

50/600

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05**

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 11.6/95.....

R.A/C.P No......

E.P/M.A No......

- 1. Orders Sheet..... *CA*Pg. 1..... to 3.....
- 2. Judgment/Order dtd. *14.7.95*.....Pg. *A*..... to *No separate order*
RD
- 3. Judgment & Order dtd.....Received from H.C/Supreme Court
- 4. O.A..... *11.6/95*Pg. 1..... to 1.8.....
- 5. E.P/M.P.....Pg.....to.....
- 6. R.A/C.P.....Pg.....to.....
- 7. W.S.....Pg.....to.....
- 8. Rejoinder.....Pg.....to.....
- 9. Reply.....Pg.....to.....
- 10. Any other Papers.....Pg.....to.....
- 11. Memo of Appearance.....
- 12. Additional Affidavit.....
- 13. Written Arguments.....
- 14. Amendment Reply by Respondents.....
- 15. Amendment Reply filed by the Applicant.....
- 16. Counter Reply.....

SECTION OFFICER (Judl.)

Basanta

5.2.18

CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH
GUWAHATI

✓ ORIGINAL APPLN. NO. 116 OF 1995
TRANSFER APPLN. NO. OF 1995
CONTEMPT APPLN. NO. OF 1995 (IN OA NO.)
REVIEW APPLN. NO. OF 1995 (IN OA NO.)
MISC. PETN. NO. OF 1995 (IN OA NO.)

..... V. K. Adlakha..... APPLICANT(S)

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

FOR THE APPLICANT(S)

...MR. M.K. Choudhury
MR. B.K. Borishya
MR.
MR.

FOR THE RESPONDENTS

...MR. A.K. Choudhury
Add. Counsel

OFFICE NOTE

DATE

ORDER

30.6.95

Learned counsel Mr M.K.Choudhury for the applicant. Learned Addl.C.G.S.C Mr A.K.Choudhury seeks to appear for the respondents.

The applicant has been transferred from Guwahati to New Delhi vide order dated 30.5.95 (Annexure-5) issued by respondent No.2. In this application the applicant apprehends that respondents No. 3 and 4 will not carry out the order dated 30.5.95 and will not release him.

Mr M.K.Choudhury mentions that in the meantime the applicant has proceeded on leave on account of his health and he has been released vide order dated 27.6.95 and had handed over charge on 29.6.95. This order indicates that the applicant will return to the same post after expiry of leave.

Issue notice on the respondents to show cause as to why this application should not be admitted. Returnable on 14.7.1995.

Heard Mr M.K.Choudhury in respect of the interim prayer. Pending disposal of the show cause and admission of the application the respondents are directed

This application is in form and within time. E. F. of Rs. 50/-

deposited vide

PO/BD No. 884303

Dated 22.6.95

[Signature] 29/6/95

contd...

30.6.95

directed not to cancel the transfer order dated 30.5.95 as far as it relates to the applicant. However there will be no bar for the respondents No.3 and 4 to release the applicant in compliance of the order dated 30.5.95 issued by respondents No.2.

Notice may be sent by speed post at the cost of the applicant as requested by the learned counsel of the applicant.

Copy of this order may be furnished to the counsel of the parties.

[Signature]
20/6/95
Member

Recd. in the section at 4.45 pm

[Signature]
30/6

Issue order to the L/A immediately. Notices be sent by speed post at the cost of the applicant

[Signature]
31/7/95

pg

Notice issued under

no.

11.7.95

Leave note of Mr A.K.Choudhury, Addl. C.G.S.C.

List on 14.7.95 as originally fixed and as requested by him.

[Signature]
3/7

[Signature]
Member

13.7.95

pg

w/s on behalf of Respondents: 1, 2, 3 and 4 has been filed. Memo of appeal also filed by A.R. Choudhury, addl. C.G.S.C.

14.7.95

Learned counsel Mr M.K.Choudhury for the applicant and learned Addl.C.G.S.C Mr A.K.Choudhury for the respondents are present.

Show cause in compliance to order dated 30.6.95 has been submitted by the respondents on 13.7.95 with copy to counsel of the applicant.

