Under Secretary, Ministry of Health and Family Welfare, Govt. of India under No.A-12025/509/79-CHS-1 is not required to serve under the Defence Service and accordingly the applicant has requested Deptt. of Health & Family Welfare to withdraw his service from Assam Rifles and the said matter is still under consideration. After completion of the period of service earmarked therein the applicant is also entitled to posting in the Place of his choice.

A copy of the aforesaid Application Letter is annexed herewith and earmarked as ANNEXURE-I.

vi) That the Petitioner is a Chronic patient suffering from cervical spondylosis due to fracture of a neck bone followed by degenerative lesion, low back ache. The Petitioner is also suffering from frequent attack of gastro enteritis of recurrent viral Hepatitis.

vii) That the Petitioner also once suffered from Pulmonary Tuberculosis due to post operation complications.

A copy of the examination report dated 7.12.93 on C.T.Cut of Cervical reason is annexed hereto and marked as ANNEXURE-II.

ix) That while the Petitioner was posted at the present place of posting, the Respondent No.2 hereafter referred to as DGAR was pleased to consider the case of illness of his wife who is a case of M.P.S, Poly arthritis and Lichen Planus gum (a precancerous condition) and that apart the DGAR took into consideration of education of his growing children, (ANNEXURE - III).

x) That the Petitioner as he is suffering from different ailments, he now undergoing treatment of the Departmental Medical Officer of 155 B.H.

A copy of the Medical Case sheet of his examination dated 20.8.95 is annexed herewith and marked as - ANNEXURE- IV.

xi) That while the Petitioner was serving with due diligence at his present place of posting, the DGAR by his Order (at ANNEXURE-V) transferred him to 25, Assam Rifles, Manipur in his existing capacity with a direction to report at the New Unit by 15th September, 1995.

Contd..5.

Karanakav Sahai

xii) That the Petitioner begs to submit that although there are many Medical Officers serving at different places serving continuously for a couple of years has not at all been transferred along-with the Petitioner.

That the Petitioner is the lone person who has been transferred by the impugned Order and he has completed merely one year of service at his new place of posting.

xiii) That the Petitioner begs to state and submit that 25, Assam Rifles is situated at a high altitude and his posting at such a place having cold weather is not at all cogenial to his health and as such the posting is quite likely to aggravate his illness.

A copy of Certificate issued by Dr. A.K. Kayal,
Department of Neurology, Guwahati Medical College,
Guwahati is annexed herewith and marked as ANNEXURE-VI.

xiv) That the Petitioner begs to state and submit that person recruited from Central Health Services as Medical Officer under the Ministry of Defence, who has completed 10 years of service deserves a Special treatment so far as place of posting is concerned (Clause-IX of ANNEXURE-I).

xv) That the Petitioner begs to state and submit that his present condition of health is not at all cogenial to his posting at 25, Assam Rifles, Manipur more so, when the Petitioner has attained the age of 50 plus.

xvi) That the Petitioner begs to submit that one of his Son is now reading in Class X and is due to appear at the Public Examination conducted at 10th level by the Central Board of Secondary Education, sometime during April, 1996 and this being the case the academic career of the child is also likely to be affected if the Petitioner is posted elsewhere.

xvii) That the Petitioner being highly aggrieved of the order of his transfer and posting as at ANNEXURE-V preferred a representation to the DGAR through proper channel on 22.8.95 stating interalia the hindrances which stands in the way of his movement. The DGAR has maintained complete silence over the said representation.

A copy of the said representation is annexed herewith and marked as ANNEXURE-VI.

xviii) That the Petitioner begs to state and submit that the Col. Commandant who is his immediate superior in his Unit was pleased to recommend his case urging cancellation of present transfer and posting on consideration of the petitioner's poor health, that the petitioner has not completed the normal tenure of his service in present Unit etc.

A copy of the said recommendation dated 22.8.95 is annexed herewith and marked as ANNEXURE-VII.

xix) That the Petitioner begs to submit that Health Officers serving under the DGAR are not at all usually transferred prior to completion of minimum three years service at a particular place of posting.

