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CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

O.A/T.A No. 151/95

R.A/C.P No.

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CENTRAL ADMINISTRATIVE TRIBUNAL : GUWAHATI BENCH
GUWAHATI

ORIGINAL APPLN.NO. 151 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.)

.....Faizur Rahman..... APPLICANT(S)

-VS-

.....Union of India..... RESPONDENT(S)

FOR THE APPLICANT(S)

...MR. B.K.Sharma
MR. P.K.Tiwari
MR. S.Sarma
MR.

FOR THE RESPONDENTS

...MR.

OFFICE NOTE

DATE

ORDER

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

deposited vide
IPO/BD No. 865.764
Dated 7.8.95

Resd
16/8
By Registrar (A)
Resd

9.8.95

Mentioned. (For admission)

Mr S. Sarma for the applicant.

Mr S. Ali, learned Sr. C.G.S.C.,
on notice.

The application is summarily
rejected. Detailed order contained in
separate sheets.

Full
Vice-Chairman

nkm

21.11.95

Copy of Indg./Order
dtd. 9.8.95 issued to
all concerned vide S/No.
5026-28 dtd. 23.11.95

gls

Resd
5/9/95

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::: GUWAHATI-5.

O.A. NO. 151 of 1995
T.A. NO.

DATE OF DECISION 9.8.1995

Md. Faizur Rahman

(PETITIONER(S))

Shri S. Sarma

ADVOCATE FOR THE
PETITIONER (S)

VERSUS

Union of India and others

RESPONDENT (S)

Shri S. Ali, Sr. C.G.S.C.

ADVOCATE FOR THE
RESPONDENT (S)

THE HON'BLE JUSTICE SHRI M.G. CHAUDHARI, VICE-CHAIRMAN
THE HON'BLE

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

yes

} no

Judgment delivered by Hon'ble Vice-Chairman

M. G. Chaudhary

u

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.151 of 1995

Date of decision: This the 9th day of August 1995
(At Admission Stage)

The Hon'ble Justice Shri M.G. Chaudhari, Vice-Chairman

Md. Faizur Rahman
Junior Clerk,
ICAR Research Complex for NEH Region,
Barapani, Meghalaya.

.....Applicant

By Advocate Shri S. Sarma

-versus-

1. The Union of India,
represented by the Secretary,
Ministry of Agriculture,
Government of India,
New Delhi.
2. The Director,
Indian Council of Agricultural Research,
Barapani, Meghalaya.

.....Respondents

By Advocate Shri S. Ali, Sr. C.G.S.C.

.....

ORDER

CHAUDHARI.J. V.C.

Mr S. Sarma for the applicant.

Mr S. Ali, learned Sr. C.G.S.C. for the respondents.

The applicant is a Junior Clerk under the Indian Council of Agricultural Research (ICAR). Earlier he was posted at the ICAR Research Complex for NEH Region at Barapani. He was transferred in the interest of work to Manipur centre of the Complex at Imphal on 9.7.1991. At his own request he was retransferred to Barapani on 20.4.1993

[Handwritten signature]

[Handwritten signature]

and was attached to the Agricultural Extension Division.

2. By order dated 17.7.1995 he has now been transferred to KVK, Tura (Meghalaya). The applicant represented against the said order by filing a representation to the Director, ICAR Research Complex for NEH Region on 21.7.1995 and requested for cancelling the order of transfer atleast for six months to enable him to complete topmost priority works. However, even thereafter the Director has passed the impugned order dated 4.8.1995 releasing him from Barapani centre to enable him to report for duty at KVK, Tura, ICAR Research Complex. The order of transfer dated 17.7.1995 states that it was done in the interest of work. The applicant prays that the order of his transfer and the release order may be quashed.