The applicant was transferred from Guwahati to New Delhi by order dated 30.5.95. He made a representation dated 21.6.95 for relieving him early on personal grounds. Pending disposal of the representation the applicant has submitted this O.A. on 29.6.95 on apprehension that his order of transfer will not be complied with by respondents No.2 and 3. Perused the show cause. It has been stated that the representation of the applicant has not been disposed of and there is no intention to refuse ~~imply~~ implementation of the transfer order. But the applicant could not be immediately relieved for administrative reasons. It has also been stated that the department is making arrangement to relieve the applicant within reasonable ^{time} and the effort is in progress. They have stated that in the circumstances the applicant has to wait for a reasonable time. In view of the statements made in the show cause this application is disposed of summarily with the direction that the respondents shall not cancel the transfer order of the applicant or in any way frustrate it. The respondents will also relieve the applicant as early as possible.

Application is disposed of as above - No order as to costs.

Copy of the order may be furnished to the counsel of the parties.

28.7.95
copy of order dtd.
14.7.95 issued to
all concerned by
Regd. Post and
their counsel also
vide D/no. 3442
-3448 dtd, 3.8.95
LB

5

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH

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

Title of the case : O.A. No. 116 of 1995

Shri V.K. Adlakha ... Applicant

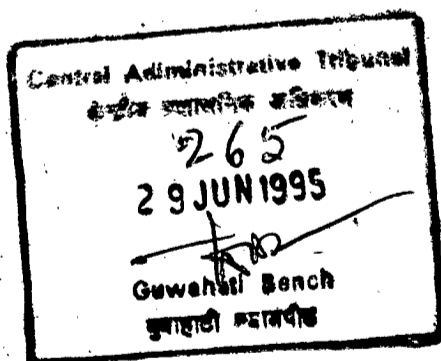
- Versus -

The Union of India & Ors. ... Respondents

I N D E X

<u>Sl.No.</u>	<u>Particulars of the documents</u>	<u>Page Nos.</u>
1.	Application ...	1 to 10
2.	Verification ...	10
3.	Annexure-1 : Representation dt. 1.2.95	11
4.	Annexure-2 : Letter dated 3.2.95	12
5.	Annexure-3 : Communication dt. 13.3.95	13
6.	Annexure-4 : Representation dt. 24.3.95	14
7.	Annexure-5 : Order dated 30.5.95	15,16
8.	Annexure-6 : Representation dt. 21.6.95	17
9.	Annexure 7 : Medical Certificate	18

For use in Tribunal's office :



Date of filing	:
Registration No.	:
<u>REGISTRAR</u>	

O.A. No. 116 of 1995

BETWEEN

Shri V.K. Adlakha, Executive Engineer (Electrical),
C.P.W.D. Guwahati Electrical Division No. II,
Borjhar, Guwahati-15.

... Applicant

AND

1. Union of India,
represented by the Secretary,
Ministry of Urban Development,
Nirman Bhawan, New Delhi-110 011.
2. The Director General (Works),
C.P.W.D. Nirman Bhawan,
New Delhi-110 001.
3. The Chief Engineer (Elect.),
East Zone, C.P.W.D.,
234/4 Acharjee J.C. Bose Road,
Calcutta 700 020.
4. The Superintending Engineer (Elect.),
Central Electrical Circle,
C.P.W.D. Bamunimaidan, Guwahati-781021.

... Respondents

DETAILS OF APPLICATION

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

The application is not made against any particular order but it is made seeking enforcement/compliance of the order dated 30.5.95 (Annexure-5) to the extent it is applicable to the applicant. The application is directed against the inaction/action of the respondents in not executing the aforesaid order dated 30.5.95.

2. JURISDICTION OF THE TRIBUNAL :

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

Contd...P/2.

Filed by -
M. K. Chatterjee
Advocate

3. LIMITATION :

The applicant further declares that the application is made within the limitation period prescribed under Section 21 of the Administrative Tribunals Act, 1985.

4. FACTS OF THE CASE :

4.1 That the applicant is a citizen of India and as such he is entitled to all the rights, protections and privileges guaranteed under the Constitution of India.

4.2 That the applicant is an Executive Engineer(Electrical) under the C.P.W.D. and presently posted at Guwahati. He joined his post at Guwahati on 30.4.93.