Contd..6.

xx) That the Petitioner begs to state and submit that the transfer order (Annexure-1) does not transpire at all any such ground/reason which warrants his premature transfer and the order has been passed by the DGAR mala fide and in clear violation of the normal procedure of transfer and posting of a Govt. servant.

xxi) That the Petitioner begs to state and submit that the Order of transfer of the petitioner is apparently punitive in nature in the context of his age, deteriorating condition of health, condition of health of his wife, public Examination of his son and normal rules of tenure of service at a particular place.

xxii) That the Petitioner begs to submit that the transfer of the Petitioner is arbitrary and illegal and is a clear violation of Article-14 of the Constitution of India, Principle of Natural Justice, administrative fair play and equity as such liable to be set aside and quashed as regard transfer and posting of the Petitioner as is concerned.

xxiii) That the Petition is made bona fide and for the ends of Justice.

7) Reliefs sought for :- Under the facts and circumstances, the Petitioner prays the following reliefs amongst others-

i) To direct the Respondents not to give effect of the Order of the transfer of the applicant to 25 Assam Rifles.

In terms of the Order under No.A-1583 dtd. 17-8-95 -

ANNEXURE-V.

Contd...7.

Caravakar Sahib

ii) To direct the Respondent to allow the Applicant to exercise the Option of choice posting as and when transfer of the applicant is warranted under certain circumstances.

iii) To set aside the Order of transfer of the applicant as contained in ANNEXURE-V.

G R O U N D S

I. For that the Applicant having been completed 10 years of continuous service under the Ministry of Defence is entitled to choice posting.

II. For that the Applicant having been posted during the last 20 years of service in different hard areas he is not liable to be transferred and posted again in hard areas.

III. For that his transfer in his existing place as was considered primarily as a choice posting and that on medical ground of the applicant himself and of his wife, the present posting in terms of the impugned order of transfer in hard areas is not tenable.

IV. For that while the medical examination reports of the experts outside the Department and of the department itself prima-facie and apparently discloses sickness of the applicant and suggestion and recommendation of posting in soft areas, transfer and posting in terms of impugned order is evidently arbitrary and illegal.

V. For that the Order of Posting at 25 Assam Rifles, Manipur having been situated at a high altitude and is classified as hard area, transfer and posting of a person against the recommendation and advise of the Unit Officer and competent Medical authority is malafide and illegal.

VI. For that the impugned order of transfer is against normal practices of transfer and posting of a Civil Servant as applicant has not completed the usual tenure.

VII. For that the impugned Order of transfer and posting is detrimental to his health and if acted upon to it would bear fatal consequences.

VIII. For that the Order of transfer has threatened to cause serious difficulties and dislocation in the family setup of the Applicant more particularly education of his growing Second son.

IX) For that the transfer Order is wholly unwarranted.

X) For that transfer Order is violative of administrative fairplay, equity and good conscience.

XI. For that in any other view of the matter, the transfer Order is duly motivated, arbitrary, illegal and as such liable to be set aside.

Contd..9.

Karanakar Sahoo

9. Interim order if any prayed for : The applicant prays that pending disposal of this application, the transfer and posting of the applicant be stayed.

9. Details of remedies already exhausted : The applicant preferred a representation before the respondent No 2 which stands unheaded by the respondent No.2 till filing of this application.

10. If any matter is pending in any other Court : No application is being prefered for any Court of competent jurisdiction.

11. Particulars of Postal Order :

i. Number of the IPO & date : 809326854 15.9.95

ii. Name of the issuing post office : ULUBARTI P.O.

iii. Post Office at which payable : Guwahati

12. Details of Index :

An index in duplicate containing details of documents to be relied upon is enclosed.

13. List of enclosure :

An indicated in the index.

Karanakar Sahoo

VERIFICATION

I, Dr. Karuna Kar Sahoo, Chief Medical Officer of
5, Assam Rifle under the Director General, Assam Rifles, Shillong
do hereby verify as follows :-

1. That I am the Petitioner in the instant petition.
2. That the Statements made in Paragraphs 1, 2, 6(i) to (iv)
~~xx, xxi, xxii & xxiii~~ 27, 8, 9, 10, 11
6(vi) ~~xii, xv, xvi~~ are true to my knowledge and belief.
3. That the Statements made in Paragraph 3, 4, 5, 7, 11
are matter of records which I believe to be true to my
information derived from different official records and the rest
are my humble submission before the Hon'ble Court.