3. It is contended that the order of transfer is issued arbitrarily and malafide and in colourable exercise of power. It is then stated that his mother is a chronic psychiatric patient and needs constant treatment and that difficulty of the applicant has not been considered. It is easy to make such allegations, but it is difficult to gather from the contents of the application as to how malafide or vindictive attitude can be assigned to the Director. There are no circumstances even to warrant such an inference prima facie. The difficulties pointed out by the applicant are not extraordinary and these have to be faced by him wherever he is posted. A transfer is an incidence of service. The order shows that it has been done in the interest of work. It is for the concerned authorities to determine where an employee should serve according to

the.....

hgt

3.

the needs of the department. Such decisions which are purely administrative decisions cannot be interfered with by the Tribunal in the absence of any legal ground. Moreover, the applicant has implored this Tribunal to consider his case strictly on humanitarian grounds although ^{it is alleged} ~~it has no inference~~ that the order of transfer ~~obviously~~ is not issued in public interest. In the absence of anything suggestive of malafides or bias it is not for the applicant to determine whether there is public interest to be served or not and that decision should rest with the authorities. For invoking sympathy the applicant has enumerated the following difficulties:


- i) His 69 year old mother is a psychiatric patient and has been treated at Lunatic Asylum, Tezpur and Shilong.
- ii) He lost his father on 2.4.1995.
- iii) He is a permanent resident of Shillong and has his house there.
- iv) He has been obediently performing his work.
- v) He has all along been ^{required} to remain away from Shillong, where he has his own house.
- vi) He is disturbed owing to the demise of his father, and
- vii) Although he would have gone to Tura without any hesitation to carry out the responsibility of a Government servant, but the circumstances are such and so delicate are the problems of his that the transfer would totally disrupt his family life.

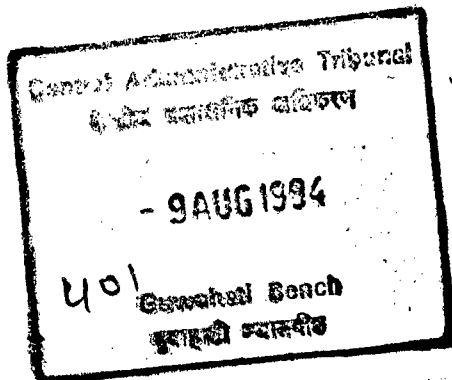
hsl

4. None of the aforesaid grounds are sufficient to compell the respondents to change their administrative decision, As far as the illness of the mother is concerned, even while being posted at Barapani the applicant had to take her to other places. That he can do from Tura also. Other difficulties pointed out are of a routine nature and a person entering Government service which is transferable cannot make any capital out of these circumstances. It is not possible for this Tribunal to interfere on the ground of so called sympathy.

5. Mr S. Sarma, the learned counsel for the applicant, strenuously urged that the difficulties of the applicant are genuine and he will be placed at great difficulties owing to the transfer. He submitted that it is ^a fit case to adopt a sympathetic approach. His grievance further is that the Director has not even considered the grounds stated in the representation of the applicant. As said earlier, it is not possible to accept the grievance based on sympathetic ground. As far as consideration of the representation is concerned, it is pertinent to note that even after the transfer order was issued on 17.7.1995 the release order was not issued until 4.8.1995. The representation was filed on 21.7.1995. It must, therefore, mean that the Director who has passed the release order on 4.8.1995 must have taken into account the representation dated 21.7.1995. The applicant by no stretch in the absence of legal right expect a ~~reasoned~~ ^{different} decision on his representation.

6. For the aforesaid reasons the original application is summarily rejected.


(M. G. CHAUDHARI)
VICE-CHAIRMAN



6

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL::GUWAHATI BENCH

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

Title of the Case : O.A. No. 151 of 1995

Md. Faizur Rahman ... Applicant

- Versus -

The Union of India & Anr. ... Respondents

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For use in Tribunal's Office :

Date of filing :

Registration No.:

REGISTRAR

Filed by
Shilong
Advocate
9/8/95

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH

O.A. No. 151 of 1995

BETWEEN

Md. Faizur Rahman,
resident of Lower Lumpering,
Shillong, presently working as
Junior Clerk at ICAR Research Complex,
Barapani (now under order of
transfer to KVK, Tura).