4.3 That the applicant states that the Government of India in the Ministry of Finance, issued a Presidential Memorandum No. 20014/3/83-E.IV dated 14.12.83 whereby certain special facilities were given to the Central Government employees serving in the North East Region. The said facilities were provided with a view to attracting and retaining the services of competent officers in the North East Region. It was interalia stated in the Memorandum that there will be a fixed tenure of posting of two years at a time for officers with more than 10 years service. On completion of the fixed tenure of service, the officer concerned may be considered for posting at a station of their choice as far as possible.

The applicant craves the leave of this Hon'ble Tribunal to produce a copy of the said memorandum at the time of hearing of the application.

4.4 That the applicant states that he accepted the transfer to Guwahati as there was a promise from the Central

Government as indicated in the aforesaid memorandum that on completion of fixed tenure of posting, the applicant will get his choice place of posting.

4.5 That the applicant was to complete his two years of tenure at Guwahati on 30.4.95 and accordingly, he submitted a representation well in advance requesting that he may be transferred from Guwahati on completion of his tenure which is after 30.4.95 indicating therein his choice place of - New Delhi. He also submitted that if he is posted in New Delhi he can attend to various domestic problems like arranging for the marriage of his daughter and getting his wife treated for acute asthma.

Copy of the aforesaid representation dated is annexed herewith as ANNEXURE-1.

4.6 That the Director (Administration), C.P.W.D., New Delhi wrote a letter dated 3.2.95 addressed to the respondent No. 3 asking him to convey the readiness of the officers posted in the Eastern Zone likely to be transferred on completion of their tenure. The officers concerned were asked to give their choice place of posting. A list of officers who were likely to be transfer also was enclosed wherein the name of the applicant appeared. It was also stated that the transfer orders may be issued by the second week of March 1995.

A copy of the aforesaid letter dated 3.2.95 is annexed herewith as ANNEXURE-2.

4.7 That pursuant to the said letter dated 3.2.95 the applicant submitted his choice place of posting vide

communication dated 13.3.95.

A copy of the aforesaid communication dated 13.3.95 is annexed herewith as ANNEXURE-3.

4.8 That subsequent to it, the applicant submitted a representation/reminder dated 24.3.95 addressed to the respondent No. 2 referring to his earlier representation and indicating therein that his name also appears in the readiness list circulated vide D.O. dated 3.2.95. The applicant requested to issue his transfer order well in ~~advance~~ time so that he can be relieved on completion of tenure.

A copy of the aforesaid representation dated 24.2.95 is annexed herewith as ANNEXURE-4.

4.9 That by an order dated 30.5.95 issued by the Director General of Works for posting and transfer of as many as 10 officers. By the said order, the applicant has been ordered to be transferred from Guwahati to ECD-II, New Delhi vice one Shri M.M.L. Chibba transfer from New Delhi. One Shri N.D. Malo has been posted on promotion at Guwahati in place of the applicant.

A copy of the aforesaid order dated 30.5.95 is annexed herewith as ANNEXURE-5.

4.10 That the applicant after receipt of the aforesaid order of transfer dated 30.5.95 made all preparation to leave for New Delhi and was awaiting his relieving order. However, he came to know from the respondent No.3 that since Mr. N.D. Malo who was to join in place of the applicant at Guwahati on promotion had some personal problems and

his representation has been recommended to the respondent No. 2 for changing the place of posting. The applicant was also informed telephonically that said Shri N.D. Malo who had to join in place of the applicant was not willing to join at Guwahati and may even forego his promotion if he is forced to join at Guwahati. The applicant, therefore, requested the respondent No. 4 stationed at Guwahati to relieve the applicant by making ~~the~~ dual charge arrangement locally as two more Executive Engineer (Electrical) are available locally at Guwahati. The applicant states that in the past also as and when any Executive Engineer (Elect.) proceeded on leave, these arrangements have been made and this is also a practice in whole of the Government ~~offices~~ of India offices. The applicant further states that in the past the work of three Executive Engineers (Electrical) was carried out for long period even though two Executive Engineers were posted at Guwahati. As such, there is no difficulty on the part of the respondent No. 4 to relieve the applicant.