I sign this Verification on this ... 15.th of
September, 1995 at Guwahati.

Karanakar Sahoo
APPLICANT

BY REGISTERED POST

No. A.I2025/509/79.CHS.I

Government of India

Ministry of Health and Family Welfare

New Delhi, dated the 28 June 1979

MEMORANDUM

SUBJECT : Recruitment to the post of Medical Officer in the Central Health Service.

On the recommendation of the Union Public Service Commission, the president is pleased to offer Dr. Karunakar Sahoo an appointment as Medical Officer in the Central Health Service and posts him/her under the Assam Rifles/Arunachap Pradeshi Administration/Ministry of Labour on the following terms and conditions : -

i. The post is temporary and the appointment is on an officiating basis only on probation for a period of two years from the date of appointment which may be extended or curtailed at the discretion of the competent authority. The confirmation will depend on the officer's relative position in the overall seniority list and on the availability of clear vacancy. The officer may be required to undergo such training as Govt. may prescribe. Failure to complete the period of probation to the satisfaction of the competent authority will render the candidate liable to be discharged from service at any time without any notice and assigning any reason or reversion to substantive post on which the candidate may be retaining a lien. After the satisfactory completion of the period of probation the termination will be by giving one month's notice on either side. The appointing authority, however, reserves the right of terminating his/her service forthwith or before the

expiration of the stipulated period of notice by making payment to him for the unexpired period.

(ii). The scale of pay of the post is Rs.700-10-300-Rs. 40-1100-50-1300. The initial pay of such candidates as are in Government service will be fixed according to scale and those who are not in Government service will be fixed at the minimum of the pay scale.

(iii). Non-practising Allowance is admissible at the following rates.

(a). 1st to 5th stages Rs.150/- per month

(b). 6th to 10th stages Rs.200/- per month

(c). 11th stages and onwards Rs.250/-per month.

(iv). Dearness and other allowances will be admissible according to orders of the Central Government.

(v). Private practice of any kind what so ever including laboratory, and Consultant practice is prohibited.

(vi). The officer will be required to contribute compulsorily to the G.P. Fund in accordance with the rules in force from time to time.

(vii). The appointment carries with it the liability to serve in any part of India or outside.

(viii). The appointment is subject to physical fit by a duly constituted Medical Board.

-3-

(ix). The Officer shall, if so required be liable to serve in any defence services or post connected with the defence of India for a period of not less than 4 years including the period spent on training, if any, provided (a) the Officer shall not be required to serve as aforesaid, after the expiry of ten years from the date of appointment (b) the officer shall not ordinarily be required to serve as aforesaid after attaining the age of 45 years.

(x). On appointment, the officer will be required to take an oath of allegiance to the Constitution of India or make a solemn affirmation to that effect in the prescribed manner.

(xi). A declaration in the enclosed form to the effect that the officer does not have more than one wife living or that having a spouse living is not married in any case in which such marriage is void by reason of its taking place during the life time of such spouse is not married to a person who is already having a wife living or that she is not married in any case in which marriage is void by reason of the husband having a wife living at the time of such marriage should be submitted.

(xii). The officer is not entitled to any travelling allowance for joining the appointment.

16
V
10
xiii). The appointment will also be subject to the production of a certificate that the Compulsory Internship has been completed.

xiv). Other terms and conditions will be governed by the relevant rules and orders that may be in force from time to time.

xv). No request for extension of time for doing post-graduation or continuance of post-graduation will be entertained in any circumstances. The candidate will have to choose between post-graduation or joining the CHS/ HOUSE SURGERY.

xvi). No request for transfer will be entertained in any circumstances including of ladies married/unmarried.

2. If any declaration given or any information furnished by the officer proves to be false or the officer is found to have willfully suppressed any material information, he / she will be liable for removal from service and such other action as Govt. may deem necessary.

3. In case the post is acceptable to the candidate on the terms and conditions mentioned above, he may please send his acceptance alongwith the enclosed declaration duly filled-in to this Ministry within 14 days of the receipt of this

Memorandum and report immediately in person to the Inspector General, Assam Rifles, Shillong for a posting under them purely on a provisional basis pending completion of all formalities and requirements.