... Applicant

AND

1. The Union of India,
represented by the Secretary,
Ministry of Agriculture,
Government of India,
New Delhi 110 001.
2. The Director,
Indian Council of Agricultural Research,
ICAR Research Complex,
Barapani, ~~Shillong~~ Meghalaya.

... Respondents

DETAILS OF APPLICATION

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

This application is directed against the following
order :

- (a) The order of applicant's transfer passed by the
Director, ICAR Research Complex, for N.E.H. Region
Barapani, vide office order No. RC(P).81/85 dated 17th
July 1995, transferring the applicant from Barapani
to KVK, Tura, with immediate effect.

Contd...P/2.

(b) The order No. RC(P).81/85 dated 4th August 1995 passed by the Director, ICAR Research Complex, for NEH Region, Barapani, relieving the applicant of his duty w.e.f. the afternoon of 7th of August 1995.

2. JURISDICTION OF THE TRIBUNAL :

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

3. LIMITATION :

The applicant further declares that the application is filed 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 he is presently working as a Junior Clerk in the Agro Forestry Division of the ~~XXX~~ ICAR Research Complex, NEH Region, Barapani, Meghalaya.

4.2 That the applicant is the victim of ~~fact~~ and circumstances, he has a widow mother aged about 69 years who is a chronic psychiatric patient. She had even undergone treatment in the lunatic asylum, Tezpur, where she was admitted for a period of two months. Even at present she is undergoing treatment for her psychiatric treatment at Shillong. Applicant's widow mother is prone to insane and violent behaviour. Applicant is the eldest and the only son who has one young and married sister. Both insane widow as well as young unmarried sister are dependent upon the applicant. It is a ~~sheer~~ ^{fate} irony of applicant's ~~fact~~ that very recently his father

also expired on 2.4.95 at Shillong. The loss of father coupled with the added responsibility of looking after the mentally sick widow mother has placed the applicant in an unenviable situation.

Certificates showing the mental sickness of the applicant's mother are annexed herewith and marked as ANNEXURES: A & B.

Certificate of applicant's father's death is annexed herewith and marked as ANNEXURE: C.

4.3 That the applicant is a permanent resident of Shillong where he has got his own house and establishment. As stated above that the applicant's mother is a mental patient and who is undergoing medical treatment at Shillong. Moreover, after the applicant's father's sudden demise on 2.4.95 it is now the applicant's sole responsibility to look after his ailing, sick, old widow mother. It is thus highly convenient for the applicant to remain at Shillong and his transfer to any far-flung area would be disastrous to the welfare of applicant's ailing mother in particular and to the applicant's family in general.

4.4 That the applicant has always been an obedient Government servant who strictly complied with ~~the~~ all the administrative orders and rose to the occasion whenever he was required to perform any duty. Vide order No. RC(P).81/85 dated 9.7.91, the applicant was transferred from Barapani to Manipur Centre of ICAR Research Complex, Imphal. Applicant obediently complied with the said order

of transfer and worked in far flung area of Manipur for nearly 3 years. Applicant at that point of time did not make any complaint against his order of transfer and worked as an obedient Government servant. It is pertinent to mention here that at the relevant point of time, the applicant's father was ~~xxx~~ hail and hearty and he could look after his mentally sick mother at Shillong. On the request of the applicant vide order No. RC(P), 81/95 dated 28.4.93, the applicant was transferred from Manipur Centre, Imphal to ICAR Research Complex, Barapani and since then, the applicant has been working at Barapani as a Junior Clerk.

A copy of the aforesaid order dated 19.7.91 and a copy of the order dated 28.4.93 are annexed herewith and marked as ANNEXURE S-D & E respectively.