4.11 That the respondent No. 4 declined to relieve the applicant by making dual charge arrangement as according to him he was directed by the respondent No. 3 not to relieve the applicant by making dual charge arrangement.

The applicant could not ascertain as to when the representation of ~~the~~ Shri N.D. Malo is likely to be decided and whether he may actually forego the promotion in case his representation is rejected. Further the possibility that Shri Malo may proceed on ~~xxxxx~~ long leave without joining at Guwahati in view of his personal problem could not also be ruled out. Thus it may take an indefinite period as to when

his joining is likely to take place and in the process the applicant has been forced to uncertainty. The applicant states that even if another officer is posted at Guwahati subsequently, it is likely to take a long time for the posting to be decided. Moreover, there is no denial of the fact that the officers do not like to be posted in the North East and take recourse to making representations, proceeding on ~~leave~~ long leave and thereby manage not to get relieved from original place of posting and as such, even if another officer is posted in place of the applicant it cannot be ascertained as to when he may join.

4.12 That the applicant states that he has completed his fixed tenure as prescribed by the Government and therefore, he must be relieved immediately. If the applicant is to be relieved only after some other officers' joining, the time period is likely to be indefinite resulting in uncertainty thereby causing mental agony and acute family problems. It would also totally defeat the special facilities as promised by the Government of India vide memorandum referred to above.

4.13 That the applicant states that as his relieve order is not forthcoming he made a representation dated 21.6.95 and faxed the same to the respondent No. 2. However, no favourable reaction has been intimated as yet and therefore, he has been constrained to approach this Hon'ble Tribunal.

A copy of the representation dated 21.6.95 is annexed herewith as ANNEXURE-6.

4.14 That the applicant states that due to unreasonable attitude of the controlling officer, the applicant and his

family are suffering badly at New Delhi. The applicant has also developed acute hypertension with I.H.D. (cardiac problem) due to this mental tortured ~~and~~ of not relieving him after he has meritoriously completed his tenure. Thus to the utter disregard of the memorandum issued by the Govt. of India and his order of transferred as issued by the Respondent No. 2, this has resulted in his having been recommended complete rest for four weeks but since his family is presently not in a position to be with the applicant in view of the education of the children and acute asthmatic problem of his wife who is not supposed to be at Guwahati at this period of time due to intense humidity ~~without~~ adversely affecting her health. The applicant is in a precarious predicament.

A copy of a medical certificate is annexed hereto as Annexure - 7

4.15 That the applicant states that in his transfer order it is nowhere indicated as to who is to move first and as such as the applicant has completed the prescribed fixed tenure at Guwahati, he has a bonafide claim to be relieved without any delay for whatever reason by making dual charge arrangement. The applicant states that time is the essence of the promise made by the Union of India and as such his relieve order cannot be delayed on the pretext of ~~some~~ Mr. Malo not joining, more so in view of the fact that there will not be any difficulty on the part of the respondents to relieve the applicant by making dual charge arrangement as has been done earlier.

4.16 That the applicant states that the order of transfer issued by the respondent No. 1 does not indicate as to who is to move first and therefore, the respondent No. 3

and 4 cannot frustrate the purpose of the same by delaying the relieve of the applicant. The action of the respondent Nos. 3 and 4 are malafide, illegal and nothing but colourable exercise of power which is required to be remedied by immediate intervention of this Hon'ble Tribunal.

5. GROUNDNS FOR RELIEF WITH LEGAL PROVISIONS :

5.1 For that the action of the respondents in not relieving the applicant is not sustainable.

5.2 For that the purpose of the order of transfer dated 30.5.95 cannot be frustrated by the respondent Nos. 3 and 4 by not relieving the applicant which will also amount to insubordination on the part of the respondent Nos. 3 and 4.

5.3 For that time is the essence of the tenure posting in the North East as envisaged in the Presidential memorandum dated 14.12.83. The Union of India having made a promise to give the choice place of posting after fixed tenure and order of transfer having been issued pursuant to such promise, same cannot be defeated ~~xx~~ by the respondents by not relieving the applicant.

5.4 For that as per the spirit of the Presidential memorandum, the applicant should have been relieved on 30.4.95 automatically. However, the order of transfer having been made on 30.5.95 in compliance with the Presidential memorandum, the applicant cannot be made to be detained and kept in uncertainty.