4. It may please be noted that no request for change in will be entertained on any grounds.

5. No reply is received by the stipulated period, it will be presumed that he is not interested in the offer which will be treated as cancelled. IT MAY BE ALSO NOTED THAT IN ALL FUTURE CORRESPONDENCE OUR REFERENCE MAY KINDLY ALWAYS BE QUOTED.

Sd/ R.N.Tewari

Under Secretary.

To

No. 4.12025/502/79-CHB-I dated the June 1979.

Joined on 2.7.88.

(Y.N.SHARMA)
SECTION OFFICER.

Ans
P.S

INSTITUTE OF NEUROLOGICAL SCIENCES 56165, BANGALORE
Dept. of NeuroRadiology and Imaging
Diaspur, Guwahati - 781008.

Dr. A. Mechi

Dr. B. Gabaria

Dr. (Mrs.) R. Bordoloi

Dr. S. K. Nandigam

Patient Information

Ref. No. Pitdoer Date 7.12.93 Name : Dr. KARUNAKAR RAHO

Age: XXX Sex Male Referring Doctor : -

CLINICAL INFORMATION: Not supplied.

EXAMINATION REPORT ON C.I.T. OF CERVICAL REGION.

- serial axial sections are studied.
- Ext. Digital radiography reveals evidence of Chronic disc lesion at C6-C7
- Axial C.I. studies are done at 2mm slice thickness which reveals a posterior osteophyte at lower border of C7 in the right side. Rest of the disc spaces show normal C.T. anatomy.
- Vertebral bodies and its appendages are normal. No evidence of any destructive or sclerotic pathology seen in the vertebral bodies.

cont d... 2

Amrit
Dw

17
-2-

- Cervical canal is adequate. Canal diameters at different levels are C6-13.1, C8-14.1, C3-13.7mm.

- pre and para vertebral soft tissues are normal.

IMPRESSIONS: STUDY REVEALS-

1. POSTERIOR OSTEOPHYTE AT LOWER BORDER C6 PROJECTION FROM RT.
2. CHRONIC DISC LESION AT C5- C6.

SD/ XX

SD/ XX

CONSULTANT

CONSULTANT

A/G.

CERTIFIED TRUE COPY.

SD/ Illegible.

07.2.94

Seal.

12,45 amiffles.

W.M.S.
D.J.

22

4 CORPS DENTAL UNIT
C/O 99 APO

W/O

No.

Rank

DR.

Name

K. Shahoo

Unit

5 AR.

29/5/85

Cane renewal.

Bunif serration pausing

Cyan. condition improved.

Cani 36, 26 - ~~gape~~
 or ACR.

To
 abd. num R Tab vita 'C'
 abd. num R

160 x 20 f

1/8795

Much improved

R C T x 30 f

To
 abd. num -

f

19
4 CORPS DENTAL UNIT

C/O 99 APO

W/O

No.

DR.

23

Rank

Name

K. Shehoo

Unit

5 AR.

29/6/85

Cerv. recurrent.

Biting sensation persisting

Cerv. condition improved.

Cerv 36, 26 - ~~gross~~
or ACR.

To attend R. Tab vita c'

100x20

J

1/8795

Much improved

R. CT x 30 J

J

To
new
cfilegarter
D

CONFIDENTIAL

ADMISSION OF HOSPITAL

Approved 13

1. Name	2. Service No.	3. Rank	4. Unit/Ship	5. Army
---------	----------------	---------	--------------	---------

The above named is admitted today

Sig. of MO Admission

Place

Date

Hospital/Sick day/S. S. O.

PART III

CLINICAL SUMMARY OF CASE

A brief summary of AFMSF... will be recorded here for out patients. This will be completed by MO (OC Unit) ship and for in patient at the time of discharge/death by MO IC/case.

Diagnosis internal code No
summary of history, clinical names treatment, conditions of discharge.

06/9/75

Non-specific arthritis (L) knee

? seronegative RA

Familly by ? Rheumatoid arthritis in brother

long: (R) knee - RA

On knee: - really flaccid
no warmth

No soft tissue thickening

crepitation + no syn.