4.5 That as stated earlier within 2 years of applicant's transfer to Barapani, his father expired on 2.4.95 and thereafter applicant remained the only responsible member in the family to look after his ailing mentally sick widow mother and young and unmarried sister. ~~Now~~

4.6 That it was the sheer irony of the applicant's ^{fate} ~~faith~~ that he could ^{not} even spend 2½ years of stay in Shillong where he has a permanent establishment that all of a sudden, the respondent No. 2 vide office order No. RC(P).81/85 dated 17.7.95 transferred the applicant from Barapani to KVK, Tura with immediate effect.

A copy of the impugned order dated 17.7.95 is annexed herewith and marked as ANNEXURE-F.

4.7 That the applicant was shocked to receive the impugned order of transfer for, the same came soon after the applicant's father's demise. The impugned order of transfer by its very nature disturbed the applicant's family life and put in grave peril the life of the applicant's mother who being a psychiatric patient^{is} presently receiving medical treatment at Shillong. In view of the aforesaid facts, applicant was compelled to file a representation dated 21.7.95 to the respondent No. 2 wherein he made a request for cancellation of his order of transfer. In his representation, applicant narrated in detail as to how the circumstances in which the applicant presently finds himself are compelling in nature and he is just not in position to comply with the order of transfer because the same would disturb his family life and would also seriously jeopardise the well being of his 69 years old widow mother.

A copy of the said representation dated 21.7.95 is annexed herewith and marked as ANNEXUR - G.

4.8 That the representation of the applicant failed to evoke any appropriate response from the respondents No. 2 not to speak of sympathetic consideration of applicant's representation. What the applicant received after sometime was the order passed by the respondent No. 2 vide Memo No. RC(P).81/85 dated 4.8.95 pursuant to which the applicant was relieved of his duties with effect from afternoon of 7th August 1995 to enable him to report for duties at KVK, Tura ICAR Research Complex, Dobasipara.

A copy of the relieving order dated 4.8.98
is annexed hereto and marked as ANNEXURE-H.

4.9 That in view of the compelling circumstances,
~~the~~ and unsurmountable personal problems of the applicant
the instant application has been preferred before this
Hon'ble Tribunal seeking indulgence of this Hon'ble
Tribunal to quash and set aside the impugned orders
of transfer and release so as to mitigate the hardship
of the applicant. The instant case is not a case where the
applicant has come before this Hon'ble Tribunal merely
for the purpose of avoiding the order of transfer.
As stated earlier, the applicant had always complied
with the earlier orders of transfer. He served in the
State of Manipur for a period of three years. On this
occasion too, applicant without any hesitation would
have gone to Tura and carried out his responsibility
of a Government servant but now the circumstances are
such and so delicate are the problems of the applicant
that acting in compliance of the impugned order of
transfer would totally disrupt the applicant's family
life.

4.10 That the applicant in the instant case implore upon
on the Hon'ble Tribunal to consider his case strictly
on humanitarian ground. It is ~~undoubtedly~~ ^{obvious}
that the order of applicant's transfer has not been
issued in any public interest. In the impugned order
prima facie no urgency has been shown as to why the
applicant is required to be transferred immediately.
The order of transfer smacks ^{of} malafide having been passed

vindictively just to settle the personal score with the applicant.

4.11 That the applicant has been meted out with discriminatory treatment because there are many persons junior to him who have been staying in Shillong for a very long time and they have not been transferred out of Shillong even once, and there are also persons junior to the applicant who have not been transferred since their inception of service and from the date of their appointment they have been working in Shillong. In sharp contrast to this, the petitioner has been meted out ~~and~~ an unfair treatment and he has been transferred from Barapani to KVK, Tura arbitrarily without considering his disturbed family ~~sanitary~~ condition and sharply ~~sex~~ deteriorating the mental sickness of his old widow mother. As stated earlier, the applicant on earlier occasion was transferred from Barapani to Manipur and he obediently complied with the said order of transfer. However, on this occasion, circumstances are compelling and the ~~order of transfer~~ applicant is unable to abide ~~the~~ by the same.