5.5 For that the Presidential Memorandum states "that there will be" a fixed tenure of posting and as such, the

action of the respondents in not relieving the applicant is violative of the Presidential memorandum.

5.6 For that in any view of the matter, the action of the respondents is arbitrary and therefore, appropriate direction may be issued as provided for.

5.7 ~~Other~~ grounds that may be taken ~~at~~ up during the course of hearing.

6. DETAILS OF REMEDIES EXHAUSTED :

The applicant declares that he has no other alternative and/or efficacious remedy than to come under the protective hands of this Hon'ble Tribunal.

7. MATTERS ~~OR~~ NOT PREVIOUSLY FILED OR PENDING WITH ANY OTHER COURT :

The applicant further declares that he has not filed any application, writ petition or suit regarding the matter in respect of which this applicant has been filed before any other Court, authority and/or any other Bench of this Hon'ble Tribunal nor any such application, writ petition or suit is pending before any of them.

8. RELIEFS SOUGHT FOR :

On the facts and circumstances stated above, the applicant prays for the following reliefs :

8.1 a direction to the respondents to relieve the applicant immediately pursuant to the transfer order dated 30.5.95 (Annexure-5) if necessary by making dual charge arrangement may be issued ;

Contd...P/10.

8.2 appropriate cost be awarded for causing harassment to the applicant, for not complying with the order of transfer.

8.3 any other relief or reliefs to which the applicant is entitled under law and equity.

9. INTERIM ORDER PRAYED FOR :

Pending disposal of the application, the respondent No. 4 may be directed to relieve the applicant forthwith.

10.

The application is filed through Advocate.

11. PARTICULARS OF THE I.P.O. :

(i) I.P.O. No. 8 03 884303 (ii) Date 22.4.95

(iii) Payable at : Guwahati.

12. LIST OF ENCLOSURES :

As stated in the Index.

V E R I F I C A T I O N

I, Shri V.K. Adlakha, aged about 53 years, son of Late Dr. R.C. Adlakha, the applicant herein ~~is hereby~~ presently working as Executive Engineer (Elect.), C.P.W.D. Guwahati Electrical Division No.II, Borjhar, Guwahati-15, do hereby solemnly affirm and verify that the statements made in paragraphs 1 to 4 and 6 to 12 are true to my knowledge, those made in paragraph 5 are true to my legal advice and I have not suppressed any material facts.

And I sign this verification on this the 27th day of June 1995 at Guwahati.

E. I. Me

GOVERNMENT OF INDIA
CENTRAL PUBLIC WORKS DEPARTMENT

No. 15(1)/AL-GEN-11/95/209

Lt. 07/2/95.

To

The Director General (W)
C.P.W.D., Nirman Bhavan,
New Delhi - 110011.

(THROUGH PROPER CHANNEL)

Sub :- Tenure Posting after serving in
North East Region.

Sir,

With due respect I beg to state that it is understood that certain special concessions are available to officers transferred to North Eastern Region like (i) Fixed tenure of 2 years (for staff with more than 10 years of Service) and (ii) Station of Choice on completion of tenure. In this connection I am to state that I joined my posting at Guwahati on 30.4.1993 and accordingly I shall be completing 2 years tenure on 30.4.1995.

It is therefore requested that (i) I may kindly be transferred from Guwahati on completion of my tenure on or just after 30.4.1995. (ii) My choice of posting after completion of tenure is NEW DELHI and I may kindly be posted there so that I can attend to various domestic problems like arranging marriage for my daughter and getting my wife treated for acute asthma.

Thanking you and requesting favourable action.

Yours faithfully,

[Handwritten Signature]
1.2.95

(V.K. Adlakha)
Executive Engineer(Elect)
o/e Guwahati Elect.Divn.No.II
C.P.W.D., Guwahati - 15.

Copy for favour of information and necessary action to :-

1. The Chief Engineer(E) I, C.P.W.D., New Delhi.
2. The Chief Engineer(E) E2, C.P.W.D., Nizam Palace, Calcutta-20.
3. The Superintending Engineer(E), Guwahati Central Elect.Circle, C.P.W.D., Guwahati - 21.