Place

Sig. of MO

Hospital/Sick days/S. S. O.

Date

NOTHING TO BE WRITTEN THIS LINE

CONFIDENTIAL

- Is heteroplasia

1 or 2 (0)

2 answers - Review this in 10 days

Right Qd

CONFIDENTIAL

AFMSP-7A

NAME OF THE HOSPITAL : 155 BASE HOSPITAL
MEDICAL CASE SHEET

Form No. 14
25

1. Name

DR K. Sahoo

2. Service No

3. Rank/Rate

MEDICAL OFFICER

4. Unit

SICK BAY

5. Arm/Corps/Branch

6. Army/Navy/AF

7. Diagnosis

• Clinical Spondylosis with
narrowing of space between C5-6 spine
Lumbar Spondylosis
with OSTEOPHYTE FORMATION.

• Opinion:

In view of his multiple disabilities
he needs sedentary duties/
employment

• Adv to avoid High Altitude area

Extreme cold climate area & long marches etc.

• Frequent neurologic checkup at
a neurology centre to prevent further
deterioration and timely treatment.

Amesh
D

(PTO)

CONFIDENTIAL

26

- Tab B, B₆ B₁₂ Gun Patches
- Tab B. Complex
10D.
- Tab. Flavitsidre
1BD.
- Tab C. S. P. O. D.
1 HS
- ORS frequently.

K. R. Nadiminti

K. R. NADIMINTI
LT COL AMC
MO SURGEON

155 B-H.

1 COPY /

Annexure VI

From : DGAR

Ref: 171900

UNCLAS

To : MR Range/AC Range /
B Range/AC Range

A 1583

Info : DGAR(H)/4/5/6/9/19/25
26/23 and 20 AM

Inter unit posting civ med offrs (.) firstly(.) in order to rationalise posting of RMC/CMO to various units comm
a/c posting approved (.) aifet(.) Dr. G. Ponowal comes CMO
9 AM to 1y AM (.) bravo(.) Dr. Subramaniam comes AC 19 AM
to 9 AM (.) charlie(.) Dr. M. Dora comes 140 23 AM to 20 AM
(.) delta(.) Dr. M. P. Pilyur to Singh comes 140 25 AM to
23 AM(.) echo(.) Dr. M. Gouri comes 140 6 AM to 26 AM (.)
foxtrot(.) Dr. A. K. Chawinda Singh comes 140 26 AM to 6 AM (.)
golf(.) Dr. M. M. also comes CMO 5 AM to 25 AM(.) hotel (.)
Dr. D. S. Bunker comes 140 4 AM to 5 AM(.) secondly
(.) all med offrs not present report real of and report new unit
by 15 Sep 95(.) thirdly (.) intiate M/ICR as applicable
(.) fourthly (.) intimate M/ICR all concerned(.) fifthly
(.) no representation will be entertained (.)
lastly (.) ack -

*17/9/95 in AM
BPS/*
Col B. S. Dedi, DD(M) AC Branch

Ref: 230222/5513

2d/- AM to 14
Col
Ref: 171600h

Dr. Ashok Kayal

M.B.B.S. (MURSHIDABAD)

Assistant Professor of Neurology
Guwahati Medical College

(23)

Dr. Ashok Kayal

Residence: Nehrubari Belpur
A K. April Road,
Guwahati-781 008

28

Phone: 284875 484905

Consulting Hours:

4 P.M. TO 6 P.M.

Sunday by appointment only.

This is to certify that Dr K. Saloor is suffering
from cervical spondylosis & neck pain. He is advised
to avoid cold climate and rough road journey
as these are likely to aggravate his
problem.

Dr. Ashok
Kayal

Dr. Ashok
Kayal
12/11/94
(DR. A. KAYAL)

MR 2/2

ANNEXURE B

VII

29

FROM: Dr. K.K. Sahoo,
M.B.B.S., D.M.C.W
Chief Medical Officer (C.M.O)
C/O 99 A.P.O.

To

The Directorate General Assam Rifles
Shillong-793011.

(Through proper Channel).

CANCELLATION OF POSTING

Sir,

most humbly and respectfully I have the honour
to submit the following few lines for favour of your
kind consideration and favourable order please.