4.12 That the applicant has a right of considering of his representation dated 21.7.95. As stated earlier in the aforesaid representation, the applicant elaborately discussed all the relevant aspect involving his ~~transfer~~ personal family life and craved the indulgence of the competent authority to consider his representation on humanitarian ground, but the said representation was not considered at all and no order was passed in regard to the same.

4.13 That the applicant in the instant case cannot claim it as a matter of right to be posted at a particular place, but he certainly has can demand the consideration of his representation on merits and ~~now~~ on humanitarian ground. It is incumbent upon the competent authority to dispose of the representation of the applicant by applying his mind to the facts and nature of the case. The competent authority by not ~~dismissing~~ disposing of his representation by a speaking order and by failing to consider the same acted arbitrarily. On this count alone, the impugned order of transfer and the order of release of the applicant is liable to be quashed and set aside.

4.14 That although the applicant has been released vide order dated 4.8.95 (Annexure-H) but till this date no reliever has been appointed to take charge from the applicant. The Annexure-H order thus relieves the applicant without appointing any reliever in the applicant's place. Thus it shows malafide and vindictiveness of the respondent No. 2 towards applicant. It is stated that the applicant till now has not handed over the charge at his present place of posting at Barapani because of the absence of any reliever and he is still continuing as a Junior Clerk in Agro-Forestry Division of ICAR Research Complex at Barapani.

4.15 That the instant case is a fit case wherein this Hon'ble Tribunal may be pleased to stay the impugned Annexure-F order of transfer alongwith the Annexure-H order of applicant's release. The stay of the aforesaid

two orders would cause no hardship to the respondents ~~but~~ inasmuch as no reliever till this date has been appointed to take charge from the applicant at Barapani. Moreover, in view of the delicate and precarious family problems being faced by the applicant, he certainly would suffer irreparable loss and injury if the impugned orders are not stayed forthwith. Lastly the applicant has also made out a prima facie case of hardship and great personal suffering. On humanitarian ground alone this Hon'ble Tribunal may be pleased to stay the impugned orders of transfer and the order of releasing the applicant.

4.16 That the applicant has no other alternative remedy and the remedy sought for herein when granted would be just, adequate and effective.

4.17 That the applicant files this application bonafide and for the ends of justice.

5. GROUND FOR RELIEF WITH LEGAL PROVISIONS :

5.1 That the impugned order of transfer has been issued arbitrarily without any application of mind.

5.2 That the order of applicant's release without appointing reliever to take charge from him also smacks of malafide and the same is vindictive in nature.

5.3 That the non-consideration of the applicant's representation amply demonstrates respondent No.2's malicious intent and the same smacks of malafide.

5.4 For that the ~~allegations~~ applicant's 69-year old widow mother is a chronic psychotic patient and despite applicant's entreaties to bear this factor in mind was totally ignored by the competent authority while passing the order of release.

5.5 For that the unsurmountable personal difficulty of the applicant and the grave and serious period of the life of his mother necessitated the indulgence of this Hon'ble Tribunal to quash and set aside and the impugned order of transfer and the applicant's order of release.

5.6 For that the impugned order of transfer and the order of applicant's release has been passed in the colourable exercise of power and it does not seek to serve any public interest.

5.7 For that the order of transfer and the corresponding order of his release has not been passed in any public interest and it does not protect any official interest. The sole purpose behind it is the harassment of the applicant.

5.8 For that the impugned orders are contrary to all canons of justice, equity and fair play in administrative action and are liable to be quashed and set aside.

6. DETAILS OF REMEDIES EXHAUSTED :

That the applicant has no other alternative or efficacious remedy than to come under the protective hands of Your Lordships.

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

The applicant further declares that he has not filed any application, writ petition or suit in any other court, any other authority or any other Bench of the Tribunal in respect of the subject matter of this application nor any such application, writ petition or suit is pending before any of them.