[Handwritten Signature]
1.2.95

o/e EXECUTIVE ENGINEER(ELECT)

Attested
B. N. Basishya
Advocate.

J.L.KHUSHU
Ph. 3018964

प्रशासन निदेशक
DIRECTOR OF ADMINISTRATION
केन्द्रीय लोक निर्माण विभाग
CENTRAL PUBLIC WORKS DEPARTMENT
निर्माण भवन
NIRMAN BHAWAN

नई दिल्ली-110011 199
New Delhi-110011, the 3/2/95 199

Dear Shri Varadarajan,

As you are aware, the Department invites options from those Superintending Engineers and Executive Engineers both Civil and Elect., who have completed a period of three years or more in a particular station, for further posting in the same grade well in advance, to enable the Department to plan the rotational transfers of officers for the year and also to enable the officers to plan well in advance the education of their children, transfer of the employed spouse, if any, family shifting etc. giving them sufficient time.

Enclosed herewith is a list of officers, who are likely to be transferred from your zone, during the year 1995-96, on account of having completed their minimum tenure of 3-4 years. This list also includes names of officers who are likely to complete their three years tenure at a particular station during the currency of this year. However, they will be shifted only after they completes the minimum tenure.

You are requested to convey the readiness to these officers as per list and obtain their options for further posting. While they mention the names of stations for further posting, the officers should also be directed to mention the stations and nature of duties they have already done for last 10 years and the same may be forwarded to this Directorate, for deciding their further posting on rotation. This information should reach this Directorate latest by 20-02-1995, as the transfer orders will be issued by the 2nd week of March, 1995.

With regards,

Yours sincerely,

Encl: One list.

Shri T. S. Varadarajan,
Chief Engineer(E)East,
CPWD, 234/4 AJC Bose Road,
Calcutta - 700 020.

(J.L.KHUSHU)

206
2/3/95

Cal-20

main Encl

Call for options
in these officers
to the results
of the office
order by
15/3.

Attested
B. K. Baishya
Advocate

GOVERNMENT OF INDIA
CENTRAL PUBLIC WORKS DEPARTMENT

No. 15 (1) EE-GED-II/95/ 399

dt. 13.3.95

To,
The Chief Engineer (Elect) East,
Central Public Works Department
234/4 A.J.C. Bose Road,
Nizam Palace,
Calcutta-20,

Subject: Readiness list of transfer of SE's/
EE (Elect), under the Administrative
control of CE (E) East,

Ref. : Your letter No. 9/3/92- Admn (Vol-VII)
dated 6.3.1995.

Sir,

Your kind attention is invited to letter
under reference. In this connection I append below
the information as desired please:-

1. Choice Station of posting :- NEW DELHI

2. Detail of posting during last 10 years

Sl.No.	From	to	Nature of duties	Station
1.	1985	to 1993	Planning	New Delhi
2.	1993	to till date	Maint and construction	Guwahati

Thanking you,

Yours faithfully

(Signature)
(V.K. Adlakha)
Executive Engineer (E)
Guwahati El. Division No-II,
C.P.W.D. Guwahati-15.

c/c

Copy for favour of information to :-

1. The Superintending Engineer (E), Guwahati Central
Elect. Circle, C.P.W.D, Guwahati-21.

(Signature)
EXECUTIVE ENGINEER (E)

c/c

Attested
B. K. Basu
Advocate

GOVERNMENT OF INDIA
CENTRAL PUBLIC WORKS DEPARTMENT

No. 15(1)/EE-GED-II/95/ (13)

dt. 24.3.95

To,
The Director General (W)
Central Public Works Department
Nirman Bhavan,
New Delhi-110011

Subject: Tenure posting after serving in North East Region.

- Ref. (i) Your office D.O No. 28/LS/95-EC I, dt. 3.2.95 addressed to CE(E).
- (ii) My application No. 15(1)EE-GED-II/95/209 dt. 01.2.95.

Sir,

Your kind attention is once again brought to my representation at (ii) under reference. My name also appears in the readiness list circulated vide your D.O at (i) under reference.

It is requested to kindly issue my transfer order well in time so that I can be relieved on completion of my tenure as I have to attend to various personal problems as already requested in my representation.