2. I was posted to 5 Assam Rifles from 13, Assam Rifles
in June, 94 on medical ground due to my own illness and illness
of my wife.

all the time
I am suffering from Cervical spondylosis due to fracture
of my neck bone followed by chronic degenerative lesion, I am
also a case of chronic low backache. I underwent partial
Gastrotomy and now suffering from its remote complications
like frequent attacks of gastroenteritis. I have also suffered
from pulmonary Tuberculosis once which was most probably a
complication of my operation. I have suffered from viral Hepa-
titis twice. Due to the frequent illness which is likely to
give me trouble and create problems as the age advances I
will not be able to serve in remote areas like 25 Assam Rifles
which is likely to worsen my health condition.

25/2/79

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-2-

3. My wife is a case of Mitral Valve Prolapse and Lichen planus Gun which is a preconcerne condition . For her ailment she requires frequent checkup and at times biopsy. I have submitted the proof of all diseases earlier and considering the facts my posting to 5, Assam Rifles was approved though I had given other choices like 26 AR, ARTC, 31 AR etc.

4. In view of above, I earnestly request you to cancel my posting which is tooo premature and allow me to continue here until I am reverted back to CNS for which I am already over due . As per normal rules of Ministry of Health & Family Welfare , CNS officers are usually not allowed to serve in Defence & Allied Forces after the age of 45 years (ref. Min of Health & F.W.Ltr. No. A 12025/509/79/CUST of 29 Jun 79) To add to this I feel mentioning here that my son is studying in class 10th in Central School and by posting at the mid session will affect his education.

5. If it is not possible to retain me here for the time being I may then be given one of the places cited above, so that I continue to serve to the best of my ability and lookafter my own health and health of my wife .

cibtd ,,,3

~~20/8/95~~

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If that is also not possible I request you to take up my case with Ministry of Health & Family Welfare for my reversion to one of the following places of my choice with deferment of my present posting till then .

- (a). P & T Cuttack .
- (b). OGCH Bhubaneswar
- (c). OGHS Hyderabad.

C. Throughout my tenure, I have served with dedication and upto the satisfaction of my superiors and at the fag end of my service in the Assam Rifles, my case may please be considered sympathetically .

At the end I request your kind honour to sanction a personal interview to put forth my problems in persons and clarify my position more clearly.

For this act of your kindness I shall remain ever grateful to you.

Thanking you in anticipation.

Yours faithfully,

Place: Field

Sd/ Dr. X. K. Sahoo.

Date: 22 Aug 95.

CEO (CRS)

RECOMMENDATION OF THE COMMANDANT, 5 ASSAM RIFLE ON THE
ON THE APPLICATION SUBMITTED BY DR. K. K. SAHOO, CIO FOR
CANCELLATION OF POSTING ON MEDICAL GROUND.

1. The facts enumerated in offr's application are genuine and correct.
2. DR. K. K. SAHOO, CIO has completed only 13 months in his present assignment. In consideration of his short tenure and poor health it is strongly recommended that request for cancellation of posting be reviewed sympathetically. He should be permitted to complete his normal tenure with the unit and on completion of same be reverted to the place of choice which would enable him serve under circumstances more conducive to his failing health.

Sd/-

K. K. SAHOO,
Col. Commdt.

Place: Fluid.

27.8.

Date: 28 Aug. 96.

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ANNEXURE VIII
32

Sd/- MEMBER (ADMIN)

Memo No. :

Date :

Copy for information & necessary action to :

- (1) Dr. Karuna Kar Sahoo, Chief Medical Officer, 5 Assam Rifles, C/O. 99 A.P.O., Lokra, Sonitpur, Assam.
- (2) The Secretary, Govt. of India, Ministry of Home, New Delhi.
- (3) The Director General of Assam Rifles, Shillong.
- (4) The Secretary, Govt. of India, Ministry of Health & Family Welfare, New Delhi.
- (5) Mr. B.K. Sharma, Advocate, Gauhati High Court, Guwahati.
- (6) Mr. G. Sarma, Addl. C.G.S.C., C.A.T., Guwahati Bench, Guwahati.

SECTION OFFICER (J)