8. RELIEFS SOUGHT :

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

- 8.1 Impugned order of transfer dated 17.7.95 vide order No. RC(P).81/95 (Annexure-F) be quashed and set aside.
- 8.2 Impugned order dated 4.8.95 of the applicant's release vide order No. RC(P).81/95 dated 4.8.95 (Annexure-H) be quashed and set aside.
- 8.3 Award cost of the application.
- 8.4 Any other relief or reliefs to which the applicant is entitled under the facts and circumstances of the case.

9. INTERIM ORDER PRAYED FOR :

Pending disposal of the case, the impugned order of transfer dated 17.7.95 (Annexure-F) and the order of applicant's release dated 4.8.95 (Annexure-H) be suspended and/or stayed with further direction to allow the applicant to continue to work at Barapani in Agro-Forestry Division of ICAR Research Complex as Junior Clerk.

10.

The application is filed through Advocate.

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

(i) I.P.O. No. : 8 03 865765
(ii) Date : 7/8/95
(iii) Payable at : Guwahati.

12. LIST OF ENCLOSURES :

As stated in the Index.

Verification.....

- 13 -

VERIFICATION

I, Shri Faizur Rahman, son of Late Abdul Rahman, resident of Lower Lumpering, Shillong, 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 9th day of August 1995 at Guwahati.

Faizur Rahman.

CERTIFICATE OF DISCHARGE FROM
MENTAL HOSPITAL
TEZPUR.

Regd. No. 1082 F Age Sex F

Name Mr. Gilsan Bihari

Date of admission 22 2 71

Date of Discharge 20 4 71

Diagnosis Styphomani

Result

Further advice

He is now free from
the disease and
is well.

P.T.O.

Superintendent,

20/4/71

Mental Hospital, Tezpur.

P. S.— In any future reference please quote registered number.

Attested.
Advocate.

23

Stu... 25 mgm tablet
(30)
1/2 tablet every night
m...
20/10/71

Dr. R. Barthakur, M. B. B. S. - 15 -

Bishnupur, Shillong-4

Regd. No. 4680 (A. M. C.)

Ex-Medical Officer in the U. K.

(England) National Health Service

Phone : 223882

Authorised
Medical Attendant
for Central Govt. Employees

Consulting hours at

Barthakur Clinic

Bishnupur, Shillong-4

Morn. 8-30 A.M. to 1.30 P.M.

Even, 4 P.M. to 8 P.M.

Sunday-Closed

Date.....20th July 1955

This is to certify that
 Mrs. Gulsan Bibi, mother of Shri
 F. Rahman is a chronic psychiatric
 patient. Once she was treated as an
 inpatient at the mental Hospital,
 Jorapur. Since then she is taking
 medications at home & is just
 controlled. Her mental state needs
 constant supervision by attendant
 & medications have to be given regularly.

It is essential that someone
 who has the experience of attending
 her, stay near her for constant
 monitoring & care.

Dr. R. Barthakur
 M B B S
 Put Medical Practitioner
 Bishnupur, Shillong-4

Attested.
 Advocate.

-16-
WOODLAND NURSING HOME

Dhankheti, Shillong - 793003

Meghalaya

PHI :- 225240
224885

Annex - C.

25

Ref. No.

Date 3.4.95

This is to certify that
Late A. Rahman expired on 3.4.95.
at B.M. due to cardiac respiratory
failure following hypertension with C.V.A.

R. P.
3.4.95

Attested.
/s/ Advocate.

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
ICAR RESEARCH COMPLEX FOR N.E.H. REGION
UMROI ROAD, BARAPANI, MEGHALAYA

No.RC(P)81/85

Dated Barapani, the 9th July, '91.

O R D E R

In the interest of work, the Director, ICAR Research Complex for NEH Region, Barapani is pleased to transfer Shri F. Rahman, Jr. Clerk, ICAR Research Complex for NEH Region, Barapani to Manipur Centre, ICAR Research Complex for NEH Region, Imphal, Manipur. He is relieved with effect from 31.7.91 (Afternoon).

He is entitled to TTA/Joining time, etc. as per rule.

(I. K. SHARMA)
ASSTT. ADMINISTRATIVE OFFICER (ADMN.)