Thanking you,

Your faithfully,

[Signature]
 (V.K. Adlakha)
 Executive Engineer (E)
 Guwahati Elect. Divn. II
 C.P.W.D. Guwahati-15,

Copy for favour of information and necessary action to:-

1. The Chief Engineer (E), East, 234/4 A.J.C. Bore Road, Nizam Palace, Calcutta-20.
2. The Superintending Engineer, Guwahati Central Elect. Circle, CPWD, Guwahati-21.

[Signature]
 EXECUTIVE ENGINEER (E)

*Attested
 B. K. Baishya
 Advocate*

-15-

9

ANNEXURE- 5

No. 28/5/95-EC I/VOL 1/28
GOVERNMENT OF INDIA
DIRECTORATE GENERAL OF WORKS
CENTRAL PUBLIC WORKS DEPARTMENT

NEW DELHI, DT. 30.5.95.

OFFICE ORDER NO. 14 OF 1995.

President is pleased to appoint S/Shri Anil Kumar Mittal (19.09.66), AEE(EI), Rajesh Jain(13.06.66), G.C.Saha(31.01.41)(SC), AE(EI), N.D.Malo, (05.11.40)(SC), AE(EI) and N.S.Sangwan (01-05-43)(SC), AE(EI) to officiate as Executive Engineer (EI) in the Central Electrical & Mechanical Engineering Service, Group 'A' temporarily on adhoc basis, in the scale of pay of RS.3000-100-3500-125-4500 from the date they assume the charge of the post of Executive Engineer (EI) and till further orders.

2. This adhoc promotion will not confer any right on them to any claim either for regular appointment as Executive Engineer (Elect.) or for determining seniority in the grade of Ex.Engineer (EI) or any other incidental benefits of regular promotion. This adhoc promotion is further subject to the outcome of the decision of the Hon'ble Supreme Court in SLP No. 12006/90, OA No.2703/93 and OA No. 1071/94 of Central Administrative Tribunal, Principal Bench, New Delhi.

3. Officer on promotion is required to pass the departmental examination prescribed for Executive Engineer (Elect.), failing which, he shall not earn increments in the grade of Ex. Engineer (Electrical).

4. Director General of Works, CPWD, N.D. is pleased to decide that following postings and transfers in the grade of Ex. Engineer (Elect.) with immediate effect in the public interest :


S.No.	Name(S/Shri)	From	To	Remarks
1.	Anil Kr.Mittal (On promotion)	AEE, VBEDn., N.D.	BFL Dn, I Jammu.	Against the newly created post.
2.	Rajesh Jain (On promotion)	DCED VII, N.D.	BFL Dn, II Jammu.	-do-
3.	G.C.Saha (On promotion)	AE, OCEC I, Calcutta.	SW(E), CE(EI) East, Calcu- tta.	Against the vacan- t & diverted post of SW(E), NSGP, N.D.
4.	N.D.Malo (On promotion)	AE, PCEOn, Patna.	EE(E), Guwaha- ti Cent. El. Dn. Guwahati.	Vice Sh. V.K. Adlakha tfd.
5.	V.K.Adhlakha	GCEOn, Guwahati	ECD II, N.D.	Vice Sh. M.M.L. Chibba tfd.
6.	M.M.L.Chibba	ECD II, N.D.	BFL Dn., Sambha	Against the new- ly created post. Orders to be effective w.e.f. 1.8.95.
7.	L.T.Reddy	On return from leave (ED V)	EE(HQ), DCEC- VIII, N.D.	Vice Sh. I.D. Gera tfd.

Attested
B. K. Baishya,
Advocate

21

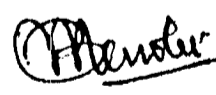
- 8. I.D. Gera EE(HQ) XCEC VIII, N.D. ED V, N.D. Vice Sh. I.T. Reddy tfd.
- 9. N.S. Sangwan (On promotion) Tekanpur El. Sub-Dn. CCEI I, Calcutta. Vice Sh. J.M. Paswan tfd.
- 10. J.M. Paswan CCEI I, Calcutta To report to Central Office for further posting.

5. Officers are requested to join their unit of posting and send 3 copies of TR-I form to the Section Officer, EC I Section, giving ref. to these orders. They should also send certificates of having written their self-appraisal and the CRs in respect of the officers working under them in the prescribed proforma.


 (MAHENDRA KUMAR),
 DY. DIRECTOR OF ADMN. I.

Copy to :

- 1. P&AO, DG(W), CPWD, N.D.
- 2. P&AO, NDZ, CPWD, N.D.
- 3. P&AO, EZ, CPWD, Calcutta.
- 4. P&AO, NEZ, CPWD, Shillong.
- 5. P&AO, FZ, CPWD, N.D.
- 6. Chief Engineer (Vig), CPWD, N.D.
- 7. Chief Engineer (E) I & II, CPWD, Vidyan Bhawan, N.D.
- 8. Chief Engineer (El), East, CPWD, Calcutta.
- 9. SE, DCEC VI, CPWD, N.D.
- 10. EE, VBEDN, CPWD, N.D.
- 11. SE, DCEC VIII, CPWD, N.D.
- 12. EE, DCED VII, CPWD, N.D.
- 13. SE, CCEC I, CPWD, Calcutta.
- 14. SW(El), CE(El), east, CPWD, Calcutta.
- 15. EE, Patna Cent. El. En., CPWD, Patna.
- 16. SE, GCEC, CPWD, Guwahati.
- 17. EE, GCEdn, CPWD, Guwahati.
- 18. SE, DCEC VII, CPWD, N.D.
- 19. EE, ED V, CPWD, N.D.
- 20. SE, DCEC V, CPWD, N.D.
- 21. EE, BCED, CPWD, Bhopal.
- 22. SE, CCEC II, CPWD, Calcutta.
- 23. EE, CCEI I, CPWD, Calcutta.
- 24. Officers concerned.
- 25. PPS to DG(W)/PS To ADG(T&D)/ADG(S&P)/ADG(B)/DDG/PA to DA/DDA I.
- 26. EC II/CR Cell/ EC III/ Stock file/Notice Board.
- 27. All recognised associations.
- 28. DA's computer.


 (BABU MENOKI),
 SECTION OFFICER,
 FOR DG(W).

ANNEXURE- 6

MOST IMMEDIATE
BY FAX

GOVT. OF INDIA
CENTRAL PUBLIC WORKS DEPARTMENT.

No. 15(1)/GED-II/95/804

Dated 21.6.95.

To

The Director of Administrative,
Directorate General of Works,
C. P. W. D., Nirman Bhawan,
New Delhi-110011.

Sub. Relief from GUWAHATI on transfer.

Ref. Office order No. 114 of 1995 circulated vide
No. 28.5.95-ECI/Vol-II/28 dt. 30.5.95.

Sir,

I have been ordered to be transferred from Guwahati to New Delhi vide DG(W) Office order under reference after after completing my tenure.

It is about a month but I am not being relieved in spite of having completed prescribed fixed tenure of post- ing at Guwahati on 30.4.95.

As I am having acute family problem at Delhi and my health is also getting adversely affected due to acute hypertension, arrangement may kindly be made to relieve me immediately.

Thanking you.

Yours faithfully.

(Er. V. K. Adlakha)
Executive Engineer(Elect)
Guwahati Elect Divn No. II
C. P. W. D., Guwahati-15.

Copy for information and necessary action to the
Shri A. Mazumder, SE(E), Guwahati Central Elect Circle, C. P. W. D.
Guwahati-21.

EXECUTIVE ENGINEER(ELECT)

Attested
B. K. Barshya
Advocate

ANNEXURE- 7

// CERTIFICATE //

(To whom it may concerned)

This is to certified that Shri. V.K. Adlakaha, B.S. (CPWD) is suffering from Hypertension with I.H.D and is under my treatment w.e.f 19/05/95. He has been also advised to take complete rest for 4 weeks for prompt recovering from his illness.

Signature of the Patient -

[Handwritten signature]
21/6/95

[Handwritten signature]
Chief Medical Officer (SG)
Sector Hospital, ASI
Guwahati-17 (Assam).
मुख्य चिकित्सा अधिकारी
CHIEF MEDICAL OFFICER,
Sector Hospital, ASI
Guwahati-17 (Assam)

A. H. S. Ted
B. K. Baishya
Advocate