To

Shri F. Rahman,
Jr. Clerk (C),
ICAR Research Complex for NEH Region,
Barapani. He should hand over charge to the
Asstt. Admn. Officer (C).

Copy for information & necessary action to :-

1. The Finance & Accounts Officer, ICAR Research Complex, Barapani.
2. The Asstt. Admn. Officer (C), ICAR Research Complex, Barapani. He is requested to relieve Shri F. Rahman, Jr. Clerk w.e.f. 31.7.91 (A.N.)
3. The Asstt. Admn. Officer (Estt.), ICAR Research Complex, Barapani.
4. The Joint Director, Manipur Centre, ICAR Research Complex for NEH Region, Imphal, Manipur.
5. The Dealing Asstt. (Rectt.)

Tested.
Advocate.

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Anx - E.

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
ICAR RESEARCH COMPLEX FOR N.E.H. REGION
UMROI ROAD, BARAPANI, MEGHALAYA

NO.RC(P)81/85

Dated Barapani, the 20th April, '93

O R D E R

The Director, ICAR Research Complex for NEH Region, Barapani is pleased to transfer Shri. Faizur Rahman, Junior Clerk presently working in Manipur Centre in the same capacity to the ICAR Research Complex for NEH Region, Barapani at his own request with immediate effect. He will remain attached to the Agricultural Extension Division, Barapani.

He will not be entitled to T.T.A/joining time etc.

20/4/93
(G. SIWHA)
ASSTT. ADMINISTRATIVE OFFICER (ADMN.)

✓ To
Shri. F. Rahman,
Junior Clerk,
Manipur Centre,
ICAR Research Complex for
NEH Region, P.O. Imphal,
Manipur.

Copy to :-

1. The Joint Director, ICAR Research Complex for NEH Region, Manipur Centre, Imphal, Manipur. He is requested to relieve Shri. F. Rahman immediately.
2. P.A. to Director, for favour of information of Director.
3. Finance and Accounts Officer, ICAR Research Complex for NEH Region, Barapani.
4. Asstt. Administrative Officer (Estt.), ICAR Research Complex for NEH Region, Barapani.
5. The Scientist Incharge, Agril. Extn. Division, ICAR Research Complex for NEH Region, Barapani.
6. Dealing Assistant Recruitment.

Autos.ed.

Advocate.

Indian Council Of Agricultural Research
ICAR Research Complex for N.E.H. Region
Umroi Road, Barapani -793103 Meghalaya

No.RC(P)81/85.

Dated Barapani, the 17th July, 1995.

OFFICE ORDER

In the interest of work, Shri. F. Rahman, Jr. Clerk,
Agro-Forestry Division is hereby transferred to KVK Tura, with
immediate effect.

He will be entitled for TTA/Joining Time etc. as admissible
under rules.

Sd/- S. LASKAR
DIRECTOR

Memo.No.RC(P)81/85.

Dated Barapani, the 17th July, 1995.

Copy for information and necessary action to :-

1. The Scientist-in-charge, Agro-Forestry Division, ICAR Research Complex, Barapani.
2. The Scientist-in-charge, K.V.K. Tura, ICAR Research Complex P.O. Dabasipara -794005.
3. Shri. F. Rahman, Jr. Clerk, ICAR Research Complex, Barapani.
4. The Asstt. Admn. Officer (Estt.) ICAR Research Complex, Barapani.

17/7/95
(M.J. KHARMANPHLANG)
ASST. ADMINISTRATIVE OFFICER (ADMN.)

Att- ed.
Advocate.

Dated Barapani, the 21st July, 1995.

To,

The Director
ICAR Research Complex for NEH Region
Baroi Road, Barapani.
Meghalaya.

(THROUGH PROPER CHANNEL)

Sub: Requesting for cancellation of transfer order - reg.
Ref: Your Office Order No.RC(P)81/85 dtd. 17.7.95.

Sir,

I received office order No.RC(P)81/85 dtd. 17.7.95 for my transfer to K.V.K. (ICAR), Tura in the same capacity.

In this connection, I beg to state the following points for your kind perusal and sympathetic consideration.

1. That Sir, I have own house and establishment at Shillong. I am the eldest and only son residing with my ailing widow mother and unmarried sister and they are fully dependent on me in every respect of livelihood.
2. That Sir, my widow mother (age 69 years) is a chronic psychiatric patients (Certificates enclosed as Anx. A & B), even for which she has undergone for treatment at our Mental Hospital, Assam, and now also she is still under going psychiatric and others protective treatments including spiritual one. For which my physical presence has become extremely necessary as, I am now habituated

Attested.

Advocate.

Cont...2/-

and experienced for controlling her violent and dealing with her other insane behaviours. Except adopting these methods, currently I have no other options to treat her nor my obligatory responsibilities permit me to send her again in some Mental Asylums at this old age.

3. That Sir, the timing of receiving the transfer order is also very unfortunate, as we are still shocked due to sudden demise of our father, who expired on 2.4.95 at Shillong (Certificate enclosed as Anx. -C).
4. That Sir, prior to this transfer order, once I had been transferred to Manipur centre of ICAR in the year of 1991 (Copy enclosed as Anx.- D) in the same capacity. In showing respect to the order, I joined the Manipur Centre very sportingly, without bothering much, about the intactness of aforementioned para No. 2 and other problems, which normally had to bear by low paid employees in such type of transfer cases for maintaining two families/kitchens at two different locations.
5. That Sir, after rendering my 3 year services at a difficult area like Manipur with so many difficulties, I had been transferred back to Barapani on 20.4.95 (copy enclosed as Anx.- E) on the basis of aforesaid problems (para 2nd). And now your latest transfer order, undoubtedly compelled me to push further into more and more difficult position in comparing with the transfer order of 1991 as during that times at least my father was alive to guide

Attested.
Advocate.

Cont.....3/-

and govern the family.

On the basis of the facts, mentioned above, I am requesting your kindness to kindly cancel the transfer order or stay the effect of the orders for atleast next six months so as to enable me to complete the top most priority works like transferring family pension of my late father and arranging a likeminded custodian for my mother, who could understand her prevailing position and to take care properly in my absence.

I am sure in view of the facts mentioned above your kindness will take a favourable decision in this regard.

Thanking you.

Yours faithfully,



(F. RAHMAN)

Jr. Clerk (Forestry) Division.

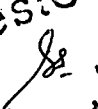
Encl: Anexures

A & B (Med. Certificates)

C (Death Certificate)

D (Transfer Order
Copy)

E (Transfer Copy,
on self request)

Attested.

Advocate.

.....

Ann H.

23-

INDIAN COUNCIL OF AGRICULTURAL RESEARCH
ICAR RESEARCH COMPLEX FOR N.E.H. REGION
"UMROI ROAD" BARAPANI

No. RC(P)81/85

Dated Barapani, the 4th Aug, 1995.

ORDER

In continuation of this office order No. RC(P)81/85 dated 17th July, 1995 Shri F. Rahman, Jr. Clerk is hereby relieved of his duties w.e.f. the afternoon of 7th August, 1995 to enable him to report for duties at K.V.K. Tura, ICAR Research Complex, P.O. Debasipara.

Sd/- S. Laskar
Director

Copy forwarded for information and necessary action to :-

1. Shri F. Rahman, Jr. Clerk, ICAR(RC) Barapani.
2. The Scientist Incharge, K.V.K. Tura, ICAR Research Complex P.O. Debasipara - 794005
3. The Scientist Incharge, Agro-Forestry Division, ICAR(RC) Barapani.
4. The Asstt. Administrative Officer (Estt) ICAR(RC) Barapani.

[Signature] 4/8/95
(M. J. Kharmawphlang)
Asstt. Administrative Officer

[Signature] 4/8/95

Attes. ed.
[Signature]
Advocate.